

# EL CERRITO CITY COUNCIL EL CERRITO REDEVELOPMENT AGENCY

## MINUTES

### SPECIAL CITY COUNCIL MEETING

Monday, March 15, 2010 – 6:00 p.m.

City Council Chambers

### SPECIAL CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

Monday, March 15, 2010 – 7:30 p.m.

City Council Chambers

#### 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

#### 6:00 p.m. ROLL CALL

Present: Councilmembers Jones, Lyman, Potter and Mayor Abelson

Absent: Councilmember Cheng

#### SPECIAL CITY COUNCIL MEETING

Mayor Abelson convened the Special City Council Meeting at 6:04 p.m.

**ORAL COMMUNICATIONS FROM THE PUBLIC** – No comments.

#### EL CERRITO POLICE DEPARTMENT SWEARING IN CEREMONY

Police Chief Kirkland introduced and provided special recognition to the following police department staff present this evening: Officers Brandon Ruffin and Gabino Gutierrez, Reserve Officer Craig Long, Police Captain Michael Regan, Lieutenants Stephen Bonini, Robert De La Campa and Paul Keith, Police Sergeant Ian Wong, Police Corporals Gilbert Tang and David Wentworth and Executive Assistant Samantha Smith. The City Clerk administered the Oath of Office.

**ADJOURNED SPECIAL CITY COUNCIL MEETING** at 6:54 p.m.

#### ROLL CALL

Present: Councilmembers Jones, Lyman, Potter and Mayor Abelson

Absent: Councilmember Cheng

7:30 p.m.

## CONVENE SPECIAL CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

Mayor Abelson convened the Special Concurrent City Council/Redevelopment Agency meeting at 7:35 p.m.

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

Councilmember Jones reported on his attendance at the March 10-12, 2010 California Redevelopment Association Annual Conference. There is a lawsuit against the State of California regarding the State's efforts to take redevelopment money away from cities, counties and special districts. The court has to issue a ruling within 90 days of March 3, however the Redevelopment Association is expecting a decision mid or late April because of the May 10 payment requirement. General consensus is that the decision is likely to be appealed. The California Redevelopment Association would like to get more local officials involved in getting the word out about redevelopment and with informing state representatives about what redevelopment money means for the betterment of the community in terms of business and employment. The Association is going to continue to support affordable housing, transit oriented development and will support and promote green building in redevelopment areas through building codes and standards. Councilmember Jones also reported that the Association reminded members of the 2014 compliance date for affordable housing.

Councilmember Lyman reported that the Crime Prevention Committee met last week and re-evaluated use of city resources and has postponed the March 22 Neighborhood Watch meeting until after the annual National Night Out event. The Bicycle Safety Rodeo has also been postponed and scaled down to accommodate city resources.

**A. California Police Chiefs Association Prestigious Joe Molloy Award – presented to Scott Kirkland, Chief of Police.**

**Action:** Announcement and presentation of award.

**B. American Public Works Association, Northern California Chapter, 2010 Professional Manager of the Year Award – Engineering and Technology – presented to Jerry Bradshaw, Director of Public Works.**

**Action:** Announcement and presentation of award.

3. **ORAL COMMUNICATIONS FROM THE PUBLIC**

Al Miller, El Cerrito, thanked the City Council for support provided to the El Cerrito Green Team and expressed his appreciation for those who participated in a recent "broom busting" event in the Hillside Natural Area. Mr. Miller also thanked the Council for recognizing local lifesaving heroes this evening.

4. **PRESENTATIONS**

**A. Proclamation Commending Lucille Irish – Requested by El Cerrito Historical Society.**

Approve a proclamation extending commendation to Lucille Irish, pillar of the Historical

Society and legendary City Clerk in recognition of her dedicated service and role in preserving the precious history of El Cerrito.

**Action:** Approved and presented proclamation.

Rich Bartke, President, El Cerrito Historical Society, also presented Ms. Irish with a plaque on behalf of the Historical Society.

**B. Contra Costa County HeartSafe Community Overview and EMS Honoring of Local Heroes – Requested by Contra Costa County Office of Emergency Services.**

**Presenters:** Contra Costa County Supervisor John Gioia, Pamela Dodson, County EMS.

**Action:** Received presentation. Awards presented.

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

Moved, seconded (Potter/Lyman; Ayes – Jones, Lyman, Potter and Abelson; Noes – None; Absent – Cheng) and carried to adopt Consent Calendar Item Nos. 5A through 5G.

**A. Minutes for Approval**

Approve the March 1, 2010 Special City Council Meeting and Special Concurrent City Council/Redevelopment Agency Meeting Minutes.

**Action:** Approved minutes.

**B. Woman of the Year Proclamation**

Approve a proclamation recognizing Donna Houser for her significant contributions to the community and congratulating her upon her selection as El Cerrito's 2010 Woman of the Year, and particularly her recognition at the March 24, 2010 Contra Costa College National Women's History Month Celebration.

**Action:** Approved proclamation.

**C. 2010 Census Partner Proclamation**

Approve a proclamation proclaiming that the City of El Cerrito is committed to partnering with the U.S. Census Bureau to help ensure a full and accurate count in 2010.

**Action:** Withdrawn from the Consent Calendar by Mayor Abelson. Proclamation presented to Deborah Stanton, U.S. Census.

**D. Budget Adjustments and Personnel Changes for Mid-Year 2009-10 Budget**

Adopt a resolution authorizing the City Manager to make mid-year budget and personnel adjustments.

**Action:** Adopted Resolution No. 2010-12.

**E. Retirement Health Savings Plan Option in Police Chief Memorandum of Understanding**

Adopt a resolution authorizing the City Manager to enter into an agreement with ICMA-RC establishing a Retirement Health Savings Plan option in the Police Chief Memorandum of Understanding and authorizing the City Manager to enter into agreements with other employee organization bargaining representatives interested in

establishing an ICMA-RC Retirement Health Savings Plan.

**Action:** Adopted Resolution No. 2010–13.

**F. Supplemental Law Enforcement Services Program (SLESP) Funds**

Adopt a resolution authorizing the expenditure of Supplemental Law Enforcement Services Program (SLESP) funds for the continuation of a sworn position assigned to traffic enforcement and the remainder for the purchase of needed equipment.

**Action:** Adopted Resolution No. 2010–14.

**G. Directing the Filing of the Annual Report for Landscape and Lighting Assessment District for Fiscal Year 2010–2011**

Adopt a resolution directing NBS Local Government Solutions, the designated Engineer of Work for the Landscaping and Lighting Assessment District No. 1988–1, to prepare the annual report for fiscal year 2010–2011.

**Action:** Adopted Resolution No. 2010–15.

**6. PUBLIC HEARINGS**

CITY COUNCIL ITEM

**A. Repeal and Re-enact El Cerrito Municipal Code Chapter 6.55 (Alarm Systems) and Include Fees for Alarm User Permits and False Alarm Fines**

Conduct a public hearing and upon conclusion introduce by title, waive first reading and approve an ordinance repealing and re-enacting El Cerrito Municipal Code Chapter 6.55 (Burglar Alarm Systems) and adopt a resolution amending the City's Master Fee Schedule to include fees for alarm user permits and false alarm fines.

**Presenters:** Robert De La Campa, Police Lieutenant.

Mayor Abelson opened the public hearing.

**Speakers:** Jon Sargent, ADT Security Services, stated that false alarms have decreased nationally, stated that the proposed ordinance is based on a model ordinance and includes industry best practices. Mr. Sargent expressed his support for the proposed ordinance.

Tom Rood, President, East Bay Alarm Association, identified the major suppliers of alarm panels.

Eugene Go, El Cerrito, asked the city to study the alarm issue more and expressed a need for more education regarding the pros and cons of alarms and fees and the need for community communication, input and acceptance.

Moved, seconded (Lyman/Potter; Ayes – Jones, Lyman, Potter and Abelson; Noes – None; Absent – Cheng) and carried to close the public hearing.

**Action:** Moved, seconded (Lyman/Potter; Ayes – Jones, Lyman, Potter and Abelson; Noes – None; Absent – Cheng) and carried to approve by title, waive further reading and approve Ordinance 2010–03 as amended to modify Sections 6.55.060(a) and (d) to identify that there will be no charge for a second false alarm in 2010 and that there will be no fine for an unpermitted alarm system in 2010 and modify Section 6.55.045 to add a requirement that the city will send out renewal notices 60 days prior to

expiration. The Council also directed staff to send out a citywide mailer notifying all residents and businesses about the new alarm ordinance. *Second reading scheduled for April 5, 2010.*

Moved, seconded (Lyman/Jones; Ayes – Jones, Lyman, Potter and Abelson; Noes – None; Absent – Cheng) to adopt Resolution No. 2010-16 amending the Master Fee Schedule.

#### REDEVELOPMENT AGENCY ITEM

#### **B. Redevelopment Agency Mid-Term Review of Fiscal Year 2007–08 to 2011-2012 Five Year Implementation Plan**

Conduct a public hearing for the purpose of reviewing the Redevelopment Plan and the Fiscal Year 2007–08 through 2011–12 Five-Year Implementation Plan for the City of El Cerrito Redevelopment Project and evaluating its progress.

Presenters: Lori Treviño, Redevelopment Manager and Hilde Myall, Senior Project Manager.

Chair Potter opened the public hearing.

Moved, seconded (Jones/Lyman; Ayes – Abelson, Jones, Lyman and Potter; Noes – None; Absent – Cheng) and carried to close the public hearing.

**Action:** Received presentation.

### **7. POLICY MATTERS**

#### **A. Financial Reserve Policy**

Consider the staff recommendation to adopt City and Redevelopment Agency resolutions revising the City's Comprehensive Financial Policies regarding the General Fund Reserve Requirement and rescind City Council Resolution No. 2009–19 and Redevelopment Agency Resolution No. 585.

Presenter: Mary Dodge, Administrative Services Director.

**Action:** Moved, seconded (Lyman/Potter; Ayes – Jones, Lyman, Potter and Abelson; Noes – None; Absent – Cheng) and carried to adopt City Council Resolution No. 2010–17 and rescind Resolution No. 2009–19.

Moved, seconded (Lyman/Potter; Ayes – Abelson, Jones, Lyman and Potter; Noes – None; Absent – Cheng) and carried to adopt Redevelopment Agency Resolution No. 597 and rescind Redevelopment Agency Resolution No. 585.

#### **B. Measure WW Parks Bond Program Update**

Receive report from staff and provide direction for developing a 2010 Measure WW Application.

Presenter: Jerry Bradshaw, Public Works Director.

**Action:** Received presentation.

#### **C. Recycling Center Design–Build Consultant Contract Award**

Adopt a resolution: 1) Authorizing the City Manager to enter into an agreement with Swinerton Management and Consulting in an amount not to exceed \$55,000 to develop

Design-Build bid documents and manage the procurement process for the new Recycling Center; and authorizing the City Manager to execute contract amendments in an amount not to exceed \$11,000; and 2) Authorizing the appropriation of \$66,000 from the City's Integrated Waste Management Fund Balance for the pre-construction phase of the new Recycling Center.

Presenter: Melanie Mintz, Environmental Services Manager.

Action: Moved, seconded (Potter/Lyman; Ayes – Jones, Lyman, Potter and Abelson; Noes – Jones; Absent – Cheng) and carried to adopt Resolution No. 2010–18.

**8. COUNCIL ASSIGNMENTS/LIAISON REPORTS**

Moved, seconded (Potter/Lyman; Ayes – Jones, Lyman, Potter and Abelson; Noes – None; Absent – Cheng) and carried to continue this item to the meeting of April 5, 2010.

**SUPPLEMENTAL REPORTS AND COMMUNICATIONS**

**Item No. 7(C) Recycling Center Design–Build Consultant Contract Award**

Swinerton Management and Consulting Fee Breakdown and hourly staff rates – *Submitted by the Environmental Services Department.*

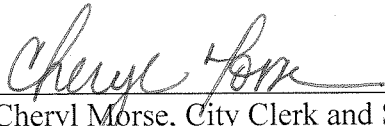
Moved, seconded (Potter/Lyman; Ayes – Jones, Lyman, Potter and Abelson; Noes – None; Absent – Cheng) and carried to extend the meeting to 10:40 p.m.


Moved, seconded (Lyman/Potter; Ayes – Jones, Lyman, Potter and Abelson; Noes – None; Absent – Cheng) and carried to extend the meeting to 10:50 p.m.

Moved, seconded (Lyman/Potter; Ayes – Jones, Lyman, Potter and Abelson; Noes – None; Absent – Cheng) and carried to extend the meeting to 10:55 p.m.

**9. ADJOURNED SPECIAL CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING at 10:57 p.m.**

This is to certify that the foregoing is a true and correct copy of the minutes of the Special City Council and Special Concurrent City Council and Redevelopment Agency meeting of March 15, 2010 as approved by the El Cerrito City Council and Redevelopment Agency.

  
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Cheryl Morse, City Clerk and Secretary to the Redevelopment Agency

  
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Janet Abelson, Mayor

  
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Sandi Potter, Redevelopment Agency Chair