

EL CERRITO CITY COUNCIL

MINUTES

SPECIAL CITY COUNCIL MEETING

Monday, October 17, 2011 – 6:45 p.m.

Hillside Conference Room

CITY COUNCIL MEETING

Monday, October 17, 2011 – 7:30 p.m.

City Council Chambers

Meeting Location

El Cerrito City Hall

10890 San Pablo Avenue, El Cerrito

Ann Cheng – Mayor

Mayor Pro Tem Bill Jones
Councilmember Rebecca Benassini

Agency Chair/Councilmember Janet Abelson
Councilmember Greg Lyman

ROLL CALL

Present: Councilmembers Abelson, Benassini, Lyman and Mayor Pro Tem Jones.

Absent: Mayor Cheng.

6:45 p.m. SPECIAL CITY COUNCIL MEETING

Mayor Pro Tem Jones convened the Special City Council meeting at 6:45 p.m.

ORAL COMMUNICATIONS FROM THE PUBLIC – No comments.

COMMISSION INTERVIEWS, STATUS 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.

Action: Interviews conducted and discussion held.

SUPPLEMENTAL REPORTS AND COMMUNICATIONS

ADJOURNED SPECIAL CITY COUNCIL MEETING at 7:31 p.m.

ROLL CALL

Present: Councilmembers Abelson, Benassini, Lyman and Mayor Pro Tem Jones.

Absent: Mayor Cheng.

7:30 p.m. CONVENE CITY COUNCIL MEETING

Mayor Pro Tem Jones convened the Special City Council meeting at 7:24 p.m.

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

2. **COUNCIL / STAFF COMMUNICATIONS**

Mayor Pro Tem Jones reported that the City Council had interviewed committee applicants at a special meeting this evening. The City Council appointed Aurelia Schultz to the Citizens Streets Oversight Committee for a term ending January 1, 2012 and Anne Perkins to the Crime Prevention Committee. Mayor Pro Tem Jones also reported that members of City Council and city staff attended the West Contra Costa Unified School District State of the Schools Breakfast. The meeting was informative and upbeat. Additionally, there was a very successful resident meeting with the Police Department about the rash of recent break-ins in the city and what can be done about it. Mayor Pro Tem Jones assured everyone that the Police Department is working hard on it.

Councilmember Abelson informed local residents about the Clipper Card Program that allows one to travel on a number of transit systems with one card. Those who are 65 or over can obtain a discounted clipper card by contacting AC Transit or BART. Councilmember Abelson was in Sacramento last week to celebrate the 100th anniversary of Women's Right to Vote. Many people marched in the rain to commemorate this event. The Environmental Quality Committee will be sponsoring the film, *Bag It* on Oct 29 at 10 a.m. at the Cerrito Theater. The film features problems created by the use of plastic bags. On October 20, there will be a Bicycling Town Hall Meeting from 6:30-8:00 p.m. at City Hall.

Councilmember Lyman thanked everyone that participated in the Citywide Garage Sale.

Councilmember Benassini invited everyone to attend the Third Annual Free Folk Festival on October 22, from noon to 10:00 p.m. at Windrush School.

3. **ORAL COMMUNICATIONS FROM THE PUBLIC**

Supervisor John Gioia, spoke in support of Doctors Hospital Measure J. Supervisor Gioia stated that Doctors Hospital is the only full service emergency room hospital in West County. The Kaiser Hospital emergency room does not perform the range of services that Doctors Hospital provides. If Doctors Hospital were to close, West Contra Costa County would lose 25 emergency room beds and end up with only 15 emergency room beds at Kaiser. This would result in longer transport and waiting room times resulting in negative medical outcomes. To move toward sustainability for the Hospital, voters are being asked to approve a \$47.00 per year parcel tax which would raise \$5 million per year and would help close an \$18 million financial gap. Without the additional funds, Doctors Hospital will close next year. If the Hospital closes, the tax automatically ends. Residents that are Kaiser members still rely on Doctors Hospital because if one has a heart attack or stroke, one still goes to Doctors Hospital as opposed to Kaiser.

Tom Panas, El Cerrito, announced that the Dorothy and Sundar Shadi History Room at City Hall will be open to the public on a regular basis on the third Thursday of each month from 4:30-6:00 p.m. More information can be obtained by sending an email to the Historical Society at elcerritohistoricalsociety@yahoo.com.

4. PRESENTATION

State of the West Contra Costa Unified School District – Presentation by Bruce Harter, Ph.D., Superintendent, West Contra Costa Unified School District.

Dr. Harter will discuss mid-year triggers, district grades, gaps, rating agencies, achievements, struggles within the District and payment of the state loan.

Action: Presentation heard.

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

Moved, seconded (Abelson/Lyman; Ayes – Councilmembers Abelson, Benassini, Lyman and Mayor Pro Tem Jones; Noes – None; Absent – Mayor Cheng) and carried to adopt Consent Calendar Item Nos. 5A through 5G as indicated below.

A. Minutes for Approval

Approve the October 3, 2011 Concurrent City Council/Redevelopment Agency meeting minutes.

Action: Approved minutes.

B. Shelter-in-Place Education Day Proclamation

Approve a proclamation recognizing the importance of preparing for emergencies and encouraging participation in the Contra Costa Community Awareness Emergency Response Group's (CAER) public education efforts and proclaiming November 2, 2011 as "Shelter-in-Place Education Day" in the City of El Cerrito in support of the parents, teachers, students and staff that will be participating with hundreds of other schools in the Shelter-in-Place Drill.

Action: Approved proclamation.

C. National Radiologic Technology Week Proclamation

At the request of Councilmember Abelson, approve a proclamation proclaiming November 6-12, 2011, "Radiologic Technology Week" in the City of El Cerrito, and urging all residents to recognize this event and participate in its observance.

Action: Approved proclamation.

D. 2011 Street Paving Project

Adopt a resolution approving plans and specifications; rejecting the bid from Sheeno General Construction as non-responsive and accepting all other bids; and authorizing the City Manager to execute a contract in the amount of \$381,323.10 with Interstate Grading & Paving Inc. and approve change orders in an amount not to exceed \$38,000 for the construction of the 2011 Street Paving Project, Contract No. 11-C3027-12.

Action: Adopted Resolution No. 2011-74.

E. Appointment of Renee Solari to the Environmental Quality Committee

Approve the Environmental Quality Committee's recommendation to appoint Renee Solari to the

Committee, effective October 18, 2011.

Action: Approved recommendation.

F. Support West Contra Costa County Healthcare District Measure J

Adopt a resolution in support of West Contra Costa County Healthcare District Measure J. Election to be conducted by mail ballot. Voted ballots must be received at designated ballot return centers no later than 8:00 p.m. on November 15, 2011.

Action: Adopted Resolution No. 2011-75.

G. RecycleMore Procurement of Disposal and Processing Services

Adopt a resolution stating Council support of a transparent and competitive Request for Proposals (RFP) process for RecycleMore's upcoming procurement of solid waste disposal and processing services.

Action: Adopted Resolution No. 2011-76.

6. PUBLIC HEARINGS

Abatement of Fire Hazard Public Nuisances on Five Properties Pursuant to Municipal Code Chapter 16.26

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

Presenter: Michael Bond, Fire Marshall.

Mayor Pro Tem Jones opened the public hearing. No speakers.

Moved, seconded (Lyman/Benassini; Ayes – Councilmembers Abelson, Benassini, Lyman and Mayor Pro Tem Jones; Noes – None; Absent – Mayor Cheng) and carried to close the public hearing.

Action: Moved, seconded (Abelson/Benassini; Ayes – Councilmembers Abelson, Benassini, Lyman and Mayor Pro Tem Jones; Noes – None; Absent – Mayor Cheng) and carried to adopt Resolution No. 2011-77.

7. POLICY MATTERS

A. BART License Agreement for Ohlone Greenway

Adopt a resolution authorizing the City Manager to execute a License Agreement (Exhibit A to the Resolution) between the San Francisco Bay Area Rapid Transit District (BART) and the City of El Cerrito regarding improvement, operation and maintenance of the BART owned portion of the Ohlone Greenway.

Presenter: Jerry Bradshaw, Public Works Director.

Action: Moved, seconded (Lyman/Abelson; Ayes – Councilmembers Abelson, Benassini, Lyman and Mayor Pro Tem Jones; Noes – None; Absent – Mayor Cheng) and carried to adopt a Resolution No. 2011-78 as revised to include language that acknowledges that the Ohlone Greenway is an important transportation corridor while also recognizing its function as a continuous open space and recreational resource in the City.

B. Consortium Records Management Agreement with the City of Richmond to Provide Records Management Services

Adopt a resolution authorizing the City Manager to renew and extend the Consortium Records

Management Agreement with the City of Richmond Police Department to provide records management services for the El Cerrito Police Department. In making this request for action, staff considered other options for records management service; however staff believes that renewing the agreement with the City of Richmond is currently in the best interests of our city and our service demand. Under a separate agreement and agenda bill, staff has described the authorization for the Consolidated Communications Agreement.

Presenter: Sylvia Moir, Chief of Police.

Action: Moved, seconded (Lyman/Abelson; Ayes – Councilmembers Abelson, Benassini, Lyman and Mayor Pro Tem Jones; Noes – None; Absent – Mayor Cheng) and carried to adopt Resolution No. 2011–79. Councilmember Lyman requested that the record reflect the Council’s acceptance and review of a recently delivered submission, Consortium Records Management Agreement, Attachment A–Budget Summary.

C. Consolidated Communication Agreement with the City of Richmond to Provide Communication and Dispatching Services

Adopt a resolution authorizing the City Manager to renew and extend the Consolidated Communication Agreement with the City of Richmond to provide communication and dispatch services for the El Cerrito Police and Fire Departments. In making this request for action, staff considered other options for dispatch service, but believes that until the East Bay Regional Communications System Authority (EBRSCA) system is operational, renewing the contract with the City of Richmond is in the best interests of our city and provides the best available customer service to the department and our residents and businesses.

Presenters: Sylvia Moir, Chief of Police and Lance Maples, Fire Chief.

Action: Moved, seconded (Abelson/Benassini; Ayes – Councilmembers Abelson, Benassini, Lyman and Mayor Pro Tem Jones; Noes – None; Absent – Mayor Cheng) and carried to adopt Resolution No. 2011–80.

D. Letter Regarding Third Amendment to the Tri-Party Agreement Being Entered into by and Between the El Cerrito Municipal Services Corporation, Safeway, Inc., and Property Development Centers LLC, Related to the Property at the Corner of Hill Street and San Pablo Avenue

Adopt a resolution authorizing the City Manager to execute a letter acknowledging and agreeing to certain provisions of the Third Amendment to the Tri-Party Agreement being entered into by and between the El Cerrito Municipal Services Corporation, Safeway Inc., and Property Development Centers LLC, related to the property at the corner of Hill Street and San Pablo Avenue.

Presenter: Lori Treviño, Redevelopment Manager.

Action: Moved, seconded (Lyman/Abelson; Ayes – Councilmembers Abelson, Benassini, Lyman and Mayor Pro Tem Jones; Noes – None; Absent – Mayor Cheng) and carried to adopt Resolution No. 2011–81.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

A. Mayor Cheng Assignments – Absent.

B. Councilmember Abelson reported on her attendance as alternate at the Association of Bay Area Governments (ABAG) Fall General Assembly on October 13. The Forum title and theme was *Greening Our Communities: Healthy People, Healthy Bay, Healthy Economy*. Councilmember Abelson received presentations and heard from Mayors and Councilmembers from around the region on greening communities and sustainability. Councilmember Abelson

also attended the Environmental Quality Committee meeting in which they discussed the showing of the film *Bag It* and discussed a series of other films with an environmental emphasis.

C. Councilmember Benassini reported that none of the commissions or committees to which she is liaison have met.

D. Mayor Pro Tem Jones reported on the activities of the Integrated Waste Management Authority (IWMA - RecycleMore). The IWMA Board discussed the model single-use bag ordinance in detail. The model ordinance will come before each IWMA member City Council for comment and will then return to the IWMA Board for finalization and CEQA study. Mayor Pro Tem Jones reported that the EQC had studied the issue and recommends an ordinance. The IWMA Board also discussed the post collection budget for the IWMA. Staff has outlined three options on how fees can be set. One of the options shows a decrease for the residential rate. Mayor Pro Tem Jones requested that the fee options be on the next City Council agenda.

E. Councilmember Lyman reported that the Design Review Board (DRB) received a presentation from Eden Housing on the Tradeway property. The DRB provided feedback on ways to improve the Eden proposal.

SUPPLEMENTAL REPORTS AND COMMUNICATIONS

Item No. 7(A) BART License Agreement for Ohlone Greenway

1. Revised resolution – *Submitted by Jerry Bradshaw, Public Works Director.*

Item No. 7(B) Consortium Records Management Agreement with the City of Richmond to Provide Records Management Services


2. Attachment A to the Records Management Consortium Agreement (Attachment 2) – *Submitted by Sylvia Moir, Chief of Police.*

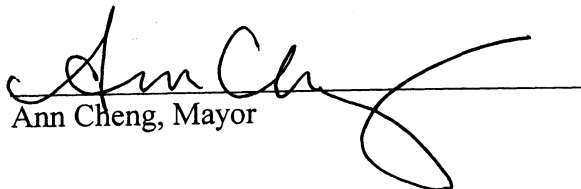
Other

3. Comments related to the opening of the Dorothy and Sundar Shadi Historical Room to the public on the third Thursday, from 4:30-6:30 p.m. – *Submitted by Tom Panas, El Cerrito Historical Society.*

9. **ADJOURNED CITY COUNCIL MEETING** at 9:13 p.m.

THIS IS TO CERTIFY that the foregoing is a true and correct copy of the minutes of the City Council meeting of October 17, 2011 as approved by the El Cerrito City Council.


 Cheryl Morse, City Clerk


 Ann Cheng, Mayor