AGENDA

SPECIAL EL CERRITO CITY COUNCIL MEETING
Monday, July 19, 2010 – 6:30 p.m.
City Council Chambers

El CERRITO CITY COUNCIL MEETING
EL CERRITO REDEVELOPMENT AGENCY
EL CERRITO PENSION TRUST BOARD
EL CERRITO PUBLIC FINANCING AUTHORITY

Monday, July 19, 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

ROLL CALL

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

ORAL COMMUNICATIONS FROM THE PUBLIC *(Remarks are limited to 3 minutes per person and to this special meeting agenda only.)*

SWEARING IN OF POLICE CHIEF SYLVIA MOIR

ADJOURN SPECIAL CITY COUNCIL MEETING

ROLL CALL

7:30 p.m. **CONVENE CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY/PENSION TRUST BOARD AND PUBLIC FINANCING AUTHORITY MEETING**

1. **PLEDGE OF ALLEGIANCE TO THE FLAG** – led by Councilmember Lyman.

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

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. National Night Out Proclamation

Approve and present a proclamation calling upon all residents of the City of El Cerrito to participate in the "27th Annual National Night Out Event" on August 3, 2010 and proclaiming Tuesday, August 3, 2010 as "Night Out" in the City of El Cerrito.

B. Annual Sundar Shadi Garden Club Awards – *presentation by El Cerrito Garden Club.*

5. ADOPTION OF THE CONSENT CALENDAR – Item Nos. 5A through 5I

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.

A. Minutes for Approval

1. Approve the June 21, 2010 Concurrent City Council / Redevelopment Agency / Pension Trust Board and Public Financing Authority meeting minutes.

2. Approve the June 28, 2010 Special City Council meeting minutes.

B. Memorandum of Understanding with the Public Safety Management Group – Police Chief

Adopt a resolution authorizing the City Manager to execute a Memorandum of Understanding (MOU) between the City of El Cerrito and the Public Safety Management Group – Police Chief.

C. Implementation of the U.S. EPA Climate Showcase Communities Grant

Adopt a resolution authorizing the City Manager to execute the following sub-grantee agreements to assist in the implementation of the Small Cities Climate Action Partnership (ScCAP) as funded by the U.S. Environmental Protection Agency (EPA) Climate Showcase Communities grant: 1) A consulting services agreement with Strategic Energy Innovations in an amount not to exceed $153,902 to provide technical assistance to El Cerrito and other ScCAP cities in developing energy management tools and climate action plans; and 2) Memoranda of Understanding with the partner cities of San Pablo, Albany, and Piedmont governing their use of grant pass through funds in amounts of $75,202 each.

D. 2010 Contra Costa Clean Water Program Agreement

Adopt a resolution approving the City's continued participation in the implementation of the MS4 NPDES Permits, sharing in Program costs, providing appropriate staff support and providing detailed information necessary to implement the MS4 Permit; and authorizing the City Manager to execute the Contra Costa Clean Water Program Agreement (2010).

E. Application for Federal Funding through the County Portion of the Transportation for Livable Communities Program for the Central Avenue and Liberty Streetscape Project

Adopt a resolution applying for $816,000 in federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding through the County Portion of the Metropolitan Transportation Commission's (MTC's) Transportation for Livable Communities (TLC) Program, committing the necessary non-federal match, and stating the assurance to complete the Central Avenue and Liberty Street Streetscape Project.

F. 801 Bates Subdivision Environmental Review Contract

Adopt a resolution authorizing the City Manager to execute a contract with Design, Community and Environment (DC&E) in an amount not to exceed $48,024 to perform environmental review services for the 801 Bates subdivision project.

G. Environmental Quality Committee Appointments

Approve an Environmental Quality Committee recommendation appointing Howdy Goudey, Emily Corwin, Paloma Pavel, and Jennifer Hammer to the Environmental Quality Committee effective July 20, 2010.

H. Opposition to Proposition 23

At the recommendation of Mayor Abelson, adopt a resolution opposing Proposition 23, which would suspend air pollution control laws requiring major polluters to report and reduce greenhouse gas emissions that cause global warming until unemployment drops below a specified level for a full year.

I. Amend PARS 457 FICA Alternative Plan

Adopt a resolution amending the Public Agency Retirement System (PARS) 457 FICA Alternative Plan Agreement changing the pay method of the annual asset fee from City paid to Plan Assets paid based on the account balance for the Alternative Retirement System provided by PARS for part-time, seasonal and temporary employees.

6. PUBLIC HEARINGS

Fire Hazard Abatement

Adopt a resolution declaring that weeds, rubbish, litter or other flammable material on certain real property constitutes a public nuisance.

Conduct a public hearing and upon conclusion adopt a resolution overriding objections by property owners and ordering the City Manager or his designee to abate certain public nuisances pursuant to El Cerrito Municipal Code Chapter 16.26.

7. POLICY MATTERS

A. Side Letters to the Memorandum of Understanding for the El Cerrito Police Employees Association, United Professional Firefighters of Contra Costa County Local 1230 and Service Employees International Union (SEIU) Local 1021

Adopt three separate resolutions: 1) Approving a side letter to the existing Memorandum of Understanding between the City and the El Cerrito Police Employees Association for a six year extension to June 30, 2017, modifying language on salaries, shift differential and holidays and adding language regarding service credit; 2) Approving a side letter to the existing Memorandum of Understanding between the City and United Professional Firefighters of Contra Costa County Local 1230, for a one year extension to June 30, 2017 and modifying language on salaries; and 3) Approving a side letter to the existing Memorandum of Understanding between the City and the Service Employees International Union (SEIU) Local 1021 for a two year extension to June 30, 2012 with a re-open clause for compensation by giving notice between April 1, 2011 and April 30, 2011.

B. Direction on November 2010 Sales Tax Ballot Measure for the Maintenance of City Services

Adopt a resolution: 1) Approving an ordinance (Exhibit A to the Resolution) establishing a one-half (1/2) cent (0.5%) sales tax increase for seven years in order to maintain the current level of services provided by the City, which would be effective only if adopted by 50 percent plus one vote of the El Cerrito electorate; 2) Submitting to the El Cerrito electorate a measure to adopt the ordinance establishing a one-half (1/2) cent (0.5%) sales tax increase in order to maintain the current level of services provided by the City; and 3) Requesting that the Contra Costa Board of Supervisors consent to the consolidation of this election with the statewide general election to be held on November 2, 2010 and direct the Registrar of Voters to provide all services necessary to conduct the election and print a measure on the ballot as described in Section 3 of the resolution.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

A. Mayor Abelson Assignments: Association of Bay Area Governments (ABAG), General Assembly Delegate, Contra Costa County Mayors' Conference, League of California Cities East Bay Division Delegate, Committee on Aging, Environmental Quality Committee, Park and Recreation Commission, Disaster Preparedness Council Delegate, Pension Board, Temporary Permits Committee, West Contra Costa Transportation Advisory Committee Delegate, and West County Mayors' & Supervisors' Association.

B. Councilmember Cheng Assignments: Design Review Board, Disaster Preparedness Council Alternate, Economic Development Board, San Pablo Avenue Area Specific Plan Committee, Contra Costa County Mayors' Conference Alternate, Pension Board Alternate, Temporary Permits Committee, West Contra Costa Transportation Advisory Committee Alternate.

C. Councilmember Jones Assignments: Planning Commission, San Pablo Avenue Area Specific Plan Committee, Tom Bates Regional Sports Field JPA; Underground Utilities Committee, and West County Integrated Waste Management Authority Delegate.

D. Councilmember Lyman Assignments: Crime Prevention Committee, Financial Advisory Board, and West County Integrated Waste Management Authority Alternate.

E. Councilmember Potter Assignments: Arts & Culture Commission; Association of Bay Area

Governments (ABAG) General Assembly Alternate, Human Relations Commission, League of California Cities East Bay Division Alternate, Underground Utilities Committee, Tom Bates Regional Sports Field JPA Alternate, and West County Unified School District Citizens' Bond Oversight Committee (CBOC) Alternate.

9. **9. ADJOURN CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY/ PENSION TRUST BOARD AND PUBLIC FINANCING AUTHORITY MEETING**

The next regularly scheduled meeting of the City Council is Monday, August 16, 2010.

- 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 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 8/16/10 meeting is Monday, 8/9/10 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.