

# EL CERRITO CITY COUNCIL

## MINUTES

### SPECIAL CITY COUNCIL MEETING

Monday, March 3, 2008 – 7:00 p.m.

Community Center Conference Room

### REGULAR CITY COUNCIL MEETING

Monday, March 3, 2008 – 7:30 p.m.

City Council Chambers

### SPECIAL CITY COUNCIL CLOSED SESSION

Monday, March 3, 2008 – Immediately Following the Regular City Council Meeting

Community Center Conference Room

#### Meeting Location

El Cerrito Community Center

7007 Moeser Lane, El Cerrito

#### ROLL CALL

Councilmembers Abelson, Bridges, Moore, Potter and Mayor Jones.

All members present.

#### 7:00 p.m. CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Jones convened the Special City Council meeting at 7:03 p.m.

#### CIVIL SERVICE COMMISSION CANDIDATE INTERVIEWS

The City Council will conduct interviews of applicants for the Civil Service Commission. Interviews may result in an announcement of appointment at the meeting.

#### ORAL COMMUNICATIONS – None

**Action:** The Council interviewed Cindy C.H. Wong and Eric Luttrell.

#### ADJOURNED SPECIAL CITY COUNCIL MEETING at 7:36 p.m.

#### ROLL CALL

Councilmembers Abelson, Bridges, Moore, Potter and Mayor Jones.

All members present.

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

Mayor Jones convened the Regular City Council meeting at 7:40 p.m.

1. **PLEDGE OF ALLEGIANCE TO THE FLAG** was led by Councilmember Bridges.

2. **COUNCIL / STAFF COMMUNICATIONS**

Mayor Jones reported that no decision had been made regarding an appointment to the Civil Service Commission.

Suzanne Iarla, Public Information Specialist, reported on the CDFA Moth Apple Action Plan, information posted on the City's website and how residents can share comments with the CDFA. Ms. Iarla also announced that Councilmember Abelson has asked that the Apple Moth Issue, including consideration of a resolution, be placed on the City Council's March 17, 2008 agenda.

Alexander Abbe, City Attorney, commented on the City of Berkeley's invitation to join in a lawsuit opposing aerial spraying in the Bay Area.

Councilmember Moore reported that Waste Authority Executive, Director Steve Devine would be leaving the Authority to work for the City of Berkeley.

Mayor Jones reported on his attendance at a Youth Baseball event and commented that it was nice to see the enthusiasm of youth. Mayor Jones also announced Joann Steck-Bayat as El Cerrito nominee for the Contra Costa Community College 2008 Woman of the Year.

3. **ORAL COMMUNICATIONS FROM THE PUBLIC**

Rosemary Loubal, El Cerrito, expressed her opposition to taking the Oath of Office for her position as a Parks and Recreation Commission and suggested that Council agendize the matter.

Alexander Abbe, City Attorney, explained that he had researched the issue and came to the conclusion that public officials, including employees and commissioners, are required, under the California State Constitution, to take the Oath of Office.

Councilmember Potter asked that the Oath of Office be attached to the commission application so potential applicants understand their obligations.

Bill Patt, El Cerrito, expressed concerns regarding CDFA aerial spraying of Checkmate related to the Apple Moth and submitted a petition entitled Apple Moth Aerial Spray for consideration.

Al Miller, El Cerrito, suggested that the Council consider setting environmentally friendly criteria for campaign materials.

Peter Loubal, El Cerrito, expressed concerns over aerial spraying of the Apple Moth.

4. **PRESENTATIONS** – None

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

Moved, seconded, (Abelson/Bridges) and carried unanimously to adopt Consent Calendar Items 5A through 5D. Consent Calendar Item 5E was removed from the Consent Calendar and voted on separately as indicated below.

**A. Minutes for Approval**

Approve the Special City Council Closed and Special City Council Meeting (2) Minutes of February 19, 2008.

**Action:** Approved minutes.

**B. Purchase of Rear-End Loading Recycling Collection Truck**

Adopt a Resolution accepting the South Bay Truck Center's bid to provide a Crane Carrier / Heil rear-end loading recycling truck and authorize the City Manager to enter into a contract to purchase one truck in fiscal year 2008-2009 in an amount not to exceed \$188,881.35.

**Action:** Adopted Resolution No. 2008-11.

**C. New Recycling Environmental Review Award**

Adopt a Resolution authorizing the City Manager to execute a consultant agreement with LSA Associates, Inc., in an amount not to exceed \$26,705 and approve change orders in an amount not to exceed \$5,000 to complete an Initial Study and possible Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) for the proposed new Recycling Center.

**Action:** Adopted Resolution No. 2008-12.

**D. Claims Filed Against the City**

Rebecca Bogart, Claim No. Pending – Reject claim per Claims Administrator.

**Action:** Rejected Claim filed by Ms. Bogart per Claims Administrator.

**E. Proclamation Honoring Lucy W. Wilson**

Approve issuance of a Proclamation recognizing the significant contributions of Lucy Wilson and joining with her family and friends in honoring Ms. Wilson in her 90<sup>th</sup> birthday year.

**Action:** Removed from the Consent Calendar by Councilmember Moore. Moved, seconded, (Moore/Potter) and carried unanimously to approve the proclamation.

**6. PUBLIC HEARINGS – None****7. POLICY MATTERS****Establishing a New Environmental Committee**

Adopt a resolution creating the El Cerrito Environmental Quality Committee (EQC).

Councilmember Abelson introduced the item and spoke of the need for a committee that would look at environmental issues, particularly Climate Change, and advise the City Council and City Staff.

Speaker: Al Miller, El Cerrito, provided several suggestions for enhancing communication between Boards and Commissions.

**Action:** Moved, seconded, (Abelson/Moore) and carried unanimously to adopt Resolution No. 2008-13 as amended by Councilmember Potter to change the word "citizens" to "residents." The City Council appointed Councilmember Abelson as the Council Liaison and also directed staff to consider a protocol for an efficient integration of communication between the Committee and other Boards, Commissions and Committees.

**8. COUNCIL ASSIGNMENTS/LIAISON REPORTS**

- A. Mayor Jones reported on the West County Mayors and Supervisors Association meeting and Chief Kirkland's presentation of the video surveillance ordinance. Mayor Jones announced that the foreclosure issue will be coming forward for further discussion in April. Additionally, Supervisor Gioia will be holding a meeting on Apple Moth aerial spraying on March 1.
- B. Mayor Pro Tem Potter – No report.
- C. Councilmember Abelson – No report.
- D. Councilmember Bridges reported that the Crime Prevention Committee held a joint meeting regarding the Ohlone Greenway and talked about the project including some unfunded projects.
- E. Councilmember Moore – No report.

**9. ADJOURNED REGULAR CITY COUNCIL MEETING at 8:54 p.m.**

**10. ANNOUNCEMENT OF CITY COUNCIL CLOSED SESSION**

**PUBLIC EMPLOYEE APPOINTMENT – City Attorney**  
Pursuant to Government Code Section 54957(b)

**ORAL COMMUNICATIONS – No Comments.**


**CITY COUNCIL RECESSED INTO CLOSED SESSION at 8:58 p.m.**

**POSSIBLE REPORT OUT OF CLOSED SESSION – No report.**

**ADJOURNED SPECIAL CITY COUNCIL CLOSED SESSION at 9:50 p.m.**

This is to certify that the foregoing is a true and correct copy of the minutes of the Special City Council, Regular City Council and Special City Council Closed Session Meeting of March 3, 2008 as approved by the El Cerrito City Council.

  
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Cheryl Morse, City Clerk

  
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William C. Jones, III, Mayor