

EL CERRITO CITY COUNCIL
EL CERRITO PUBLIC FINANCING AUTHORITY
CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO
THE FORMER REDEVELOPMENT AGENCY

MINUTES

SPECIAL CITY COUNCIL MEETING – CLOSED SESSION

Tuesday, June 19, 2012 – 6:30 p.m.

Hillside Conference Room

CONCURRENT CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

Tuesday, June 19, 2012 – 7:00 p.m.

City Council Chambers

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

Tuesday, June 19, 2012

**Immediately following adjournment of the Municipal Services Corporation meeting that follows the
Concurrent City Council/Public Financing Authority 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

6:30 p.m. ROLL CALL

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

Absent: Councilmember Cheng.

CONVENE SPECIAL CITY COUNCIL MEETING – CLOSED SESSION

Mayor Jones convened the Special City Council Meeting – Closed Session at 6:36 p.m.

ANNOUNCEMENT OF CLOSED SESSION

Conference with Labor Negotiators (*Pursuant to Government Code Section 54957.6*)

Agency designated representatives: Scott Hanin, City Manager, Sky Woodruff, City Attorney, Glenn Berkheimer, IEDA, Sukari Beshears, Employee Services Manager

Employee organizations: Service Employees International Union, Local 1021

ORAL COMMUNICATIONS FROM THE PUBLIC – No Speakers.

RECESSED INTO CLOSED SESSION at 6:37 p.m.

POSSIBLE REPORT OUT OF CLOSED SESSION

ADJOURNED SPECIAL CITY COUNCIL MEETING – CLOSED SESSION at 7:03 p.m.

ROLL CALL

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

Absent: Councilmember Cheng

7:00 p.m.

CONVENE CONCURRENT CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

Mayor Jones convened the Concurrent City Council/Public Financing Authority meeting at 7:11 p.m.

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

2. **COUNCIL / STAFF COMMUNICATIONS**

CITY COUNCIL COMMENTS

Councilmember Abelson announced that June is National Lesbian, Gay, Bi-Sexual, Transgender Pride Month and read President Obama's proclamation recognizing the month into the record.

Mayor Jones reported that the City Council had met in Closed Session earlier this evening pursuant to Government Code Section 54957.6, received an update from staff and gave direction.

CITY STAFF COMMENTS

Karen Pinkos, Assistant City Manager, announced that the City has won the International City/County Management Association (ICMA) Program Excellence Award in Community Sustainability for the San Pablo Avenue Streetscape Project. The Community Sustainability Category recognizes innovative local government programs and processes that demonstrate innovation, excellence and success in balancing social, economic, environmental and cultural needs. Ms. Pinkos noted that Melanie Mintz, Environmental Services Program Manager, deserves accolades for her work on the project. The award will be presented to Mr. Hanin at the ICMA Annual Conference in October. The award panel is comprised of seventeen members.

Sylvia Moir, Chief of Police, provided a brief update of the new NIXLE alert system. Anyone can log on to nixle.com and subscribe. For example, the Special Olympics Torch Run this morning was a *community notification*. In the future, this will include other planned events. An *advisory notification* is used for something like a burglary. An example of the *alert notification* would be a notification to a specific neighborhood that the police are conducting a yard to yard search for a suspect and to be aware of a suspicious person with a certain description. The Community can elect what type of notifications they want through nixle.com. Chief Moir stated that the goal is to increase communication between the Police Department and the community

and encouraged everyone to sign up. Nixle.com also provides an iPhone and iPad application for the service.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Al Miller, El Cerrito, acknowledged and recognized the Police Department for their efforts in the *Special Olympics Bike the Bridges* fundraising event and stated that El Cerrito is lucky to have a group of professional employees that give up their own personal time and energy to serve the community.

Helen Dickey, El Cerrito, spoke in support of the *New Priorities Campaign*. Ms. Dickey stated that the four tenets of the campaign are: 1) End the war in Afghanistan and not enter into a war in Iran; 2) Redirect the money saved [from ending the war and refraining from entering into a war with Iran] toward domestic needs; 3) Increase taxes on banks, oil corporations and corporations; and 4) Invest in local communities, the Nation's infrastructure and our environment in order to create jobs and a sustainable economy. Ms. Dickey said that members of the Campaign have been developing a resolution that they hope the City Council will consider at its July meeting.

4. PRESENTATIONS

A. Special Olympics Volunteer of the Year Award

Approve and present a proclamation honoring Sergeant Shawn Maples on the occasion of his recognition as the 2011 Volunteer of the Year for Special Olympics – Northern California. Sergeant Maples is an example to the Police Department, other Police Officers and is an example of Public Service at its best.

Presenter: Sylvia Moir, Chief of Police, recognized the efforts of Sergeant Shawn Maples.

Action: The City Council presented the proclamation to Sergeant Maples.

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

Presenter: Bonnie Smith, El Cerrito Garden Club.

Action: Presentation made. The El Cerrito Garden Club announced the following awards:

1. First Place presented to Claire Garcia; Norvell Street;
2. Second Place presented to Daniel Frattin, Albermarle Street; and
3. Katherine Hall, third place award.

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

Moved, seconded (Abelson/Lyman; Ayes – Councilmembers/Authority Members Abelson, Benassini, Lyman and Mayor/Chairperson Jones; Noes – None; Absent – Councilmember/Authority Member Cheng) to approve Consent Calendar Item Nos. 5(A) through 5(F) in one motion as indicated below.

CITY COUNCIL ITEMS

A. Minutes for Approval

Approve the June 11, 2012 Special Concurrent City Council/Public Financing Authority/Pension Trust Board meeting minutes.

Action: Approved minutes.

B. Consultant Services with Goldfarb & Lipman LLP for Legal Services for the City Low and Moderate Income Housing Fund and the City as Successor Agency to the Former El Cerrito Redevelopment Agency

Adopt a resolution authorizing the City Manager to execute a consultant services agreement with Goldfarb & Lipman LLP for legal services related to the implementation of AB 1x26 and, in addition, legal services related to the City's affordable housing programs.

Action: Adopted Resolution No. 2012-43.

C. Adoption of Gann Appropriation Limit for Fiscal Year 2012-13

Adopt a resolution, which selects the California Per Capita Personal Income option for the Cost of Living Factor and the County Population option for the Population Factor. Utilizing those factors establishes the City's appropriations limit as \$105,629,673 for Fiscal Year 2012-13.

Action: Adopted Resolution No. 2012-44.

D. Modifications to Memorandums of Understanding for the El Cerrito Police Employees Association and the United Professional Firefighters Association, Local 1230 and Adopt a Resolution Regarding Management Employees

Adopt three separate resolutions approving the following actions: 1) Adopt a resolution approving a side letter to the Memorandum of Understanding Between the City and the El Cerrito Police Employees Association to modify language on salaries; 2) Adopt a resolution approving a side letter to the Memorandum of Understanding between the City and the United Professional Firefighters Association, Local 1230 to modify language on salaries; and 3) Adopt a resolution approving a modification to Pension Plan Benefits and Reimbursement for Management Employees.

Actions: Adopted Resolution No. 2012-45 approving a side letter to the Memorandum of Understanding Between the City and the El Cerrito Police Employees Association to modify language on salaries.

Adopted Resolution No. 2012-46 approving a side letter to the Memorandum of Understanding between the City and the United Professional Firefighters Association Local 1230 to modify language on salaries.

Adopted Resolution No. 2012-47 approving a modification to Pension Plan Benefits and Reimbursement for Management Employees.

E. Consulting Contract with Municipal Services Corporation for Staffing and Administrative Services

Adopt a resolution authorizing the City Manager to enter into a contract with the El Cerrito Municipal Services Corporation to provide staffing and administrative services for Fiscal Year 2012-13.

Action: Adopted Resolution No. 2012-48.

PUBLIC FINANCING AUTHORITY ITEM

F. Lease Purchase Agreement for the Recycling Center

Adopt a resolution authorizing the Executive Director to enter into a Site Lease and Lease Purchase Agreement for refunding of the improvements to the City of El Cerrito Recycling Center.

Action: Adopted Public Financing Authority Resolution No. 2012-02.

6. PUBLIC HEARINGS – None

7. POLICY MATTERS

A. Establish Speed Limits for Eleven Speed Zones

Adopt a resolution establishing speed limits (in miles per hour) for eleven speed zones in the City to allow for enforcement of these limits using radar, lidar or other electronic device in conformance with State of California requirements.

Presenter: Yvetteh Ortiz, Engineering Manager.

Speakers: Tom Panas, El Cerrito, requested that the City Council ask staff to wait before making a decision about a segment on Carlson until the City of Richmond takes action and defer a decision about Carlson to the Fall.

Action: Moved, seconded (Lyman/Abelson; Ayes – Councilmembers Abelson, Benassini, Lyman and Mayor Jones; Noes – None; Absent – Councilmember Cheng to adopt Resolution No. 2012-49 as amended on the floor to add an additional enacting clause which would set a 25 mile per hour limit on Potrero Avenue from Kearney Street to West City Limits and strike the reference to this same segment from the table in the first enacting clause.

B. Agreement with the West Contra Costa Unified School District Regarding Funding of School Resource Officers

Adopt a resolution authorizing the City Manager to enter into an agreement in substantially the same form as attached to the resolution, with the West Contra Costa Unified School District (WCCUSD) to partially fund three School Resource Officer Positions (SROs). Two SROs will continue to be assigned to El Cerrito High School and one will be assigned to Portola Middle School. If authorized, this Agreement becomes effective immediately, and will continue through June 30, 2015. This agreement shall automatically renew on July 1, 2013 and on every July 1 thereafter for an additional one-year term, unless terminated earlier.

Presenter: Sylvia Moir, Chief of Police.

Speakers: Al Miller, El Cerrito, stated that he lives across the street from El Cerrito High School. Mr. Miller noted that there is a difference at El Cerrito High since the Student Resource Officers began working at the High School and reported on the benefits and positive impacts the High School community has received from having Student Resource Officers on campus.

Action: Moved, seconded (Lyman/Abelson; Ayes – Councilmembers Abelson, Benassini, Lyman and Mayor Jones; Noes – None; Absent – Councilmember Cheng to adopt Resolution No. 2012-50 as amended by Mayor Pro Tem Lyman authorizing the City Manager to enter into an agreement, in substantially the same form as the agreement attached to the resolution, with the West Contra Costa Unified School District to partially fund three School Resource Officers, two at El Cerrito High School and one at Portola Middle School for the term of July 1, 2012 through July 1, 2015 and every year thereafter unless terminated sooner and rescinding 2009-62.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

A. Mayor Jones reported that the Tom Bates Regional Sports Field Joint Powers Authority (JPA) operating revenues have exceeded expenses therefore the City will not be asked to supplement the project. This includes \$75,000 that the JPA will commit to a fund for replacement of the synthetic turf. Mayor Jones stated that this is a tribute to the people managing the sports fields and noted that government can build a facility that generates enough revenue to support itself. This project is a good example of five cities coming together with two agencies to put on a first class operation for recreation.

B. Mayor Pro Tem Lyman reported that the West County Integrated Waste Management Authority Board had a good strategy session about the future of the Waste Management Board. Mayor Pro Tem Lyman stated that he will be bringing an agenda item forward for discussion in the Fall regarding who will be in the waste management authority in the future and what services the Authority will provide after January 1, 2014. Mayor Pro Tem Lyman also informed the City Council and City Staff that any member of the Authority who withdraws from the Integrated Waste Management Authority does not benefit from the division of the Authority's assets which currently amounts to approximately \$2.8 million if the Authority dissolves January 1, 2014.

C. Councilmember Abelson – No report.

D. Councilmember Benassini – No report.

E. Councilmember Cheng – Absent.

SUPPLEMENTAL REPORTS AND COMMUNICATIONS

Item No. 7(A) Establish Limits for Eleven Speed Zones

1. Powerpoint presentation – *Submitted by Yvetteh Ortiz, Engineering Manager*

Other

2. Bay Area New Priorities Campaign Flyer – *Submitted by Helen Dickey.*

9. ADJOURNED CONCURRENT CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING at 9:00 p.m.

[A special meeting of the Municipal Services Corporation Board took place from 9:03 p.m. to 9:05 p.m.]

ROLL CALL

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

Absent: Councilmember Cheng

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

Mayor Jones convened the Special Successor Agency meeting at 9:05 p.m.

ANNOUNCEMENT OF CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation (*Pursuant to Government Code Section 54956.9(b)*): One potential case

ORAL COMMUNICATIONS FROM THE PUBLIC – No speakers.

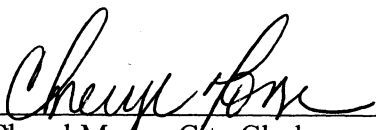
RECESSED INTO CLOSED SESSION at 9:05 p.m.

POSSIBLE REPORT OUT OF CLOSED SESSION

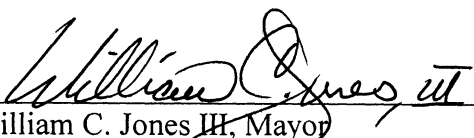
The Successor Agency to the former El Cerrito Redevelopment Agency provided direction to legal counsel.

**ADJOURNED SPECIAL CITY COUNCIL SUCCESSOR AGENCY MEETING –
CLOSED SESSION** at 9:46 p.m.

THIS IS TO CERTIFY that the foregoing is a true and correct copy of the minutes of the Special City Council Closed Session, Concurrent City Council/Public Financing Authority Meeting, and Special City Council Acting as Successor Agency to the Former Redevelopment Agency Meeting – Closed Session meetings of June 19, 2012 as approved by the El Cerrito City Council.



Cheryl Morse, City Clerk



William C. Jones III, Mayor