

**EL CERRITO CITY COUNCIL
EL CERRITO REDEVELOPMENT AGENCY
EL CERRITO PUBLIC FINANCING AUTHORITY
EL CERRITO EMPLOYEE PENSION BOARD**

MINUTES

SPECIAL EL CERRITO CITY COUNCIL MEETING

Monday, June 20, 2011 – 6:45 p.m.

Hillside Conference Room

**CONCURRENT EL CERRITO CITY COUNCIL/REDEVELOPMENT AGENCY/PUBLIC
FINANCING AUTHORITY AND EMPLOYEE PENSION BOARD MEETING**

Monday, June 20, 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

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

6:45 p.m. SPECIAL CITY COUNCIL MEETING

Mayor Cheng convened the Special City Council meeting at 6:45 p.m.

COMMISSION INTERVIEWS

Conduct interviews of candidates for city boards and commissions. Interviews may result in an announcement of appointment at the meeting. The City Council may also discuss scheduling of future interviews.

Action: Conducted interviews.

ADJOURNED SPECIAL CITY COUNCIL MEETING at 7:35 p.m.

ROLL CALL

Councilmembers/Board Members Abelson, Benassini, Jones, Lyman and Chairperson Cheng all present.

7:30 p.m. CONVENE CONCURRENT CITY COUNCIL/ REDEVELOPMENT AGENCY/

PUBLIC FINANCING AUTHORITY AND EMPLOYEE PENSION BOARD MEETING

Mayor/Chairperson Cheng convened the Concurrent City Council/Redevelopment Agency/Public Financing Authority and Employee Pension Board meeting at 7:41 p.m.

1. PLEDGE OF ALLEGIANCE TO THE FLAG was led by Mayor Cheng.

2. COUNCIL / STAFF COMMUNICATIONS

Mayor Cheng announced the City Council's appointment of Gabriel Quinto to the Human Relations Commission for a term ending January 1, 2012.

Mayor Pro Tem Jones expressed his appreciation to the Garden Club for a letter and donation the City recently received from Esther Sergeant for the City's care of the Veterans Memorial gardens. Mayor Pro Tem Jones also expressed appreciation for the volunteers who recently cleaned up the planter at the intersection of Cutting and Elm Streets.

Councilmember Abelson reported on her attendance at recent League of California Cities Policy Committee meetings last week in which attendees received status reports on the state budget. The Senate and Assembly passed the budget but it was vetoed by Governor Brown due to various tricks and gimmicks which had been placed into it. This is the fourth time in California history where this has happened. Relationships between the legislature and Governor have gone downhill. Committee attendees also received a presentation on redistricting and a presentation from the new head of the Fair Political Practices Commission (FPPC). FPPC enforcement will focus primarily on large cases that involve a lot of money and wrongdoing. There was also a presentation by the head of the Parks Department regarding closure of parks.

Councilmember Benassini announced that on June 22 at 6:30 p.m. at El Cerrito High School, there will be a meeting to discuss the Writer Coach Connection program and opportunities for volunteers during the 2011-12 school year. The group will also have a booth at the July 4th festival for anyone that would like more information.

Councilmember Lyman asked everyone to consider attending the City's annual July 4th Celebration at Cerrito Vista Park. The Crime Prevention Committee will have an informational booth at the event which will include information and sign-up forms for residents interested in hosting National Night Out in their neighborhoods.

City Manager Hanin commented on budget developments in Sacramento. The bill to eliminate redevelopment passed. Additionally, there was a companion bill to be taken up with the other bill, that provides that if a city voluntarily contributes a significant amount of money, in El Cerrito's case it is approximately \$1.8 million in the first year and approximately \$400,000 or more every year thereafter, the city would be able to keep its redevelopment agency. City Manager Hanin reported that he has been told by State Assembly staff that there is potentially a third bill to address clean up of the first two bills however no one has seen a draft of this bill at the League of California Cities or the California Redevelopment Association. City Manager Hanin stated that although the City Council is asked to pass the budget this evening, staff does not know that the issue of redevelopment elimination is still pending.

3. ORAL COMMUNICATIONS FROM THE PUBLIC – None.

4. PRESENTATIONS

A. Annual Sundar Shadi Garden Club Awards – Presentation by Fleda Mackie, President, and Vera Lis, Contest Chair, El Cerrito Garden Club.

Action: Presentation heard. President Mackie presented awards to Sahdu Mannell and Cristin & Sanjit Sethi. The third place winner, John Toyofuku was not present this evening.

B. Doctors Medical Center Update – Presentation by John Gioia, Chair; and Eric Zell, Vice Chair, West Contra Costa Healthcare District Board.

Action: Presentation heard. Supervisor/Healthcare District Board Chair Gioia provided an overview of the hospital's financial challenges and services. Doctors Hospital serves approximately 40,000 emergency room patients per year, the largest amount in West County. A study done several years ago reported that if the hospital closed there would be a critical shortage of emergency room beds resulting in longer transport times to other hospitals and longer waiting room times. This would result in negative health outcomes. The State recently changed the way it distributes funding. The hospital could end up getting \$1-2 million a year instead of \$12 million from the State which is meant to care for Medi-Cal and indigent populations.

Eric Zell, Vice Chair, West Contra Costa Healthcare District, stated that there are significant concerns about the fiscal health of such an important community asset. The Hospital does not receive the funding it needs to serve its population of patients. The Board will be talking to state and federal legislators and voters about recent changes in funding formulas and has completed a survey regarding a potential parcel tax increase for West County residents. The survey is optimistic about potentially adding another \$50 to the parcel tax. Mr. Zell said that legislative changes and/or an additional parcel tax would provide the best opportunity for fixing the long term funding gap.

C. Proclamation Recognizing Monica Kortz, Recreation Director, for her Service to the City of El Cerrito and Wishing her Continued Success Upon her Retirement from City Service

Approve a proclamation recognizing Monica Kortz for her record of service to and concern for the quality of life of the local community, and extending the City Council's sincere best wishes for continued success in all future endeavors.

Speakers: Michelle Fadelli, El Cerrito, congratulated Ms. Kortz on her retirement and for all of her service to the City of El Cerrito. Ms. Fadelli stated that Ms. Kortz's achievements in the Recreation Department are what give the city a sense of community. The availability of services and high level of care offered by the department for her children enabled her to have a full time job.

Monica Kortz, Recreation Director, thanked the City Council, City Manager, Chris Jones staff and her family for their support.

Action: Proclamation approved and presented.

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.

CITY COUNCIL ITEMS**A. Minutes for Approval**

Approve the minutes of the June 6, 2011 Special City Council Closed Session, Special City Council and Concurrent City Council / Redevelopment Agency / Public Financing Authority and Employee Pension Board meetings.

Action: Approved minutes.

B. Fairmount & Ashbury Intersection Safety Improvement Project, C3044-3 – Award Construction Contract

Adopt a resolution authorizing the City Manager to approve plans, accept bids and execute a contract in an amount to be determined after bid opening but not to exceed \$450,000 with the licensed contractor who submits the lowest responsive bid at the time of bid opening, and to approve change orders in an amount not to exceed 15% of the contract amount for the construction of the Fairmount & Ashbury Intersection Safety Improvement Project, C3044-3.

Action: Adopted Resolution No. 2011-44.

C. Endorse the Contra Costa Mayors' Conference Opposition to Assembly Bill 506 (Local government: bankruptcy: neutral evaluation) and Assembly Bill 438 (County free libraries: Withdrawal: Use of private contractors)

At the request of Mayor Pro Tem Jones, approve a recommendation to endorse letters from Contra Costa Mayors Conference Chair Trotter, describing the Contra Costa Mayors' position in opposition to AB 506 and AB 438 as voted on by the Contra Costa Mayors at their June 2, 2011 meeting. Direct the City Clerk to inform Assemblymembers Skinner and Bonilla, Senators DeSaulnier and Hancock, all mayors of the cities of Contra Costa County and Contra Costa Mayors Conference Executive Director Blubaugh of the City Council's endorsement.

Action: Approved recommendation.

D. Letter of Support Senate Bill 790 and Letter of Opposition to Assembly Bill 976 Regarding Support of Community Choice Aggregation

At the request of the Environmental Quality Committee, authorize the Mayor to send letters to the appropriate parties (bill authors, Committee Chairs, and/or Speakers) regarding support of the Community Choice Aggregation (CCA) via support for Senate Bill 790 (Leno) and opposition to Assembly Bill 976 (Hall).

Action: Approved recommendation.

E. Council Subcommittee on Wall of Fame Nominations

Accept the report of the Council Subcommittee on Wall of Fame Nominations. Formal action and induction of Wall of Fame nominees is scheduled for July 18, 2011.

Action: Report accepted.

REDEVELOPMENT AGENCY ITEM**F. Assignment of the Tri-Party Agreement with Safeway, Inc. and Target Corporation to the El Cerrito Municipal Services Corporation**

Adopt a resolution accepting the assignment by the El Cerrito Redevelopment Agency of all of its rights and obligations with respect to the acquisition of the property identified as the Hill Street Parcel as provided in that certain Tri-Party Agreement between the Agency, Safeway, Inc., and Target Corporation dated October 5, 2009

Action: Adopted Redevelopment Agency Resolution No. 614.

6. PUBLIC HEARINGS

Fiscal Year 2011–12 Budget

Conduct a public hearing and upon conclusion adopt resolutions of the City of El Cerrito, the El Cerrito Redevelopment Agency, the El Cerrito Public Financing Authority and the El Cerrito Employees Pension Board for the Fiscal Year 2011–2012 annual operating and capital improvement budgets.

Presenter: Mary Dodge, Administrative Services Director, reported that additions to the budget book will include convening a study session to discuss and evaluate the advantages and disadvantages of a charter city ballot measure, including resident interaction; and review and update departmental goals and objectives within the context of supporting multi-modal transportation. Additionally, there is one numerical change to the beginning fund balance.

Mayor Cheng opened the public hearing. No speakers.

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

Action: Moved, seconded (Lyman/Benassini) and carried unanimously to adopt City Council Resolution No. 2011–45 which does not include the recreation department budget.

Mayor Pro Tem Jones stated that he would recuse himself from the vote on the recreation department budget to avoid the appearance of a conflict of interest, removed himself from the Dais and exited the City Council Chambers.

Moved, seconded, (Abelson/Lyman; Ayes – Councilmember Abelson, Benassini, Lyman and Mayor Cheng; Noes – None; Absent – Mayor Pro Tem Jones) and carried to adopt City Council Resolution No. 2011–46 for the recreation department budget only.

[Mayor Pro Tem Jones returned to the Dais.]

Moved, seconded, (Benassini/Lyman) and carried unanimously to adopt Redevelopment Agency Resolution No. 615.

Moved, seconded, (Jones/Abelson) and carried unanimously to adopt Public Financing Authority Resolution No. 2011–1.

Moved, seconded, (Abelson/Benassini) and carried unanimously to adopt the El Cerrito Employee Pension Board Resolution No. 2011–1.

7. POLICY MATTERS

Accept Offer of Dedication – Mira Vista Country Club Estates

Adopt a resolution accepting dedication of streets (Pebble Beach Court, Pebble Beach Way, and Pebble Beach Drive) and easements as shown on the entitled Subdivision 3623, Mira Vista Country Club Estates and authorizing the Public Works Department to assume the operations and maintenance of the landscaped medians within the subdivision.

Presenter: Jerry Bradshaw, Public Works Director.

Speaker: Brian Leary, President, Mira Vista Estates Homeowners Association, described the history of the Mira Vista Country Club Estates development and the homeowners association's desire to disincorporate itself and have the City maintain the landscaped median.

Action: Moved, seconded (Abelson/Jones) and carried unanimously to adopt Resolution No. 2011–47.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

A. Mayor Cheng announced that the Arts and Culture Commission will be holding a public hearing in the Council Chambers July 14, 2011 on the proposed Public Art Project.

B. Councilmember Abelson reported that the Environmental Quality Committee (EQC) is contemplating the showing of a film called "Bag It," about plastic bags. The film is tentatively scheduled for July 23. The EQC is evaluating plastic bag use and also discussed legislative bills which appeared on the City Council Consent Calendar this evening.

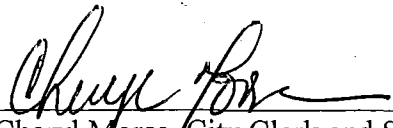
C. Councilmember Benassini reported that the Economic Development Board is planning a Restaurant Week in El Cerrito in October to encourage residents to eat out in El Cerrito.

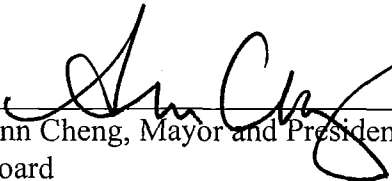
D. Mayor Pro Tem Jones reported that the Integrated Waste Management Authority passed its FY 2011-12 budget. The Authority has also been discussing the ongoing problem with setting fees. There has been a dramatic change in how garbage waste is collected coupled with decreasing tonnage. The Authority has been discussing fee structures and what is fair to the haulers along with what is fair to rate payers. Payment for recycled materials is increasing. The Board also discussed plastic bag legislation. A State Supreme Court decision is expected within the next two months which will determine whether an ordinance or resolution to ban plastic bags requires the preparation of an Environmental Impact Report (EIR). If it is determined that an EIR is needed the Authority will decide how to proceed.

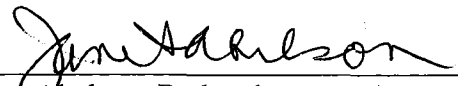
E. Councilmember Lyman reported that the Crime Prevention Committee is planning for National Night Out on August 2, 2011.

9. **ADJOURNED CITY COUNCIL / REDEVELOPMENT AGENCY/ PUBLIC FINANCING AUTHORITY AND EMPLOYEE PENSION BOARD MEETING**
at 9:27 p.m.

THIS IS TO CERTIFY that the foregoing is a true and correct copy of the minutes of the Special City Council and Concurrent City Council / Redevelopment Agency / Public Financing Authority and Employee Pension Board meetings of June 20, 2011 as approved by the El Cerrito City Council / Redevelopment Agency / Public Financing Authority and Employee Pension Board.


Cheryl Morse, City Clerk and Secretary to the Redevelopment Agency, Public Financing Authority, and Employee Pension Board


Ann Cheng, Mayor and President of the Public Financing Authority and Employee Pension Board


Janet Abelson, Redevelopment Agency Chair