

EL CERRITO CITY COUNCIL PUBLIC FINANCING AUTHORITY EMPLOYEE PENSION TRUST BOARD

MINUTES

SPECIAL CITY COUNCIL MEETING – CLOSED SESSION

Tuesday, June 18, 2013 – 6:00 p.m.

Hillside Conference Room

SPECIAL CONCURRENT CITY COUNCIL MEETING / PUBLIC FINANCING AUTHORITY AND PENSION TRUST BOARD MEETING

Tuesday, June 18, 2013 – 7:00 p.m.

City Council Chambers

Meeting Location

El Cerrito City Hall

10890 San Pablo Avenue, El Cerrito

Greg Lyman – Mayor

**Mayor Pro Tem Janet Abelson
Councilmember Jan Bridges**

**Councilmember Rebecca Benassini
Councilmember Mark Friedman**

6:00 p.m. ROLL CALL

Councilmembers Abelson, Benassini, Bridges, Friedman and Mayor Lyman all present.

CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Lyman convened the Special City Council meeting at 6:00 p.m.

ANNOUNCEMENT OF CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): One potential case

ORAL COMMUNICATIONS FROM THE PUBLIC – No speakers.

RECESSED INTO CLOSED SESSION at 6:01 p.m.

POSSIBLE REPORT OUT OF CLOSED SESSION – *See announcement below.*

ADJOURNED SPECIAL CITY COUNCIL MEETING – CLOSED SESSION at 6:56 p.m.

ROLL CALL

Councilmembers Abelson, Benassini, Bridges, Friedman and Mayor Lyman.

7:00 p.m. CONVENE SPECIAL CONCURRENT CITY COUNCIL / PUBLIC FINANCING

AUTHORITY AND PENSION TRUST BOARD MEETING

Mayor Lyman convened the Special Concurrent City Council/Public Financing Authority/Pension Trust Board meeting at 7:04 p.m.

1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE was led by Councilmember Friedman.

2. COUNCIL / STAFF COMMUNICATIONS

Mayor Pro Tem Abelson reported on her attendance at two League of California Cities Policy Committee meetings in Sacramento on June 13, 2013. Policy Committee members received a presentation on a list of relevant bills pending in the state legislature. Several immigration reform principles developed by a League of California Cities Task Force were also discussed. On June 14, the entire City Council attended the Library Centennial Celebration held at the El Cerrito Library. It was a nice event that was well attended. On June 17, Mayor Pro Tem Abelson attended the 20th Anniversary of Home Depot. Today, she attended the El Cerrito Chamber of Commerce luncheon in which, Garth Schultz, Environmental Services Division Manager, made a presentation on the proposed plastic bag ban and foodware ordinances. Mayor Pro Tem Abelson informed the public that the last public hearing on both of these topics will be held at the Environmental Quality Committee meeting in the Council Chambers on July 15, 2013.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Tom Panas, El Cerrito, stated that he had been talking with a number of elderly friends in the City regarding completion of the urban greening survey who expressed a desire for subsidized bus service to and from the El Cerrito Plaza, Senior Center, Arlington Park, City Hall, Home Depot and the two BART stations. This would get people out of their cars and encourage local shopping.

Laura Gonzales, Richmond, El Cerrito Relay for Life, thanked the City Council for its continued support in the fight against cancer by providing a park and a meeting facility at the Community Center. Ms. Gonzales also informed the Council and public of upcoming team fundraising events in the City.

4. PRESENTATIONS

Annual Sundar Shadi Garden Club Awards – *Presentation by El Cerrito Garden Club.*

Bonnie Smith, President, El Cerrito Garden Club, presented the following awards:

- 1) First Place - Joanne Uomini & Mark Roberts, 6103 Alvarado Place; and
- 2) Second Place Tie to Maya Nelson, 651 Elm Street, and Yumei Yang, 1300 Richmond Avenue.

Action: Received presentation.

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

Moved, seconded (Abelson/Benassini) and carried unanimously to approve Consent Calendar Item Nos. 5A through 5F as indicated below.

A. Minutes for Approval

Approve the June 4, 2013 Special City Council Closed Session and June 4 Concurrent City Council/Public Financing Authority and Pension Trust Board meeting minutes.

Action: Approved minutes.

B. Application for Federal Funding through the Metropolitan Transportation Commission's (MTC's) Portion of the OneBayArea Grant (OBAG) Program

Adopt a resolution applying for \$3,467,958 in federal Surface Transportation Program (STP), Congestion Mitigation and Air Quality Improvement Program (CMAQ), and/or Transportation Alternatives Program (TAP) funding through the County Portion of the Metropolitan Transportation Commission's (MTC's) OneBayArea Grant (OBAG) Program, committing the necessary non-federal match, and stating the assurance to complete the Ohlone Greenway Station Access, Safety and Placemaking Improvements.

Action: Adopted Resolution No. 2013-29.

C. Ohlone Greenway Crosswalk Improvements Project

Adopt a resolution authorizing the following actions: 1) Reject all submitted bids; and 2) Authorize the City Manager or his designee to proceed with value engineering measures and re-advertise the project for public bid.

Action: Adopted Resolution No. 2013-30.

D. Measure J Funds for Paratransit Services for the Elderly and Disabled

Adopt a resolution authorizing the City Manager, or his designee, to apply for and claim Measure J funds in order to provide paratransit services for the elderly and disabled for Fiscal Year 2013-14.

Action: Adopted Resolution No. 2013-31.

E. Approve Co-Sponsorship for Use of a Community Center Room and Cerrito Vista Park by the American Cancer Society for Relay for Life

Adopt a resolution approving City co-sponsorship for the American Cancer Society Relay For Life, El Cerrito. Approval of co-sponsorship will make available a Community Center Room for 1.5 hour meetings, twice per month December 2012 to August 2013, and Cerrito Vista Park on July 20 and 21, 2013 and waive all fees associated with the use of these facilities. Available rooms or clubhouses will be used for the Relay Event planning meetings in order to prevent conflicts with potential rentals. Cerrito Vista Park will be used for the Relay itself. Per the co-sponsorship policy, the Relay for Life has been meeting at the Community Center, at no cost, at the discretion of the Recreation Director.

Action: Adopted Resolution No. 2013-32.

F. National Night Out 2013 Proclamation

Approve a proclamation calling upon all residents of the City of El Cerrito to participate in "National Night Out" on Tuesday, August 6, 2013 in the City of El Cerrito.

Action: Approved proclamation.

6. PUBLIC HEARING – None

7. POLICY MATTERS

Fiscal Year 2013-2014 Budget and Spending Authority for the City of El Cerrito, Public Financing Authority and Employee Pension Trust Board and Establish the Annual Gann Appropriation Limit

Consider adoption of four separate resolutions which approve the following actions:

- 1) Adoption of the FY 2013-14 City Budget and Spending Authority by Fund;
- 2) Adoption of the FY 2013-14 Budget for the Public Financing Authority;

- 3) Adoption of the FY 2013-14 Budget for the Employee Pension Trust Board; and
- 4) Approve the calculation and establish the City's FY 2013-14 annual Gann Appropriation Limit as \$111,892,904.

Presenters: Lisa Malek-Zadeh, Finance Director and Karen Pinkos, Assistant City Manager.

Actions: City Budget Moved, seconded (Friedman/Benassini) and carried unanimously to adopt City Council Resolution No. 2013-33 as revised to include necessary findings regarding expenditures of City Low-Moderate Housing Funds on planning and administrative expenses.

Public Financing Authority

Moved, seconded (Benassini/Friedman) and carried unanimously to adopt Public Financing Authority Resolution No. 2013-01.

Employee Pension Trust Board

Moved, seconded (Bridges/Abelson) and carried unanimously to adopt Employee Pension Trust Board Resolution No. 2013-01.

Annual Gann Appropriation Limit

Moved, seconded (Abelson/Benassini) and carried unanimously to adopt City Council Resolution No. 2013-34.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

A. Mayor Lyman reported that the City Council had met in closed session earlier in the evening regarding anticipated litigation and provided staff with direction. The Human Relations Commission met on June 5th and formed a subcommittee to start working on the Martin Luther King, Jr. Celebration. At the June 6 Contra Costa Mayors Conference, Mayor Lyman was elected as an alternate to the Association of Bay Area Government's Executive Committee. Additionally, although the plastic bag ban was on the Mayors Conference agenda, it was not acted upon due to the State Senate and Assembly's failure to move legislation forward. On June 13 the West County Integrated Waste Management Authority considered the post collection contract. Negotiations will conclude soon for the other Joint Powers Authority (JPA) cities. El Cerrito's contract is for disposal and Greenwaste only and is being negotiated separately. The Authority also convened a study session on the future of the JPA which will change on January 1, 2014 due to the conclusion of payments on the bonds for the facility. Several scenarios and options for the JPA were discussed however a decision is dependent upon the post collection agreement. Each individual city will consider whether to stay in the JPA or leave at a Council meeting in September or October 2013. The fundamental issue is what services the JPA should provide. The JPA provides other cities with rate review and contract negotiations. Although these services are not used by El Cerrito, the city does benefit from the household hazardous waste facility, regional legislation and outreach and education. City staff and Mayor Lyman expressed support for continuing with the Authority however there will be a more formal presentation for the City Council to consider in September or October. At its last meeting, the Tree Committee rode around town to look at places within the Committee's jurisdiction such as median strips, street tree wells and parks and performed an assessment of areas under the purview of the Committee.

B. Mayor Pro Tem Abelson – No report.

C. Councilmember Benassini – No report. *Councilmember Benassini conveyed the Financial Advisory Board's comments on the budget during discussion of Item No. 7 earlier in the evening.*

D. Councilmember Bridges provided an update on the Verizon cell tower that is proposed for 6830 Stockton Avenue. The site is a church located on the corner of Richmond Avenue. There is a pre-existing cell tower located there now. An applicant is seeking an additional six antennas to be placed on the roof of the church. The Design Review Board (DRB) expressed concerns about the project. The DRB believes the scale, mass, and proportion of the project are not in architectural good taste and is not consistent with the current style of the building. There are natural gas generators located on the roof. Neighbors expressed concerns with noise from the generators. The item will be continued to the next DRB meeting. There is some hope that the applicant will come up with other solutions or designs or identify an additional site for the antennas.

E. Councilmember Friedman reported that the Economic Development Board had a wide ranging discussion about economic development in the city at its last meeting.

SUPPLEMENTAL REPORTS AND COMMUNICATIONS

Item No. 5E Approve Co-Sponsorship for Use of a Community Center Room and Cerrito Vista Park by the American Cancer Society for Relay for Life

1. Relay for Life El Cerrito flyer – *Submitted by Laura Gonzales, Richmond, Relay for Life*

Item No. 7 Fiscal Year Fiscal Year 2013–2014 Budget and Spending Authority for the City of El Cerrito, Public Financing Authority and Employee Pension Trust Board and Establish the Annual Gann Appropriation Limit

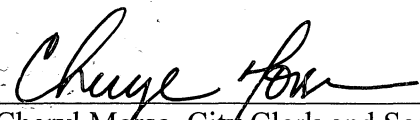
2. Revised Resolution for City 2013–14 Budget – *Submitted by Lisa Malek-Zadeh, Finance Director.*

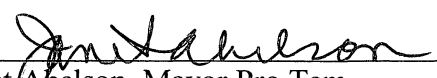
Other:

3. League of California Cities Key Bills and Messages for the Senate and Assembly – *Submitted by Mayor Pro Tem Abelson.*
4. League of California Cities Immigration Reform Task Force – Preliminary Recommendations to Policy Committees – *Submitted by Mayor Pro Tem Abelson.*
5. Urban Greening Survey Comments – *Submitted by Tom Panas, El Cerrito.*

9. ADJOURNED SPECIAL CONCURRENT CITY COUNCIL / PUBLIC FINANCING AUTHORITY AND PENSION TRUST BOARD MEETING at 7:53 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the Concurrent City Council / Public Financing Authority and Employee Pension Trust Board meeting of June 18, 2013 as approved by the El Cerrito City Council.


 Cheryl Morse, City Clerk and Secretary to the Public Financing Authority and Pension Trust Board


 Janet Abelson, Mayor Pro Tem