

EL CERRITO CITY COUNCIL

MINUTES

SPECIAL CITY COUNCIL CLOSED SESSION MEETING

Tuesday, January 22, 2008 – 6:30 p.m.
Community Center Conference Room

SPECIAL CITY COUNCIL MEETING

Tuesday, January 22, 2008 – 7:30 p.m.
City Council Chambers

SPECIAL CITY COUNCIL CLOSED SESSION MEETING

Tuesday, January 22, 2008 – Immediately Following the Special City Council Meeting
Community Center Conference Room

Meeting Location

Council Chambers, Community Center
7007 Moeser Lane, El Cerrito

ROLL CALL

Councilmembers Abelson, Bridges, Moore, Potter and Mayor Jones. All members present.

6:30 p.m. CONVENE SPECIAL CITY COUNCIL CLOSED SESSION MEETING

Mayor Jones convened the Special City Council Closed Session Meeting at 6:37 p.m.

ANNOUNCEMENT OF SPECIAL CITY COUNCIL CLOSED SESSION

PUBLIC EMPLOYEE APPOINTMENT – City Attorney

Pursuant to Government Code Section 54957(b)

ORAL COMMUNICATIONS – No speakers.

ADJOURNED SPECIAL CITY COUNCIL CLOSED SESSION MEETING at 7:30 p.m.

ROLL CALL

Councilmembers Abelson, Bridges, Moore, Potter and Mayor Jones. All members present.

7:30 p.m. CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Jones convened the Special City Council Meeting at 7:42 p.m. and announced that the this evening's closed session regarding the City Attorney evaluation would be continued immediately after the Special City Council meeting.

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

Announcement of Senior Center Bequest from the Anthony Astorgano Trust

Karen Pinkos, Assistant City Manager, announced this evening's adjournment in honor of two prominent El Cerrito residents and announced a luncheon at the Senior Center on January 23, 2008 to accept presentation of a \$150,000 bequest from the Anthony Astorgano Trust for the Senior Center.

Lori Trevino, introduced new employee Hilde Myall, Affordable Housing Project Manager.

Councilmember Abelson reported on her attendance and completion of AB 1234 training conducted by the League this month and that her attendance at a meeting of the League's Policy Committee of which she is a member. Councilmember Abelson also reported on a presentation by the Department of Corrections on the proposed 10% budget decrease and the impact it would have on agencies. For example, the Department of Corrections is considering an early release for which prisoners who are non-violent and who may not be prepared in terms of job skills or a way to provide for themselves.

Councilmember Bridges recognized the Human Relations Commission's work on the Martin Luther King, Jr. Celebration and parade including the showing of a movie at the Cerrito Theater featuring Martin Luther King, Jr. and the strife that precipitated the March on Memphis. Both events were standing room only. Councilmember Bridges also thanked staff for its support.

Councilmember Moore commented on how the King Celebration also provided an opportunity to see young people shine, particularly a panel of scholars from El Cerrito High speaking about the "I Have a Dream" speech and the relevance to their lives today. Councilmember Moore also noted the powerful delivery of the speech by a young man and delivery of segments of the speech by other young presenters. Councilmember Moore noted the attendance of local dignitaries who spoke including Mayor Jones, Supervisor John Gioia and Nina Wilson and stated that the city has a lot to be proud of.

Mayor Jones also expressed his appreciation for the Celebration and commented on its growth with each year and the need to find a bigger venue. Mayor Jones also thanked all the residents who had interviewed for a commission appointment, commented on the qualifications and talent of the applicants, and encouraged all applicants to reapply as vacancies occur. Mayor Jones announced the City Council's appointment of the following individuals to El Cerrito Boards and Commissions: 1) David Brandt and Sojeila Silva are re-appointed to the Planning Commission; 2) Cathleen Hanville and Antonio Wong are re-appointed to the Human Relations Commission; 3) Rebecca Benassini is re-appointed and Joseph Parisi is appointed to the Economic Development Board; and Greg Lyman is re-appointed to the Parks and Recreation Commission.

Councilmember Moore reminded residents that there are always opportunities to actively participate in commissions and city events even if not appointed to a particular commission.

Scott Hanin, City Manager, announced Karen Pinkos' recent receipt of the Wes McClure Award for Outstanding Assistant City Manager in Northern California.

Mayor Jones closed with comments on the service of community volunteers at Cerrito Vista Park, median strips and creeks and praised the spirit of volunteerism in El Cerrito.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Robert Brower, Successor Trustee of the Anthony Astorgano Trust, thanked the City Council for adjourning this evening's meeting in Mr. Astorgano's honor and provided a brief history of Mr. Astorgano's life. Mr. Astorgano lived on Liberty Street and Contra Costa later. His sole occupation was Electric Stove Repairman. Mr. Brower said that two significant gifts would be presented at the luncheon on January 23 – the gift to the senior center and another gift to Friends of the Library. Mr. Brower also reported that the bulk of the estate will go into the Astorgano Scholarship Fund which will be established for West County high school or junior college students studying for a vocation or trade school.

Mayor Jones also thanked Mr. Brower and extended his appreciation for Mr. Astorgano's gift to the City.

4. PRESENTATIONS

- A. **City Marketing Materials and Shop El Cerrito Marketing Campaign** was presented by Dwayne Dalman, Administrative Analyst.
- B. **Bay Area Rapid Transit (BART) Earthquake Safety** presented by Molly McArthur, BART Manager of Government and Community Relations for Capital Projects.

Action: Presentations heard.

5. ADOPTION OF THE CONSENT CALENDAR – Items 5A and 5B

Moved, seconded, carried (Abelson/Bridges) to approve Items 5A and 5B on the consent calendar in one motion. Vote: Unanimous.

A. Minutes for Approval

Approve the following:

- 1) City Council Special and Concurrent City Council/Redevelopment Meeting Minutes of January 7, 2008;
- 2) City Council Special Meeting Minutes of January 14, 2008; and
- 3) City Council Special Meeting Minutes of January 15, 2008.

Action: Approved the City Council Special and Concurrent City Council/Redevelopment Meeting Minutes of January 7, 2008; City Council Special Meeting Minutes of January 14, 2008; and City Council Special Meeting Minutes of January 15, 2008.

B. Claims Filed Against the City

1. Ashley Sterling, Claim No. GL-007898 – Reject claim per claims administrator; and
2. Nancy C. Wong, Claim No. GL-007966 – Reject claim per claims administrator.

Action: Rejected Claim Nos. GL-007898 and GL-007966 per claims administrator.

6. PUBLIC HEARING

Zoning Ordinance (*Public Hearing opened January 7, 2008 and continued to this meeting.*)

Continue the public hearing from January 7, 2008 and upon conclusion, approve by title, waive further reading and adopt first reading of an Ordinance which repeals Title 19 ("Zoning") and

the associated Zoning Map, and Chapter 16.36 (“Sign Regulations”) of Title 16 (“Buildings and Construction”) of the El Cerrito Municipal Code and adopts a new Zoning Ordinance as Title 19 (“Zoning”) including a new Chapter 19.26 (“Sign Regulations”) and a new associated Zoning Map.

Councilmembers Bridges and Moore confirmed that they had reviewed a DVD of the January 7, 2008 City Council meeting.

Presenter: Jennifer Carman, Planning Manager, recommended the following three minor “housekeeping” amendments for Council consideration: 1) Two minor text changes for the incentives program in the proposed ECMC Sections 19.23.020 and 19.23.030; 2) generation of Minimum Area Density Boundary Maps for TOM Districts El Cerrito Plaza and Del Norte that illustrate the minimum density in proposed in ECMC Table 19.07B; and 3) Updated the Zoning Map to correct two minor typos; and 4) Minor revision to the Table of Contents – 19.21 pending preparation of an historical inventory. Ms. Carman said that staff will return to Council at a future study session on density and the transit oriented development district. The study session will include discussion of the interrelation between density and zoning issues such as height, FAR etc.

Supplemental Materials

1. Map entitled, “Minimum Density Boundary Map – 300 Foot Radius from Actual BART Station – El Cerrito Plaza” – submitted by the Planning Manager;
2. Map entitled, “Minimum Density Boundary Map – 300 Foot Radius from Actual BART Station – Del Norte” – submitted by the Planning Manager; and
3. Zoning Map Revisions – submitted by the Planning Manager.

Public Testimony

Mayor Jones announced the continuation of the public hearing from January 7, 2008. One speaker.

Speaker: David McClean, El Cerrito, expressed concerns about the reduction in height limits for dwellings from 40 to 35 feet, particularly in the R1-2B zones and the applicability to properties on a slope.

Moved, seconded, carried (Moore/Abelson) to close the public hearing. Vote: Unanimous.

Action: Moved, seconded, carried (Bridges/Potter) to adopt first reading of Ordinance No. 2008–02 as amended to incorporate specific revisions proposed by staff. Second reading scheduled for February 4, 2008. Vote: Unanimous.

7. POLICY MATTERS

Four Way Stop Controls at Elm–Blake–Richmond

Recommendation: Adopt a resolution: 1) Authorizing the Public Works Director/City Engineer to install two new stop signs on the northbound and southbound approaches of Richmond-Elm Street at Blake Street, creating a four-way stop, along with associated red curb markings within the intersection area as shown on Exhibit A; and 2) Amending Resolution 2007–73 to rescind a portion of that resolution which previously approved a No Parking Zone on Richmond-Elm Street as shown on Exhibit A.

Presenter: Jerry Bradshaw, Public Works Director, introduced Yvetteh Ortiz, Engineering Manager.

Speaker: Harry Coleman, El Cerrito, commented on the difficulty in crossing the street and expressed his support for the four way stop control at Elm-Blake-Richmond.

Action: Moved, seconded, carried (Bridges/Potter) to adopt Resolution No. 2008-02. Vote: Unanimous.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

- A. Mayor Jones recalled a discussion with Mr. Flynn around Thanksgiving, and commented on Mr. Flynn's enthusiasm, inspiration and the Civic Theater's recent Shakespeare production. Mayor Jones also announced that the JPA Gilman Sports Field just passed its final bid process. The opening of the Sports Field is currently estimated to occur in June 2008.
- B. Mayor Pro Tem Potter announced adjournment of the Council meeting in honor of Louis Flynn and expressed her fondness for Mr. Flynn, his enthusiasm for the arts and his ability to inspire others. Mayor Pro Tem Potter also noted Mr. Flynn's many contributions to the City including the Contra Costa Civic Theater and Camp. Mayor Pro Tem Potter also read a statement from the Arts and Culture Commission commemorating Mr. Flynn's life and work.
- C. Councilmember Abelson reported on the sub-regional transportation program, fee setting and its relationship to the West Contra Costa Transportation Advisory Committee (WCCTAC). Councilmember Abelson reported on Measure C and J sales tax monies and that WCCTAC is looking to borrow money and complete projects up front rather than projects being spaced out over time. Today, WCCTAC agreed to conduct a study and make sure that the numbers projected for housing growth in West County are accurate. The report will come to Council to provide Council with an opportunity to express its opinion on whether to borrow money as collateral for a loan.
- D. Councilmember Bridges – No report.
- E. Councilmember Moore reported on her attendance at the last Planning Commission meeting and the Commission's review of an application for an extension of a use permit which was initially for condominiums and due to the fluctuation in the market, rather than abandon the project, switched to rental affordable housing units instead of condos due to incentives provided by the state.

9. **ADJOURNED SPECIAL CITY COUNCIL MEETING** at 9:30 p.m. in memory of Anthony Astorgano and Louie Flynn.

10. CONVENE SPECIAL CITY COUNCIL CLOSED SESSIONS

Mayor Jones convened the Special City Council Closed Session at 9:38 p.m.

ANNOUNCEMENT OF CLOSED SESSION

1) 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.

2) PUBLIC EMPLOYEE APPOINTMENT – City Attorney *(Continued from January 22, 2008 6:30 p.m. Special City Council Closed Session)*

Pursuant to Government Code Section 54957(b)

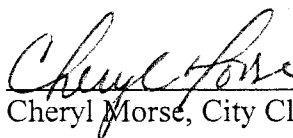
ORAL COMMUNICATIONS – No comments

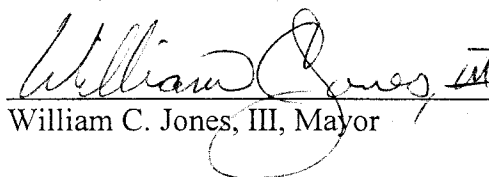
RECESS INTO SPECIAL CLOSED SESSION at 9:40 p.m.

POSSIBLE REPORT OUT OF CLOSED SESSION – No report.

11. **ADJOURNED SPECIAL CITY COUNCIL CLOSED SESSION MEETING** at 11:20 p.m. in memory of Louis Flynn and Anthony Astorgano.

This is to certify that the foregoing is a true and correct copy of the minutes of the Special City Council Closed (2) and Special City Council meeting of January 22, 2008 as approved by the El Cerrito City Council.


Cheryl Morse, City Clerk


William C. Jones, III, Mayor