AGENDA

SPECIAL CITY COUNCIL MEETING
Monday, February 2, 2009 – 6:00 p.m.
Hillside Conference Room

SPECIAL CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING
Monday, February 2, 2009 – 8:00 p.m.
City Council Chambers

SPECIAL REDEVELOPMENT AGENCY MEETING
Monday, February 2, 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

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

6:00 p.m. **CONVENE 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.)

BOARD AND COMMISSION INTERVIEWS AND APPOINTMENTS

Conduct interviews of candidates for several 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

8:00 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 and Informational reports on matters of general interest which are announced by the City Council & City Staff.)*

   Roll-Out of New Recycling Bins Begins February 16, 2009 for El Cerrito Residents – *Melanie Mintz, Environmental Services Manager.*

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. West Contra Costa Unified School District Update on Planned Relocation of Portola Middle School – *Presentation by Bill Fay, Associate Superintendent for WCCUSD Operations and Bill Savidge, WCCUSD Bond Program.*

   The City Council will receive a report from WCCUSD representatives and may provide feedback on the District's Plans and Proposals.

   B. Surveillance Ordinance Update – *Presentation by Police Chief Scott Kirkland and Police Commander Michael Regan*

5. **ADOPTION OF THE CONSENT CALENDAR – <u>Items 5A through 5H</u>**

   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.

   A. Minutes for Approval

   Approve the January 20, 2009 Special City Council Meeting, Special Redevelopment Agency, Concurrent City Council/ Redevelopment Agency Meeting and Special Redevelopment Agency Closed Session Meeting minutes.

B. Support of the West Contra Costa Unified School District's Efforts to Seek Debt Forgiveness from the State of California

Adopt a resolution calling upon the State of California to forgive the debt incurred by the West Contra Costa Unified School District in 1991 to improve the fiscal health of the District and allow funding to directly benefit the thousands of students in El Cerrito and all of West Contra Costa County and directing the City Clerk to send a copy of the resolution to the Governor as well as members of the Assembly and Senate that represent West Contra Costa County.

C. Cancellation of February 17, 2009 City Council Meeting

Approve a recommendation to cancel the February 17, 2009 City Council Meeting. The City Council's Annual Goal Setting Worksession is scheduled on Saturday, February 14 at 9:00 a.m. in the City Council Chambers.

D. Richmond Elks Lodge Law Enforcement Night Proclamation

Approve a proclamation commending Sergeant Stephen Bonini on the occasion of his recognition by the Richmond Elks Lodge No. 1251 and extending the City Council's sincere appreciation of Sergeant Stephen Bonini for his devotion to duty and professionalism which truly epitomizes public service in the City of El Cerrito.

E. Expenditure of Supplemental Law Enforcement Services Program Funds

Adopt a Resolution authorizing the expenditure of SLESP funds for the continuation of a sworn position assigned to traffic enforcement and the remainder for the purchase of needed equipment.

F. Claims Against the City

1. Achi Ben-Shalom, Claim No. GL–008800 – Reject Claim per Claims Administrator.
2. Sharon Artlip, Claim No. GL–008676 – Reject Claim per Claims Administrator.

G. Quarterly Investment Report

Receive and file the City's December 31, 2008 Quarterly Investment Report.

H. Street Oversight Committee Annual Report

Receive and file the Street Oversight Committee Annual Report to the City Council and Residents of El Cerrito.

6. PUBLIC HEARINGS – None

7. POLICY MATTERS

CITY COUNCIL ITEM

A. East Bay Municipal Utilities District's Collection and Distribution of Water Utility User Tax as Approved by the Voters of El Cerrito in November 2004

Discuss East Bay Municipal Utilities District's (EBMUD) collection and distribution of the Utilities Users Taxes (UUT) on water and provide direction to staff on the collection of the UUT due to the City from current and prior years.

REDEVELOPMENT AGENCY ITEM

B. Acquisition of Real Property Located at 11600 San Pablo Avenue

Adopt a Redevelopment Agency resolution making certain findings, approving Agency acquisition of real property located at 11600 San Pablo Avenue, amending the Fiscal Year 2008/2009 Budget, appropriating $670,000 for the acquisition, and authorizing execution of a purchase and sale agreement for the property and a promissory note to the seller for $2,667,000 secured by a deed of trust on the property.

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 SPECIAL CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

ROLL CALL

10. CONVENE SPECIAL REDEVELOPMENT AGENCY MEETING

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.)

ANNOUNCEMENT OF REDEVELOPMENT AGENCY CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 6500 Stockton Avenue

Agency Negotiators: Scott Hanin, Executive Director
Karen Pinkos, Assistant City Manager
Lori Trevino, Redevelopment Agency Manager
Karen Tiedemann, Agency Counsel

Negotiating Parties: West Contra Costa Unified School District
Under Negotiation: Price and Terms

RECESS INTO REDEVELOPMENT AGENCY CLOSED SESSION

POSSIBLE REPORT OUT OF CLOSED SESSION

11. ADJOURN SPECIAL REDEVELOPMENT AGENCY CLOSED SESSION MEETING

- 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 03/02/09 regular meeting is Monday, 02/23/09 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

- 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.