

EL CERRITO CITY COUNCIL

EL CERRITO PUBLIC FINANCING AUTHORITY

SUCCESSOR AGENCY TO THE FORMER EL CERRITO REDEVELOPMENT AGENCY

MINUTES

CONCURRENT CITY COUNCIL/PUBLIC FINANCING AUTHORITY/SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY MEETING

Tuesday, August 21, 2012 – 7:00 p.m.

City Council Chambers

SPECIAL CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY CLOSED SESSION

**Tuesday, August 21, 2012 – Immediately following the Concurrent City Council/Public Financing
Authority/Successor Agency Meeting
Hillside Conference Room**

Meeting Location

El Cerrito City Hall

10890 San Pablo Avenue, El Cerrito

Bill Jones – Mayor

**Mayor Pro Tem Greg Lyman
Councilmember Rebecca Benassini**

**Councilmember Ann Cheng
Councilmember Janet Abelson**

ROLL CALL

Councilmembers Abelson, Benassini, Cheng, Lyman and Mayor Jones all present.

7:00 p.m.

CONVENE CONCURRENT CITY COUNCIL/PUBLIC FINANCING AUTHORITY / SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY MEETING

**Mayor Jones convened the Concurrent City Council/Public Financing Authority/Successor
Agency to the Former Redevelopment Agency meeting at 7:05 p.m.**

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

2. COUNCIL / STAFF COMMUNICATIONS

Report on local collaboration meeting with West Contra Costa Unified School District Principals of El Cerrito Schools – Councilmember Benassini

Councilmember Benassini reported that she and Assistant City Manager Pinkos had met with the local West Contra Costa Unified School District principals and discussed a variety of issues including scheduling a meeting to discuss disaster preparedness, hosting a citywide volunteer fair, and local field trip ideas such as tours of City Hall and the new Recycling Center. The principals agreed that it was a useful meeting and expressed a desire to continue to meet on an ad hoc basis. Councilmember Benassini said that Assistant City Manager Pinkos will take the lead on coordinating meetings and new topics for discussion and that she and Councilmember Benassini will keep the City Council informed.

COUNCIL COMMENTS

Mayor Pro Tem Lyman reported on his attendance at a community meeting regarding the building of a future library. Mayor Pro Tem Lyman said he is sure there will be a presentation at some point in the future and informed all that everyone is working together on a future library.

Mayor Pro Tem also reported that the Council had received a number of emails regarding a project located at McDonald Avenue and San Pablo Avenue, the old Lucky Grocery Store site, and explained that the site is in Richmond however the driveway to the loading dock, which comprises ten percent of the lot, is in El Cerrito. The project has been put on hold because the Richmond Planning Commission, as lead agency on the project, indicated that they would like to conduct more environmental review on the project. The proposed use complies with the current use permits for the El Cerrito portion of the parcel. Unfortunately the owner of the property has passed away and the family has stated that the project and environmental analysis are no longer a priority. Mayor Pro Tem Lyman concluded by stating that staff will monitor the project and will be included in any environmental review as appropriate and will keep the community informed of any new developments.

Councilmember Abelson reported on a Environmental Quality Committee sponsored lecture that took place on August 20, 2012. Dr. Gordon Frankie, an entomologist and native bee expert from UC Berkeley delivered a presentation on native bees in California. The Council Chambers was packed to capacity. Most of those in attendance were from El Cerrito.

Mayor Jones announced that the City received its LEED certification for City Hall. The beautiful award plaque will be displayed in the lobby.

CITY STAFF COMMENTS

Mary Dodge, Administrative Services Director, announced that the City received, for the 8th consecutive year, an award from the Government Finance Officers Association; the Certificate of Achievement for Excellence in Finance Reporting for the June 30, 2011 financial statements.

Karen Pinkos, Assistant City Manager, stated that she is proud to report that the Recycling Center has received several accolades. The San Francisco Chronicle has given the Center rave reviews. The Recycling Center has also been featured in architectural and sustainability articles. Ms. Pinkos stated that the city is very proud of the Recycling Center and is looking forward to a LEED Platinum certification.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Al Miller, El Cerrito, spoke in support of building a new library and reported on community involvement and meetings held by the New Library Campaign Committee. Mr. Miller encouraged all to take part in the City's Strategic Plan Open House and other meetings.

4. PRESENTATIONS

The presentation agenda was re-ordered at the request of Mayor Jones to reverse the order of the presentation as published.

A. El Cerrito Wall of Fame Ceremony

Adopt two separate resolutions recognizing the leadership, contributions and achievements of community members Jane Bartke and Amy Shinsako and inducting both individuals into the El Cerrito Wall of Fame.

Mayor Jones welcomed the inductees and all present. Mayor Jones stated that one of the criteria for the Wall of Fame is that an individual spend a great number of years dedicated to service in the community.

COUNCIL WALL OF FAME SUBCOMMITTEE COMMENTS

Mayor Pro Tem Lyman described the evaluation criteria for Wall of Fame nominees.

Councilmember Abelson stated that the awards represent a very long period time in which someone has performed community service. The award also represents leadership in the community. Councilmember Abelson noted that volunteerism is not dying and is very much alive and well. The award is a small way of saying thank you.

JANE BARTKE PRESENTATION

Marie Pike, Sponsor of Jane Bartke, said the Sundar Shadi holiday display has been a twelve year commitment of Ms. Bartke and described Ms. Bartke's dedicated efforts in working with volunteers to secure, restore and store the Shadi folk art for the display. Jane knows everyone and everyone knows Jane.

Jane Bartke thanked Ms Pike, Ms. Mewha, the Soroptomists, her husband Rich and her family and friends. Ms. Bartke said she believes that it is important to support where you live and maintain it or make it better. Ms. Bartke explained that the holiday display is a part of El Cerrito and explained that it was going to be auctioned off piece by piece and she couldn't see this happen. Community means working together and building things to try to make life better for everyone. It is important to care about others and make a difference in the lives of everyone. People should do what they can to support their city, county, schools, state and nation. Ms. Bartke concluded by quoting Ralph Waldo Emerson, "Make the most of yourself for that is all there is to you."

AMY SHINSAKO PRESENTATION

Alva Tamura and Barbara McIntire described the special attributes and qualities of Ms. Shinsako's leadership and dedication to children. Ms. Shinsako will move mountains to get what children need and inspires all the other teachers.

The Board of Sakura Kai thanked the City Council for inducting Ms. Shinsako into the Wall of Fame and noted her thirty year involvement with the organization.

Amy Shinsako thanked the City Council, Alva Tamura and her friends and said that she was both honored and humbled by the presentation. Ms. Shinsako said Ms. Bartke was somewhat

responsible for her being present today due to Ms. Bartke's relentless encouragement for Ms. Shinsako to resume her teaching career. Ms. Shinsako said in accepting the award, that she is doing it in the spirit of recognizing all who volunteer and make a difference in the lives of community members. The accomplishments listed in the proclamation reflect the work that everyone has done together. Ms. Shinsako said that even though she has retired she will continue to find ways to work with children. Ms. Shinsako also thanked her husband Glen for his support and for his contributions to the projects that she takes on.

Action: Moved, seconded (Abelson/Benassini) and carried unanimously to adopt Resolution Nos. 2012-56 and 2012-57 inducting Jane Bartke and Amy Shinsako into the El Cerrito Wall of Fame.

B. Proclamation in Recognition of Ellen MacDonald Paasch

Approve and present a proclamation commending and recognizing the many contributions made by Ellen MacDonald-Paasch to the residents of El Cerrito and the importance of her role in helping older adults maximize their quality of life.

Christopher Jones, Recreation Director, expressed the City's appreciation for the 33 years of service Ms. Paasch provided to the City and for her dedication and commitment to the senior community.

Councilmember Abelson, expressed her appreciation for Ms. Mac Donald Paasch and noted that working with her as the Council Liaison to the Committee on Aging, has been a rewarding experience. Councilmember Abelson also noted her contributions in transit.

Mayor Pro Tem Lyman expressed his appreciation for Ms. MacDonald Paasch and noted that she has served with passion and dedication and has done an excellent job with the resources that have been provided. She has done so much with so little.

Councilmembers Cheng and Benassini also thanked Ms. Paasch for her years of service.

Ellen Mac Donald Paasch, Adult Programs Supervisor, expressed appreciation for the leadership of the City Manager, Director Chris Jones and former Director Monica Kortz. Ms. MacDonald Paasch also expressed appreciation for the opportunity to serve the residents of the City of El Cerrito.

Action: Moved, seconded (Lyman/Abelson) and carried unanimously to approve and present a proclamation commending and recognizing the many contributions made by Ellen MacDonald-Paasch.

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

Moved, seconded (Benassini/Cheng) and carried unanimously to adopt Consent Calendar Item Nos. 5A through 5H in one motion as indicated below.

JOINT CITY COUNCIL/PUBLIC FINANCING AUTHORITY/SUCCESSOR AGENCY ITEM

A. Minutes for Approval

Approve the: 1) July 17, 2012 Special City Council Closed Session, Concurrent City Council/Public Financing Authority/City Council acting as the Successor Agency to the Former Redevelopment Agency, and Special City Council acting as the Successor Agency to the Former Redevelopment Agency Closed Session meeting minutes; and 2) August 13, 2012 Special City Council meeting minutes.

Action: Approved minutes.

JOINT CITY COUNCIL/PUBLIC FINANCING AUTHORITY ITEMS

B. Recycling Center Refinancing – Change from a Lease to a Bond Structure

Adopt a City Council resolution and a Public Financing Authority resolution authorizing the City Manager/Executive Director to enter into required agreements with JP Morgan Chase Bank (Chase) for refinancing of the Recycling Center \$3,500,000 Lease–Purchase Financing as a Revenue Bond.

Action: Adopted City Council Resolution No. 2012–58 and Public Financing Authority Resolution 2012–03.

CITY COUNCIL ITEMS

C. Various Traffic and Parking Revisions

Adopt resolutions authorizing the Public Works Director/City Engineer to: 1) Install stop signs on a) Scott Street at Schmidt Lane and b) Humboldt Avenue and Key Boulevard; and 2) Install 18 feet of green curb marking on the south side of Stockton Avenue in front of the El Cerrito Public Library, located at 6500 Stockton Avenue.

Action: Adopted Resolution Nos. 2012–59 and 2012–60.

D. Amend the 2012-13 Capital Improvement Program to Fund Neighborhood Traffic Programs

Adopt a resolution amending the 2012–13 Capital Improvement Program to: 1) Combine the “Traffic Safety Improvement Program” and the “Neighborhood Traffic Management Program (NTMP)” projects into a new project entitled “Traffic Safety and Management Program;” and 2) Transfer \$100,000 of Measure A Street Improvement Funding from the Street Improvement Project to the Traffic Safety and Management Program.

Action: Adopted Resolution No. 2012–61.

E. Co-Sponsorship Application for Friends of the El Cerrito Library

Adopt a resolution authorizing the City Manager to grant co-sponsorship status to the Friends of the El Cerrito Library for use of City facilities.

Action: Adopted Resolution No. 2012–62.

F. Meyers Nave Contract Amendment

Adopt a resolution authorizing the City Manager to execute an amended and restated agreement with Meyers, Nave, Riback, Silver and Wilson LLP for City Attorney services and appointing Jennifer Faught as Assistant City Attorney.

Action: Adopted Resolution No. 2012–63.

G. Paying and Reporting the Value of Employer Paid Member Contributions for Management Employees

Adopt a resolution amending the paying and reporting of the value of employer paid member contributions for management employees.

Action: Adopted Resolution No. 2012–64.

H. Change in September 18, 2012 City Council Meeting Start Time

Approve a recommendation rescheduling the start time for the September 18, 2012 City Council meeting from 7:00 p.m. to 7:30 p.m. to accommodate the observance of the Jewish holiday Rosh Hashanah.

Action: Approved recommendation.

6. PUBLIC HEARINGS

Fees for Expanded Recycling Services at the Recycling and Environmental Resource Center

Conduct a public hearing and upon conclusion consider adoption of a resolution amending Miscellaneous Services Fees within the Master Fee Schedule to add fees relating to: 1) Drop-off collection and recycling of compact fluorescent bulbs (CFLs) and fluorescent tubes for patrons who currently do not pay for local Household Hazardous Waste programs; and 2) Rental of solid waste – recycling, compost and garbage – event stands and bags.

Presenter: Garth Schultz, Environmental Analyst.

Mayor Jones opened the public hearing. No speakers.

Moved, seconded (Lyman/Benassini) and carried unanimously to close the public hearing.

Action: Moved, seconded (Abelson/Cheng) and carried unanimously to adopt Resolution No. 2012–65.

7. POLICY MATTERS

CITY COUNCIL ITEMS

A. Two Years Public Employee Retirement System Service Credit

Staff requests that the City Council take the following three actions: 1) Adopt a resolution designating a window period from August 22, 2012 through November 27, 2012 within which miscellaneous and public safety employees may receive two-years of service credit if they retire during the designated window period; 2) Authorize the Mayor to certify compliance with Government Code Section 20903; and 3) Direct the City Clerk to certify the Council's action and compliance with Government Code Section 7507.

Presenter: Mary Dodge, Administrative Services Director and Sukari Beshears, Employee Services Manager.

Speakers: John Couger-Hansen, El Cerrito, stated that while working for another East Bay city four times the size of El Cerrito, he retired under the California Public Employees Retirement System (Cal PERS) system and was later re-hired by the same City for two days a week to run his old department. The City did not have to pay into PERS, provide medical benefits or anything else. This worked out well for the City and for Mr. Couger-Hansen.

Denise Sangster, El Cerrito, stated that she is concerned that the City is about to make a serious financial mistake and stated her opposition to offering a two-year service credit. Many El Cerrito residents are having a difficult time financially. Ms. Sangster said she believes that the City owes its public safety employees a reasonable retirement with medical benefits. Ms. Sangster asked whether it is appropriate to offer a two year service credit for the seventh time since 1972. The two-year service credit needs to be reviewed by the Financial Advisory Board (FAB) to evaluate the full cost of the proposal as well as costs for any potential retiree, evaluate the City's reorganization plan to see what cost savings will be generated from the early retirement plan, and verify that costs savings were realized as forecasted in 2004 and 2009 before the City Council makes its determination on the appropriateness of adopting this early retirement incentive.

Elvira Orly, El Cerrito, spoke in opposition to the two-year service credit. Ms. Orly stated that she is concerned that the proposed savings are not really there and asked that the proposal be studied further.

Ken Berndt, El Cerrito, asked that the City Council hold the item over for an additional month for further study.

Action: Moved, seconded (Abelson/Cheng; Ayes – Councilmembers Abelson, Cheng and Jones; Noes – Benassini; Abstain – Mayor Pro Tem Lyman) and carried to adopt Resolution No. 2012-66.

B. November 6, 2012 Municipal Election – Consideration of Facts with Option to Appoint Council Members In Lieu of Election

Staff requests that the City Council review the Certification of Facts and consider taking action to either: 1) Adopt a resolution appointing nominees Jan Bridges, Mark Friedman and Greg Lyman to elected offices effective the first City Council meeting in December 2012; or 2) Elect to hold the November 6, 2012 General Municipal Election.

Presenter: Cheryl Morse, City Clerk.

Mayor Pro Tem Lyman recused himself from voting on the matter given his status as a candidate who has qualified for the ballot. Mayor Pro Tem Lyman removed himself from the dais and exited the room.

Action: Councilmember Benassini moved to appoint Jan Bridges, Mark Friedman and Greg Lyman to the office of City Council in lieu of an election. The motion died for lack of a second.

It was the consensus of the City Council (Councilmember Lyman absent) that the November 6, 2012 election should proceed as planned to increase transparency, promote interaction between residents and the candidates and provide an opportunity for residents to exercise their right to vote in the election.

JOINT CITY COUNCIL/PUBLIC FINANCING AUTHORITY ITEM

C. Measure A (Swim Center) Lease Revenue Bond Refinancing

Adopt a City Council resolution and a Public Financing Authority resolution which authorize the City Manager/Executive Director to enter into the required agreements with JP Morgan Chase

Bank for refinancing of the Measure A (Swim Center) Lease Revenue Bonds.

Presenter: Mary Dodge, Administrative Services Director.

Action: Moved, seconded (Lyman/Abelson) and carried unanimously to adopt City Council Resolution No. 2012-67.

Moved, seconded (Lyman/Abelson) and carried unanimously to adopt Public Financing Authority Resolution 2012-04.

CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY ITEM

D. Review and Authorization to Submit Draft Recognized Obligations Payment Schedule III (January through June 2013)

Adopt a Successor Agency resolution reviewing and authorizing submittal of the draft Recognized Obligations Payment Schedule III covering the period January through June 2013.

Lori Treviño, Economic Development Manager.

Action: Moved, seconded (Lyman/Abelson) and carried unanimously to adopt Successor Agency Resolution No. 2012-04-SA.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

Council Assignments and Liaison Reports were held over to the meeting of September 18, 2012.

SUPPLEMENTAL REPORTS AND COMMUNICATIONS

Item No. 7A Two Years Public Employee Retirement System Service Credit

Powerpoint presentation – *Submitted by Mary Dodge, Administrative Services Director.*

Moved, seconded (Abelson/Benassini) and carried unanimously to extend the City Council meeting to 10:50 p.m.

Moved, seconded (Abelson/Benassini) and carried unanimously to extend the City County meeting to 11:00 p.m.

Moved, seconded (Lyman/Abelson) and carried unanimously to extend the City Council meeting to 11:15 p.m.

9. ADJOURNED CONCURRENT CITY COUNCIL/PUBLIC FINANCING AUTHORITY / SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY MEETING at 11:17 p.m.

The next regularly scheduled City Council meeting is scheduled on Tuesday, September 18, 2012 at 7:30 p.m.

ROLL CALL

Councilmembers Abelson, Benassini, Cheng, Lyman and Mayor Jones all present.

10. CONVENE SPECIAL CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY MEETING

Chair Jones convened the Special Successor Agency meeting at 11:18 p.m.

ANNOUNCEMENT OF CLOSED SESSION

Conference with Legal Counsel – Existing Litigation (*Pursuant to Government Code Section 54956.9*): City of El Cerrito, et al. v. Robert R. Campbell, et al., Case No. 34-2012-80001200, Sacramento Superior Court.

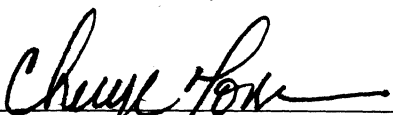
ORAL COMMUNICATIONS FROM THE PUBLIC – No comments.

RECESSED INTO CLOSED SESSION at 11:18 p.m.

POSSIBLE REPORT OUT OF CLOSED SESSION

ADJOURNED SPECIAL CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY MEETING at 11:35 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/Successor Agency to the Former Redevelopment Agency Meeting and Special City Council Acting as Successor Agency to the Former Redevelopment Agency Meeting – Closed Session of August 21, 2012 as approved by the El Cerrito City Council.


Cheryl Morse, City Clerk


William C. Jones III, Mayor