AGENDA

SPECIAL CITY COUNCIL MEETING
Monday, September 21, 2009 – 6:30 p.m.
Hillside Conference Room

SPECIAL CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING
Monday, September 21, 2009 – 7:00 p.m.
City Council Chambers

SPECIAL REDEVELOPMENT AGENCY MEETING
Monday, September 21, 2009
Immediately Following the 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

6:30 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 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

7:00 p.m. CONVENE SPECIAL CONCURRENT CITY COUNCIL / REDEVELOPMENT AGENCY MEETING

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

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.)*

CAPITAL IMPROVEMENT PROGRAM UPDATES – *Jerry Bradshaw, Public Works Director.*

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. Fall Prevention Awareness Week Proclamation

Approve a proclamation declaring the week of September 21, 2009, as "Fall Prevention Awareness Week" in the City of El Cerrito and calling upon residents and interested groups to observe the week with appropriate activities that promote awareness of fall prevention. *Bill Weidinger, Fall Prevention Steering Committee, JoAnn Liebe, American Medical Response, Laurel Zien, Senior Advocate and Bruce Ingraham, Senior Helpers, will accept the proclamation on behalf of their respective organizations.*

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

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.

<u>JOINT CITY COUNCIL/REDEVELOPMENT ITEMS</u>

A. Minutes for Approval

Approve the August 17, 2009 Special City Council and August 17, 2009 Special Concurrent City Council/Redevelopment Agency Meeting Minutes.

B. Quarterly Investment Report

Receive and file the June 30, 2009 Quarterly Investment Report.

CITY COUNCIL ITEMS

C. California Arts Day Proclamation

Approve a proclamation recognizing and supporting the mission of the California Arts Council to advance California through the arts and creativity by declaring October 2, 2009 as California Arts Day and by celebrating the Arts in El Cerrito throughout the entire month of October, 2009.

D. Domestic Violence Awareness Month Proclamation

Approve a proclamation proclaiming October 2009 as Domestic Violence Awareness Month, and urging all residents to actively participate in the efforts to end violence in our homes, in our schools, and in our communities.

E. Delegate Authority to the City Manager and City Attorney to Deny of Settle Claims under $25,000

Rescind Resolution No. 94–10 and adopt a resolution delegating the City Council's authority to deny claims to the City Manager and City Attorney in an amount not to exceed $25,000 and increase the authority to settle claims from $20,000 to $25,000.

F. Claims Against the City

Reject the claim filed by Melford C. Young, Claim No. GL-009389, per Claims Administrator.

G. Lease–Purchase of Recycling Truck

Adopt a resolution authorizing the City Manager to enter into a contract for the lease-purchase of a rear-end loading recycling collection truck from Western Truck Center, cost of the truck (including all taxes, fees, and selected warranties) in an amount not to exceed $194,742.12 and total interest of the seven year lease purchase through First Municipal Leasing Corporation not to exceed $34,207.02.

H. Designating Primary and Alternate Board Members to the Municipal Pooling Authority of Northern California (MPA)

Adopt a resolution designating the Employee Services Manager as Primary Board Member and the Administrative Services Director as Alternate Board Member to the Municipal Pooling Authority of Northern California.

I. Agreement with the West Contra Costa Unified School District Regarding Funding of School Resource Officers

Rescind Resolution No. 2006–44 and adopt a resolution authorizing the City Manager to enter into an agreement with the West Contra Costa Unified School District (WCCUSD) to partially fund three School Resource Officer positions (SROs). Two of the SROs will continue their assignment at El Cerrito High School and one officer will be assigned to Portola Middle School. If authorized, the agreement becomes effective immediately, and will continue through June 30, 2012. The agreement will automatically renew on July 1, 2012 and on every July 1 thereafter for an additional one-year term, unless terminated earlier.

J. Maddy Act Local Appointments List

Receive and file a listing of all current board and commission members whose terms will expire in 2010.

K. Support Senate Bill 406

At the request of Councilmember Cheng, approve a recommendation to support Senate Bill 406 *(DeSaulnier)* which allows Metropolitan Planning Organizations and Council's of Government to instate a $2 vehicle registration fee to fund Senate Bill 375 Sustainable Community Strategies and send a letter to Governor Schwarzenegger and the California Air Resources Board which demonstrates the City Council's support.

6. PUBLIC HEARING

Abatement of Fire Hazard Public Nuisance Pursuant to El Cerrito Municipal Code Chapter 16.26

Conduct a public hearing and upon conclusion adopt a resolution confirming the costs of abatement of public nuisance conditions resulting from the presence of weeds, rubbish, litter or other flammable material on private property designated on Exhibit A to the resolution as authorized in El Cerrito Municipal Code Chapter 16.26.

7. POLICY MATTERS

CITY COUNCIL ITEM

A. American Disabilities Act Transition Plan

Adopt a resolution adopting the City of El Cerrito Americans with Disabilities Act Transition Plan which supersedes Resolution No. 93–7 including the plan adopted in 1993.

REDEVELOPMENT AGENCY ITEM

B. Litigation by the California Redevelopment Association and California Redevelopment Agencies Against the State of California for the Taking of Property Tax Funds

Adopt a Redevelopment Agency resolution authorizing the Redevelopment Agency to serve as a plaintiff, along with other redevelopment agencies, in the litigation planned by the California Redevelopment Association against the State of California challenging the taking of $2.05 billion in local property tax funds through the Supplemental Educational Revenue Augmentation Fund Transfer.

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 CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

10. CONVENE SPECIAL REDEVELOPMENT AGENCY MEETING

ANNOUNCEMENT OF SPECIAL REDEVELOPMENT AGENCY CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 11450 San Pablo Avenue
El Cerrito, CA 94530

Agency Negotiators: Scott Hanin, Executive Director
Lori Treviño, Redevelopment Agency Manager
Karen Tiedemann, Redevelopment Agency Counsel

Negotiating Parties: Target Corporation & Safeway Corporation

Blake Hunt Ventures & Center Street Housing

Lowe Enterprises

Roger Snell

Under Negotiation: Price and Terms of Payment

ORAL COMMUNICATIONS FROM THE PUBLIC

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

RECESS INTO CLOSED SESSION

POSSIBLE REPORT OUT OF CLOSED SESSION

ADJOURN SPECIAL REDEVELOPMENT AGENCY MEETING

The next regularly scheduled meeting of the City Council is Monday, October 5, 2009.

- 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 10/05/09 meeting is Monday, 09/28/09 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.