



AGENDA

**SPECIAL CONCURRENT CITY COUNCIL / PUBLIC FINANCING AUTHORITY /
EL CERRITO EMPLOYEE PENSION TRUST BOARD**
Monday, June 11, 2018 – 7:00 p.m.
City Council Chambers

Meeting Location
El Cerrito City Hall
10890 San Pablo Avenue, El Cerrito

Gabriel Quinto – Mayor

Mayor Pro Tem Rochelle Pardue-Okimoto
Councilmember Paul Fadelli

Councilmember Janet Abelson
Councilmember Greg Lyman

ROLL CALL

7:00 p.m. CONVENE REGULAR CITY COUNCIL MEETING

1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE – *Councilmember Janet Abelson*

2. COUNCIL / STAFF COMMUNICATIONS (*Reports on Closed Session, commission appointments and matters of general interest which are announced by the City Council and City Staff.*)

3. ORAL COMMUNICATIONS FROM THE PUBLIC

All persons wishing to speak should sign up with the City Clerk. Remarks are typically limited to 3 minutes per person. The Mayor may reduce the time limit per speaker depending upon the number of speakers. Kindly state your name and city of residence for the record. Comments regarding non-agenda, presentation and consent calendar items will be heard first. Comments related to items appearing on the Public Hearing or Policy Matter portions of the Agenda are taken up at the time the City Council deliberates each action item. Individuals wishing to comment on any closed session scheduled after the regular meeting may do so during this public comment period or after formal announcement of the closed session.

4. ADOPTION OF THE CONSENT CALENDAR – Item Nos. 4(A) through 4(F)

A. Minutes for Approval

Approve the May 15, 2018 Special and Regular City Council meeting and the May 29, 2018 City Council Special Meeting – Closed Session minutes.

B. National Alzheimer's and Brain Awareness Month Proclamation

Approve a proclamation declaring the month of June 2018 as Alzheimer's and Brain Awareness Month and June 21, 2018, as "The Longest Day" in the City of El Cerrito.

C. Human Trafficking Prevention Proclamation

Approve a proclamation commending Soroptimist International for its tireless efforts in increasing awareness and education in an effort to end human trafficking, supporting the Soroptimist International Club of El Cerrito as they raise awareness, through education and other efforts, and calling upon El Cerrito residents to recognize the vital role that everyone can play in ending all forms of slavery and protecting people from human trafficking.

D. Loving Day Proclamation

Approve a proclamation declaring June 12, 2018 as Loving Day in the City of El Cerrito, inviting everyone to recognize this day as a celebration of multiculturalism, and encouraging people to reflect on the Loving family and all of pioneers who have and will continue to fight for the civil right to love.

E. Final Subdivision Map for a One-Lot Subdivision for Condominium Purposes of a 128-Unit Multi-Family Residential Project Located at 510 and 512 El Cerrito Plaza

Adopt a resolution approving the Final Subdivision Map for a one-lot subdivision for condominium purposes of a 128-unit multi-family residential project located at 510 and 512 El Cerrito Plaza. *A Certified Final Environmental Impact Report has been prepared for this project (SCH: 2004032021).*

F. Environmental Quality Committee Appointment

Approve an Environmental Quality Committee recommendation to appoint Elizabeth Molnar to the Environmental Quality Committee, effective June 11, 2018.

5. PRESENTATION

Elder and Dependent Adult Abuse Awareness Month Proclamation –
Presentation of proclamation to Sabrina Robertson, Social Worker Supervisor, Contra Costa County Adult Protective Services.

Approve a proclamation declaring the month of June 2018 as Elder and Dependent Adult Abuse Awareness Month in the City of El Cerrito and encourage all to recognize and celebrate older adults and their ongoing contributions to the success and vitality of our country.

6. PUBLIC HEARINGS – None**7. POLICY MATTERS****CONCURRENT CITY COUNCIL / PUBLIC FINANCING AUTHORITY AND EL CERRITO EMPLOYEE TRUST BOARD ITEM****A. Proposed Fiscal Year 2018-19 and 2019-20 Biennial Budget**

Receive a presentation on the city budgets and provide direction, as necessary to staff.

CITY COUNCIL ITEM**B. Tax and Revenue Anticipation Notes – Fiscal Year 2018-19 Short Term Cash Flow Financing**

Adopt a resolution approving the borrowing of funds for Fiscal Year 2018-19 and the issuance and sale of 2018-19 tax and revenue anticipation notes ("TRAN").

Incorporated into the resolution is the authorization of the City Manager to execute an agreement to sell the TRAN in an amount not-to-exceed \$6,000,000 and authorize staff to enter into agreements with NHA Advisors, LLC, as the City's Municipal Advisor and Jones Hall, as bond counsel, to prepare and execute appropriate legal documents related to said financing.

8. CITY COUNCIL LOCAL AND REGIONAL LIAISON ASSIGNMENTS

Mayor and City Council communications regarding local and regional liaison assignments and committee reports.

9. ADJOURN REGULAR CITY COUNCIL MEETING

The next two City Council meetings are Monday, June 18, 2018 and Tuesday, June 19, 2018 at 7:00 p.m. in the City Council Chambers, 10890 San Pablo Avenue, El Cerrito.

The City of El Cerrito serves, leads and supports our diverse community by providing exemplary and innovative services, public places and infrastructure, ensuring public safety and creating an economically and environmentally sustainable future.

- Council Meetings can be heard live on FM Radio, KECG – 88.1 and 97.7 FM and viewed live on Cable TV - KCRT-Channel 28 and AT&T Uverse Channel 99. The meetings are rebroadcast on Channel 28 the following Thursday and Monday at 12 noon, except on holidays. Live and On-Demand Webcast of the Council Meetings can be accessed from the City's website <http://www.el-cerrito.org/streamingmedia>. Copies of the agenda bills and other written documentation relating to items of business referred to on the agenda are on file and available for public inspection in the Office of the City Clerk, at the El Cerrito Library and posted on the City's website at www.el-cerrito.org prior to the meeting.
- In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (510) 215-4305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title I).
- ***The Deadline for agenda items and communications*** is eight days prior to the next meeting by 12 noon, City Clerk's Office, 10890 San Pablo Avenue, El Cerrito, CA. Tel: 215-4305 Fax: 215-4379, email cmorse@ci.el-cerrito.ca.us
- IF YOU CHALLENGE A DECISION OF THE CITY COUNCIL IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE COUNCIL MEETING. ACTIONS CHALLENGING CITY COUNCIL DECISIONS SHALL BE SUBJECT TO THE TIME LIMITATIONS CONTAINED IN CODE OF CIVIL PROCEDURE SECTION 1094.6.
- The City Council believes that late night meetings deter public participation, can affect the Council's decision-making ability, and can be a burden to staff. City Council Meetings shall be adjourned by 10:30 p.m., unless extended to a specific time determined by a majority of the Council.

EL CERRITO CITY COUNCIL

MINUTES

SPECIAL CITY COUNCIL MEETING
Tuesday, May 15, 2018 – 6:30 p.m.
Hillside Conference Room

REGULAR CITY COUNCIL MEETING
Tuesday, May 15, 2018 – 7:00 p.m.
City Council Chambers

Meeting Location
El Cerrito City Hall
10890 San Pablo Avenue, El Cerrito

Gabriel Quinto – Mayor

Mayor Pro Tem Rochelle Pardue-Okimoto
Councilmember Paul Fadelli

Councilmember Janet Abelson
Councilmember Greg Lyman

ROLL CALL

Councilmembers Abelson, Fadelli, Lyman, Pardue-Okimoto, and Mayor Quinto all present.

6:30 p.m.

CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Quinto convened the special City Council meeting at 6:30 p.m.

ORAL COMMUNICATIONS FROM THE PUBLIC

Cordell Hindler, Richmond, provided thoughts on the commission appointment process.

COMMISSION INTERVIEWS, STATUS AND APPOINTMENTS

Conduct interviews of candidates for the City Boards and Commissions. Interviews may result in an announcement of appointment at the meeting.

Action: One interview completed.

ADJOURNED SPECIAL CITY COUNCIL MEETING at 6:52 p.m.

ROLL CALL

Councilmembers Fadelli, Lyman, Pardue-Okimoto, Abelson and Mayor Quinto all present.

7:00 p.m. CONVENE REGULAR CITY COUNCIL MEETING

Mayor Quinto convened the Regular City Council meeting at 7:00 p.m.

1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE was led by Mayor Gabriel Quinto.

2. COUNCIL / STAFF COMMUNICATIONS

Mayor Quinto announced the City Council's appointment of Vanessa Hill to the Citizens' Street Oversight Committee for a term concluding on March 1, 2022.

Councilmember Lyman reminded all that there are vacancies on the City's boards commissions, and committees and invited all to apply. The application is posted on line at <http://www.el-cerrito.org> or can be obtained from the City Clerk, cmorse@ci.el-cerrito.ca.us or 215-4305.

Mayor Pro Tem Pardue-Okimoto reported that the Save Alta Bates Subcommittee formed by Berkeley Mayor Arreguin's Office is in the process of planning another community forum in the Fall. The forum will be held in Contra Costa County. Assemblymember Thurmond has sponsored Assembly Bill 2874 which could protect against the closure by making it more difficult. AB 2874 is similar to Senate Bill 687 which was sponsored by Senator Skinner and supported by the City Council.

Councilmember Fadelli expressed appreciation for the El Cerrito Hillside Festival held last week and thanked David Weinstein for his hard work. The three day festival offered the opportunity for the public to find new trails. It was a wonderful event. The Human Relations Commission invites all to join in celebrating Loving Day. There will be two events: 1) Off the Grid from 6:00 – 8:00 p.m. on June 13; and 2) June 16 from 10:00 a.m. to 12:00 p.m., a free screening and discussion with Kris Perry and Sandi Stier at the Cerrito Theater of "The Case Against 8."

Mayor Quinto reported that he and Richmond Mayor Tom Butt attended a Housing Coalition meeting and spoke about housing needs and what the cities are working on regionally. The Mayor also attended an El Cerrito Chamber of Commerce mixer with Richmond Rainbow Pride and Contra Costa Rainbow Pride. At the Contra Costa Mayors Conference in Martinez on May 3, the Mayors received a presentation on racial justice issues and family law. Mayor Quinto and Mayor Pro Tem Pardue-Okimoto also participated in the Cinco de Mayo Parade in Richmond/San Pablo. On May 8, the Mayor participated in Senior Rally Day which was attended by 600 people. Many legislators from up and down the state spoke at the Rally. Mayor Quinto delivered a "State of the City" address at Rotary and met the next generation of Rotarians. He also attended the annual Asian Pacific Islander Gala awards dinner on May 14 and attended a Chamber of Commerce luncheon today which featured Chief Keith as the speaker.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Cordell Hindler, invited all to the Richmond Promise Scholar Celebration. Mr. Hindler also requested that the Council agendaize a travel policy and complained about the El Cerrito Police Department driving into the southern district of Richmond.

Dave Weinstein, Trail Trekkers, spoke about the success of the Hillside Festival and the different changes implemented this year. Approximately 350 people attended. Mr. Weinstein also expressed appreciation for the Environmental Quality Committee and the city.

4. ADOPTION OF THE CONSENT CALENDAR – Item Nos. 4(A) through 4(H)

Moved, seconded (Abelson/Fadelli) and carried unanimously to approve Consent Calendar Item Nos. 4(A) through 4(F) and 4(H) as indicated below. Item No. 4(G) was removed from the Consent Calendar at the request of Mayor Pro Tem Pardue-Okimoto and voted on separately.

A. Minutes for Approval

Approve the April 17, 2018 and May 1, 2018 City Council Special and Regular meeting minutes.

Action: Approved minutes.

B. Inclusionary Zoning Requirements for New Residential Development Projects, Including Fees In-Lieu of On-Site Affordable Units

Adopt Ordinance No. 2018–02 by title, an ordinance amending Title 19 of the El Cerrito Municipal Code to add Chapter 19.30, “Inclusionary Zoning” related to the inclusion of affordable housing units in some new residential development projects.

Action: Adopted Ordinance No. 2018-02.

C. Consolidation of the November 6, 2018 General Municipal Election

Adopt a resolution: 1) Ordering and calling for a general municipal election to be held in the City of El Cerrito on Tuesday, November 6, 2018, for the purpose of electing two members of the City Council for full terms of four years each; 2) Requesting and consenting to consolidation of the municipal election with the general election to be held on November 6, 2018; 3) Requesting the services of the Contra Costa County Registrar of Voters; 4) Providing for notice of the election; and 5) Setting specifications of the Election Order to include limiting candidate statements to 250 words, requiring candidates to pay for the costs of their statement, establishing the estimated costs of each candidate statement to be \$365.00 payable at the time of filing; and determining that, in the event of a tie vote, the winner shall be determined by lot at a time and place designated by the City Council.

Action: Adopted Resolution No. 2018-33.

D. National Public Works Month Proclamation

Approve a proclamation declaring May 20 through May 26, 2018 as “National Public Works Week” in the City of El Cerrito and encouraging all residents and civic organizations to acquaint themselves with the issues involved in providing public works infrastructure, facilities, programs and services in El Cerrito and recognizing the contributions that public works personnel make every day to our health, safety, comfort and quality of life.

Action: Approved proclamation.

E. On-Call Engineering and Project Management Services

Adopt a resolution authorizing the City Manager to execute on-call professional services agreements with four consultant firms, Parisi Design Group, BKF Engineers, Avila Project Management, and Coastland Engineering to provide on-call engineering and project management services for three years with options to extend for an additional two years in an amount not to exceed \$200,000 per fiscal year for each agreement. *Exempt from CEQA.*

Action: Adopted Resolution No. 2018-34.

F. Cash and Investments Report for Quarter Ending March 31, 2018

Receive and file the City's Quarterly Investment Report for the quarter ending March 31, 2018.

Action: Received and filed report.

G. Support for Assembly Bill 1793 Cannabis Convictions: Resentencing

At the request of Mayor Pro Tem Pardue-Okimoto, adopt a resolution supporting Assembly Bill 1793 which would require the State Department of Justice to review its database and notify the courts of all cases that are eligible for reduced sentencing or expungement unless the person does not meet the eligibility criteria or presents an unreasonable risk to public safety. The resolution also requests that the District Attorney of Contra Costa County join the District Attorneys of Alameda, San Diego, San Francisco, Sonoma and Yolo Counties in supporting these efforts. *Continued from the May 1, 2018 City Council meeting.*

Speaker: Graham Drake, Legislative Staff, Office of Assemblymember Rob Bonta, reported on the recent status of AB 1793 and noted provisions which are under negotiation with the District Attorneys Association.

Action: Removed from the Consent Calendar at the request of Mayor Pardue-Okimoto for the purpose of discussion. Moved, seconded (Pardue-Okimoto/Fadelli; Ayes – Councilmembers Abelson, Fadelli, Lyman and Mayor Pro Tem Pardue-Okimoto; Noes – None; Abstain – Mayor Quinto) and carried to adopt Resolution No. 2018-35 as amended by Mayor Pro Tem Pardue-Okimoto to revise the title of the resolution to state "Resolution of the City Council of the City of El Cerrito conditionally supporting Assembly Bill 1793 Cannabis Convictions: Resentencing," and add three additional recitals as proposed with an amendment by Councilmember Fadelli to insert funding.

The enacting clause of the resolution as proposed by Mayor Pro Tem Pardue-Okimoto and as amended by Councilmembers Fadelli and Lyman to incorporate funding concerns was approved to read as follows:

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of El Cerrito supports the passage of AB 1793, as collaboratively developed with the California District Attorneys Association, which would require the State Department of Justice to review its database and notify the courts of all cases that are eligible for reduced sentencing or expungement and allow each District Attorney adequate funding and time to review and challenge the resentencing or expungement if the person meets the eligibility criteria and does not present an unreasonable risk to public safety.

H. Support for the 2018 Veterans and Affordable Housing Bond Act

At the request of Mayor Quinto, adopt a resolution supporting the Veterans and Affordable Housing Bond Act on the November 6, 2018 ballot to infuse much needed funding to support important affordable housing projects, spur housing construction statewide and to approve listing the City of El Cerrito as a member of the Affordable Housing Now coalition.

Action: Adopted Resolution No. 2018-36.

5. PRESENTATIONS

A. Proclamation Recognizing LGBT Month in the City of El Cerrito

Approve a proclamation declaring the month of June as Lesbian, Gay, Bi-Sexual, Transgender Pride month in the City of El Cerrito, and inviting everyone to reflect on ways we all can live and work together with a commitment to mutual respect and

understanding, and further, recognizing Pride Month by flying the rainbow flag at City Hall during the month of June.

Speakers: Cordell Hindler, Richmond, said the proclamation is a wonderful commitment and invited all to attend the Richmond Rainbow Pride Celebration on June 3.

Al Miller, El Cerrito, stated that is important to raise the flag which is a reminder that the community supports the Pride community.

Action: Moved, seconded (Lyman/Abelson) and carried unanimously to approve the proclamation. Proclamation presented to Jonathan Cook and Robin Kuslits, Rainbow Community Center of Contra Costa County.

B. Age Friendly Community Presentation – Presentation by Debbie Toth, President and CEO of Choice in Aging.

Receive a presentation regarding the Contra Costa County Senior Aging Policy platform and upcoming Learning Lab goals. *Choice in Aging would like up to two Councilmembers to participate in the Learning Lab for Policy Makers on May 30, 2018 in Walnut Creek.*

Action: Received presentation.

C. Annual Crime Report – Presentation by Paul Keith, Police Chief.

Speaker: Cordell Hindler, Richmond, spoke in support of the Neighborhood Watch program and said more people are needed on the Crime Prevention Committee.

Action: Received presentation.

6. PUBLIC HEARINGS – None

7. POLICY MATTERS – None

8. CITY COUNCIL LOCAL AND REGIONAL LIAISON ASSIGNMENTS

Mayor and City Council communications regarding local and regional liaison assignments and committee reports.

Councilmember Fadelli reported that the Financial Advisory Board received a sneak preview of the city budget and referred to a recent city newsletter article that urged cleaning recyclables better.

Councilmember Lyman stated that the Marin Clean Energy (MCE) Technical Committee met on May 3 and discussed many items. As more Community Choice Aggregation (CCA) entities form they purchase more clean energy and this gives Pacific Gas and Electric Company (PG&E), which is selling more clean energy off to the grid and not their customers, the opportunity to sell more clean energy to the grid and not their customers and as a result, PG&E emissions are getting cleaner. As more CCA communities come on-line PG&E emissions are getting cleaner from a reporting perspective which is great for the environment. CCAs will need to inform the public in about two years that the reason PG&E energy is cleaner is because we are all cleaner.

Councilmember Lyman also reported that Assembly Bill 1110 “Clean Net Short” is being watched closely by the CCA community as the bill undermines the investments that CCAs have made in solar generation. It penalizes CCAs for generating clean resources during non-peak times and would result in over-purchases by CCAs to avoid some of the penalties. MCE is moving forward with an electric vehicle program. PG&E is offering a subsidy for businesses who put in 10 or more electrical vehicle charging stations. MCE

is offering a subsidy for anyone who puts in 2-20 stations. Councilmember Lyman recommended that the Council receive a presentation from JR Kiligrew, El Cerrito resident and MCE staff, regarding electric vehicles. On May 10 the West Contra Costa Integrated Waste Management Authority (RecycleMore Board) met and learned that China is becoming more strict about the quality of materials it will accept. There is a stockpile of materials within the United States that is driving prices down. This may result in a significant loss of revenue for RecycleMore due to recyclables not being for sale which would need to be considered as part of the annual rate setting process. The RecycleMore budget for the coming year is estimated by Councilmember Lyman to be \$125,000 to \$150,000 more than projected revenue. The Authority Board also discussed its Joint Exercise of Powers Agreement.

Mayor Quinto noted that the League of California Cities Environmental Quality Committee Policy Committee meeting he attended in April discussed the huge backlog of barges of recyclables that are floating off the California Coast. Mayor Quinto stated that the Committee is urging the use of “Cap N Trade” funds for a solution.

Councilmember Abelson announced that eBART, a long awaited extension to eastern Contra Costa County, will be celebrated on May 25 and opened to the public on May 26. The eBART offers a cross-platform transfer that goes out to Antioch. There is hope that it will extend to Brentwood someday and is a result of Measure J funds.

Mayor Pro Tem Pardue-Okimoto stated that the Urban Forest Committee is actively looking for additional members and is interested in revising the tree ordinance however staff has been very busy. Additional staff support could move it along faster. The Urban Forest Committee requested that funds for tree acquisition and planting be considered in the city budget.

9. ADJOURNED REGULAR CITY COUNCIL MEETING at 9:13 p.m. in observance of National Police Officers Memorial Day.

SUPPLEMENTAL REPORTS

Item No. 4(G) Support for Assembly Bill 1793 Cannabis Convictions: Resentencing

1. Additional recitals and revised enacting clause for the resolution – *Submitted by Mayor Pro Tem Pardue-Okimoto.*

EL CERRITO CITY COUNCIL

MINUTES

SPECIAL CONCURRENT CITY COUNCIL/REDEVELOPMENT

SUCCESSOR AGENCY MEETING

Tuesday, May 29, 2018 – 5:00 p.m.

Hillside Conference Room

Meeting Location

El Cerrito City Hall

10890 San Pablo Avenue, El Cerrito

Gabriel Quinto – Mayor

Mayor Pro Tem Rochelle Pardue-Okimoto
Councilmember Paul Fadelli

Councilmember Janet Abelson
Councilmember Greg Lyman

ROLL CALL

Councilmembers Abelson, Fadelli, Lyman, Pardue-Okimoto and Mayor Quinto all present.

5:00 p.m.

CONVENE SPECIAL CONCURRENT CITY COUNCIL / REDEVELOPMENT SUCCESSOR AGENCY MEETING

Mayor Quinto convened the Special Concurrent City Council / Redevelopment Successor Agency meeting at 5:04 p.m.

ORAL COMMUNICATIONS FROM THE PUBLIC

Dave Weinstein, Friends of the Cerrito Theater, El Cerrito Historical Society President, spoke about the importance of the Cerrito Theater.

ANNOUNCEMENT OF CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS (*Pursuant to Government Code Section 54956.8*)

Property: 10070 San Pablo Avenue, El Cerrito, CA 94530

Agency Negotiators: Scott Hanin, City Manager; Melanie Mintz, Community Development Director; Karen Tiedemann, Special Counsel; Sky Woodruff, City Attorney.

Negotiating Parties: Ky Boyd and Michael O'Rand, Rialto Cinemas Cerrito.

Under Negotiation: Price and terms of payment.

RECESSED INTO CLOSED SESSION at 5:06 p.m.

POSSIBLE REPORT OUT OF CLOSED SESSION

The City Council provided direction to the negotiators.

ADJOURNED SPECIAL CITY COUNCIL MEETING at 6:05 p.m.

EL CERRITO CITY COUNCIL PROCLAMATION
June 2018 is National Alzheimer's and Brain Awareness Month
June 21 is "The Longest Day"

WHEREAS, today there are more than 5.5 million Americans living with Alzheimer's dementia, a figure that is expected to grow to as many as 16 million by mid-century if a cure or effective treatment isn't developed; and

WHEREAS, there are currently more than 630,000 people with Alzheimer's living in the State of California, over 19,000 reside in Contra Costa County. There is an estimated 57,000 caregivers in Contra Costa County who are caring for a loved one with Alzheimer's; and

WHEREAS, researchers are making great progress in developing ways to accurately diagnose and treat Alzheimer's disease, and the pace of research needs to be accelerated if there is to be a disease-altering treatment in the next 10 years; and

WHEREAS, the Alzheimer's Association, which was formed in 1980, is marking June as Alzheimer's and Brain Awareness Month and June 21st as The Longest Day, a sunrise-to-sunset day of activity for community members to do what they love in honor of who they love, and is asking residents of El Cerrito to visit www.alz.org/abam to learn more about Alzheimer's and become part of the effort to combat this disease.

NOW THEREFORE, the City Council of the City of El Cerrito hereby proclaims the month of June 2018 as Alzheimer's and Brain Awareness Month and June 21, 2018, as "The Longest Day" in the City of El Cerrito.

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Dated: June 11, 2018

Gabriel Quinto, Mayor

EL CERRITO CITY COUNCIL PROCLAMATION
Human Trafficking Prevention & Awareness

WHEREAS, human trafficking is a form of modern day slavery in which victims are forced to work in various forms of labor exploitation including, but not limited to commercial sex acts and other services induced through force, fraud or coercion; and

WHEREAS, due to its isolating nature, many individuals across the globe are unaware that trafficking exists in their neighborhoods; and

WHEREAS, it is estimated that more than 20 million men, women and children around the world are victims of human trafficking; and

WHEREAS, victims are compelled to perform labor or commercial sex acts through the use of fraud, force or coercion, reducing the value of human lives to that of mere commodities; and

WHEREAS, Soroptimist International, including Soroptimists International Club of El Cerrito has declared Raising Awareness of Human Trafficking as a platform of their work and is working to abolish all forms of human trafficking through education, volunteerism, advocacy and collaboration.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby commend Soroptimist International for its tireless efforts in increasing awareness and education in an effort to end human trafficking, supporting the Soroptimist International Club of El Cerrito as they raise awareness, through education and other efforts, and calling upon El Cerrito residents to recognize the vital role that everyone can play in ending all forms of slavery and protecting people from human trafficking.

Dated: June 11, 2018

Gabriel Quinto, Mayor

***CITY COUNCIL OF THE CITY OF EL CERRITO PROCLAMATION
Recognizing June 12, 2018 as Loving Day in the City of El Cerrito***

WHEREAS, Mildred and Richard Loving were arrested in 1958 for violating Virginia's felony law prohibiting interracial marriage; and

WHEREAS, the Loving family was convicted of violating the law and given a suspended sentence provided that they did not return to their home in the Commonwealth of Virginia as a couple for 25 years; and

WHEREAS, the Loving family did not back down but took their case to the United States Supreme Court and won, overturning their conviction and creating a landmark civil rights victory; and

WHEREAS, their case *Loving v Virginia* (1967) ended all laws prohibiting interracial marriage nationwide, paving the way for all consenting adults to marry the one they love; and

WHEREAS, our country, state and region are moving forward in the 21st Century as a multiracial and multicultural society; and

WHEREAS, an annual celebration known as Loving Day is held on June 12 in communities throughout the nation to commemorate and celebrate the anniversary of the 1967 Supreme Court decision; and

WHEREAS, the City of El Cerrito will hold two events in honor of its third annual Loving Day Celebration on Wednesday, June 13, 2018 and Saturday, June 16, 2018 respectively, celebrating the 51st Anniversary of *Loving v Virginia* recognizing Racial Equality, Marriage Equality, and Human Equality; and

WHEREAS, the City of El Cerrito joins other communities to find a common vision from our interwoven past to build a society free of racism for the benefit of our collective future.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby declare June 12, 2018 as Loving Day in the City of El Cerrito, invites everyone to recognize this day as a celebration of multiculturalism, and encourages people to reflect on the Loving family and all of the pioneers who have and will continue to fight for the civil right to love.

Dated: June 11, 2018

Gabriel Quinto, Mayor



AGENDA BILL

Agenda Item No. 4(E)

Date: June 11, 2018
To: El Cerrito City Council
From: Margaret Kavanaugh-Lynch, Development Services Manager
Subject: Final Subdivision Map for a one-lot subdivision for condominium purposes of a 128-unit multi-family residential project located at 510 and 512 El Cerrito Plaza.

ACTION REQUESTED

Adopt a resolution approving the Final Subdivision Map for a one-lot subdivision for condominium purposes of a 128-unit multi-family residential project located at 510 and 512 El Cerrito Plaza.

BACKGROUND

This one-lot subdivision for condominium purposes is part of the entitlements of the Metro 510 apartment complex. The project is formally known as Creekside Walk. The purpose of this action is to allow the project to convert from rental units to condominiums at a later date. This development project has a long entitlement history, which is listed in Attachment 2.

Section 18.16 of the El Cerrito Municipal Code (ECMC) identifies the procedure for processing Final Subdivision Maps in the City of El Cerrito. The role of the City Council in this action is to verify that the Final Map is in compliance with the Tentative Map.

ANALYSIS

The California Government Code and the El Cerrito Municipal Code (ECMC) include relevant sections regarding the requirements of Tentative and Final Subdivision Maps for the creation of a one-lot subdivision for condominium purposes.

On June 14, 2017, the Planning Commission approved the Tentative Subdivision Map, subject to specific changes and conditions (PC Resolution 17-04) which is included as Attachment 3.

Since that date, staff members, including the City Attorney and the City Engineer have reviewed the proposed Final Map and attachments (Attachment 4) and have found that the conditions listed in PC Resolution 17-04 have been met. Staff notes that the statement referenced in Attachment 4 is included in all new tenant lease agreements and will be mailed out again one year before the project converts to condominium.

On May 16, 2018, the Planning Commission certified the Final Subdivision Map and recommended its approval to the City Council (PC Res. 18-06) as included as Attachment 5.

STRATEGIC PLAN CONSIDERATIONS

The following goal of the Strategic Plan is addressed by this action:

Goal C: Deepen a sense of place and community identity:

The Final Map will increase the vibrancy in the El Cerrito Plaza Shopping Center. It allows for the future ownership of 128 dwelling units, records the daylighting of a 220 ft. segment of Cerrito Creek, and adds a bicycle and pedestrian path connecting the Ohlone Greenway (an existing public investment) through the project to the lower segment of Cerrito Creek (that is already above ground) and the El Cerrito Plaza Shopping Center (an existing private investment). Therefore, it augments the green southern gateway to the City, enhancing a sense of place, while highlighting Cerrito Creek/Ohlone Greenway connection; and greatly improves the bicycle and pedestrian connectivity through the Plaza to San Pablo Avenue.

ENVIRONMENTAL CONSIDERATIONS

A Certified Final Environmental Impact Report has been prepared for this project (SCH: 2004032021).

FINANCIAL CONSIDERATIONS

There are no costs to the City associated with this action.

LEGAL CONSIDERATIONS

The resolution has been reviewed and approved by Counsel.

Reviewed by:



Scott Hanin
City Manager

Attachments:

1. Resolution
2. Chronology of Entitlements for Metro 510
3. Planning Commission Resolution Approving the Tentative Subdivision Map. (Planning Commission Resolution 17-04.)
4. Final Map and Attachments
5. Planning Commission Resolution Recommending Approval of Final Subdivision Map to City Council. (Planning Commission Resolution 18-06.)

RESOLUTION NO. 2018-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING A FINAL SUBDIVISION MAP FOR A ONE-LOT SUBDIVISION OF A 128-UNIT MULTI-FAMILY RESIDENTIAL PROJECT LOCATED AT 510 AND 512 EL CERRITO PLAZA FOR CONDOMINIUM PURPOSES

WHEREAS, the subject property is located at the south eastern corner of the El Cerrito Plaza Shopping Center;

WHEREAS, the Assessor's Parcel Number of the subject property is 504-170-022;

WHEREAS, the address for the subject property is 510 and 512 El Cerrito Plaza;

WHEREAS, the zoning district for the site is the Transit-Oriented Higher-Intensity Mixed Use Zone;

WHEREAS, the General Plan land use designation of the site is Transit-Oriented Higher-Intensity Mixed Use;

WHEREAS, approval of the Final Subdivision Map is governed by California Government Code Section 66426 (Subdivision Map Act) and El Cerrito Municipal Code Chapter 18 Division of Land;

WHEREAS, a Final Subsequent Environmental Impact Report was certified for the project and approval of the Final Subdivision Map is part of the project that was analyzed in the Subsequent Environmental Impact Report;

WHEREAS, on May 16, 2018, the Planning Commission found that the Final Subdivision Map is in conformity with the requirements of Chapter 18 of the El Cerrito Municipal Code, in that it conforms with the requirements of Tentative Map including all changes permitted and all requirements imposed as a condition of acceptance and recommendation for approval of the Final Map by the City Council;

WHEREAS, the Agenda Bill includes facts that determine that the Final Map is in conformity with the requirements of Chapter 18 of the El Cerrito Municipal Code, further it conforms with the requirements of Tentative Map including all changes permitted and all requirements imposed as a condition of its acceptance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby approves the Final Subdivision Map for a one-lot subdivision of a 128-unit multi-family residential project located at 510 and 512 El Cerrito Plaza for condominium purposes.

Agenda Item No. 4(E)
Attachment 1

I CERTIFY that at a regular meeting on June 11, 2018 the City Council of the City of El Cerrito passed this Resolution by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on June XX, 2018.

Cheryl Morse, City Clerk

APPROVED:

Gabriel Quinto, Mayor

Previous Entitlement Process for Metro 510 (formerly Creekside Walk)

In 1997, the City Council certified the El Cerrito Plaza Shopping Center Redevelopment Project Environmental Impact Report (EIR) evaluating impacts of the redevelopment and rehabilitation of the El Cerrito Plaza Shopping Center. The 1997 proposal included up to 205 multi-family residential units on six acres on the eastern end of the shopping center.

In 2004, a Use Permit application was submitted under the Incentives Program for a proposed mixed-use development located in the southeast corner of the El Cerrito Plaza shopping center. The development was proposed to contain 84 units of owner-occupied housing, a 404 space parking garage for BART patrons and a child care facility. The Planning Division determined that the proposed mixed-use project might cause significant environmental impacts not sufficiently addressed in the previous EIR and that a subsequent environmental impact report (SEIR) should be prepared. As a result, a Draft Subsequent Environmental Impact Report (DSEIR) for the El Cerrito Plaza Mixed-Use Development Project was prepared.

On February 16, 2005, the Design Review Board held a public hearing on the 84 unit project that included the parking garage, adopted a motion recommending that the Planning Commission not consider the project under the Incentives Program and directed changes in design. In late February 2005, the City determined that it no longer wanted to move forward with the garage portion of the project and the project sponsor eliminated the BART parking garage and a child care facility leaving the residential project intact.

In March 2005, the City of El Cerrito Community Development Department received revised plans for the project site, which included 128 residential units. This revised plan was initially evaluated as the Residential Only Alternative in the DSEIR. On September 21, 2005, the Design Review Board held a public hearing to review the Project's qualifications for the City's Incentives Program and accept public comment. The Board prepared comments for the Planning Commission, which is included in the administrative record. The City prepared responses to the comments received during the public review period and made changes to the SEIR, as appropriate, to account for the adoption of a Residential Only Alternative as the proposed Project. The text changes and the comments and responses were compiled into the Final Subsequent Environmental Impact Report (FSEIR). The FSEIR, dated September 2005, was distributed to commenting agencies on September 23, 2005, made available to the public on September 26, 2005, and placed on the City's website. On October 5, 2005, the FSEIR was distributed to Planning Commission members for their review.

On November 2, 2005, the Planning Commission held a public hearing on the FSEIR and the Project, and received comments from the public. The Commission reviewed the FSEIR and considered the record and all relevant materials. The Planning Commission adopted Resolution PC05-21 certifying the FSEIR, adopting environmental findings, mitigation measures and approving the mitigation monitoring and reporting program and Resolution PC05-22 approving a Use Permit for Application 6038, a 128 unit condominium development to locate in a C-2-A, commercial zoning district at the southeast corner of El Cerrito Plaza.

On November 17, 2005, four appellants appealed the decision of the Planning Commission. On January 9, 2006, the City Council held a duly noticed public hearing to consider the appeals and continued the item to a special meeting. On January 30, 2006, the City Council held a public hearing to consider the appeals, and adopted Resolution 2006-1, certifying the FSEIR, adopting environmental findings, mitigation measures and approving the mitigation monitoring and reporting program, denying the appeals, and upholding the Planning Commission action approving a Use Permit with conditions allowing a condominium development to locate in a C-2-A, Commercial zoning district at the southeast corner of El Cerrito Plaza. At the meeting, the applicant (Forest Park Partners) and the property owner (Regency), verbally agreed to comply with a condition of approval requiring preparation of a traffic and circulation study for the Plaza shopping center.

On November 14, 2006, the applicant applied for a use permit extension in order to allow the design review process to continue as the Use Permit issued under City Council Resolution 2006-1 were to expire on January 30, 2007. On December 6, 2006, the applicant initiated the Design Review process by holding a study session with the Design Review Board.

On December 20, 2006, the Planning Commission held a duly noticed public hearing and approved a request for a Use Permit extension for a period of one year.

On January 2, 2007, an appellant appealed the decision of the Planning Commission regarding progress on condition of approval #50, and project density; and On February 5, 2007, the City Council held a duly noticed public hearing to consider the appeal and denied the appeal.

On March 18, 2007, the applicant applied for Design Review approval.

On May 2, 2007, the Design Review Board held a duly noticed public hearing and approved Resolution DRB07-04, granting design review approval of the building shell and site layout. The Board requested the applicant return with specific architectural and landscape details as specified in the Resolution.

On September 5, 2007, the Design Review Board held a duly noticed public hearing and approved Resolution DRB 07-09, granting approval for specific architectural and landscape details and materials.

On September 11, 2007, an appellant appealed the decision of the Design Review Board regarding issues unrelated to the September 5, 2007 approval.

On November 5, 2007, the City Council held a duly noticed public hearing to consider the appeal; and upheld the decision of the Design Review Board approving the architectural and landscaping details.

A demolition permit was issued for the project by the City of El Cerrito on December 4, 2007.

On August 27, 2013, the project sponsor, Creekside Walk Ventures, LLC, submitted for building permits.

On April 2, 2014, the Design Review Board held a hearing to confirm compliance with the Conditions of Approval in Design Review Board Resolution No. 07-09 Design Review item no. 5 and the Final Subsequent Environmental Impact Report's Mitigation and Monitoring Reporting Plan (MMRP)

Mitigation Measure NO 4.1. At that meeting, the Board unanimously confirmed that compliance was met and added the following recommendations:

1. Windows shall be aluminum windows. Any other materials shall be brought back to the Board.
2. Bicycle and pedestrian path adjacent to the creek shall be redesigned to be serpentine and incorporated with seating.
3. Connectivity from the Ohlone Greenway to the bicycle and pedestrian path must be designed to be wide and with a gradual slope.
4. Stoops along the bicycle and pedestrian path along the creek shall be redesigned to be wider to be in keeping with the original stoop designed.

On July 7, 2015, building permits were issued for the project.

On September 29, 2015, the applicant met with staff and stated that they were not able to find suitable aluminum windows for the project.

On November 4, 2015, the Design Review Board, after due consideration of all evidence and information offered did confirm that VPI Endurance Series vinyl windows and glass doors are adequate for use in the project.

On November 22, 2016, the applicant submitted a planning application for Subdivision Committee consideration of a Tentative Map for a one-lot subdivision for condominium proposes. Upon further review of the application, staff determined that discretionary hearing body was the Planning Commission pursuant to Chapter 18.12 (Subdivision Ordinance) of the El Cerrito Municipal Code. The application was scheduled for the May 17, 2017 Planning Commission meeting, however the applicant requested for a continuance to the next Planning Commission meeting to review the final conditions of approval.

On June 14, 2017, the Planning Commission approved the Tentative Map for a one-lot subdivision for condominium proposes, with conditions of approval.

On May 16, 2018, the Planning Commission recommended approval of the Final Map for a one-lot subdivision.

Planning Commission Resolution PC17-04

APPLICATION NO. PL16-0156

A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION APPROVING A TENTATIVE MAP FOR A ONE-LOT SUBDIVISION TO CREATED 128 CONDOMINIUM UNITS AS PART OF A MULTI-FAMILY RESIDENTIAL PROJECT (ECMC CHAPTER 18.12 SUBDIVISION ORDINANCE) ON A SITE LOCATED THE EL CERRITO PLAZA SHOPPING CENTER

WHEREAS, the subject property is located at the south eastern corner of the El Cerrito Plaza Shopping Center;

WHEREAS, the Assessor's Parcel Number of the subject property is 504-170-022;

WHEREAS, the zoning district of the site is Transit-Oriented Higher-Intensity Mixed Use Zone;

WHEREAS, the General Plan land use designation of the site is Transit-Oriented Higher-Intensity Mixed Use;

WHEREAS, a Final Subsequent Environmental Impact Report was certified for the project. Approval of the proposed Tentative Map is part of the project that was analyzed in the Subsequent Environmental Impact Report;

WHEREAS, the current application is for Planning Commission approval of a Tentative Map for a one-lot subdivision to create 128 condominium units as part of a multi-family residential project;

WHEREAS, approval of the Tentative Map is governed by Section 66426 of the State of California Government Code (Subdivision Map Act), Chapter 18 Division of Land of the El Cerrito Municipal Code and the San Pablo Avenue Specific Plan;

WHEREAS, for the purpose of the review of the Tentative Map, staff deemed the map application complete on April 18, 2017. Based on the analysis in the staff report, staff has determined that the Tentative Map is in compliance with the Zoning Ordinance and General Plan of the City of El Cerrito;

WHEREAS, the Tentative Map identifies the daylighting of a 220 foot segment of Cerrito Creek. The daylighting of the Creek includes creating a bicycle and pedestrian path connecting the Ohlone Greenway to a daylighted portion of Cerrito Creek at the western end of the El Cerrito Plaza Shopping Center;

WHEREAS, on November 22, 2016, the applicant submitted a planning application for Subdivision Committee consideration of a Tentative Map and upon further review of the application, staff determined that the discretionary hearing body is the Planning Commission; and

WHEREAS, on June 14, 2017, the Planning Commission of El Cerrito, after due consideration of all evidence and reports offered for review, does find and determine the following:

1. The project will implement the following standards of the General Plan Policies: LU 3.1 - Commercial / Residential; LU 4.1- Mixture of Uses; LU 4.2 - Availability of Goods and Services;

LU 4.4 – Amenities; LU 4.5 - Quality of Development; LU 5.5 - Pedestrians, Bicycles, and Access; LU 5.6 - Development Along the Ohlone Greenway; LU 6.1 Natural Features; and CD 3.6 Cerrito Creek.

2. The Tentative Map will create a development and use of the site as a multi-family residential building. The project is an allowed use under the Transit-Oriented Higher-Intensity Mixed Use zone (TOHIMU). The project is consistent with the San Pablo Avenue Specific Plan goal of promoting higher intensity residential projects adjacent to the El Cerrito Plaza Bay Area Rapid Transit Station

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration of maps, facts, exhibits, correspondence, and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Planning Commission hereby approves Application No. PL16-0156, subject to the following conditions:

Planning Division

1. The Planning Commission approval is for a Tentative Map for a one-lot subdivision to create 128 condominium units as part of a multi-family residential project.
2. If a Final Map application is not filed, this Tentative Map approval shall expire 24 months from the date of this action, unless extended by subsequent action of the Planning Commission.
3. Prior to the expiration of the Tentative Map the applicant must prepare and record a Final Map, in accordance to Section 18.16 of the El Cerrito Municipal code for Planning Commission consideration, unless extended by subsequent action of the Planning Commission, to the satisfaction of the Zoning Administrator and the City Engineer.
4. These Conditions of Approval shall apply to any successor in interest in the property and Applicant shall be responsible for assuring that the successor in interest is informed of the terms and conditions of this approval.
5. Prior to the conversion of rental units to for-sale units, the then-owner of the property shall comply with all provisions of Chapter 19.45 of the El Cerrito Municipal Code (Condominium Conversions), except that a use permit and tentative and final map shall not be required. For the purposes of this condition, “conversion of rental units to for-sale units” means the sale of the first rental unit as a condominium. This condition of approval shall be documented in a manner satisfactory to the City Attorney to ensure that any future owner of the property receives notice of the requirement.

Public Works

5. Prior to filing the Final Map with the City, the applicant must:
 - revise the Final Map to show the subject lot as “Parcel A”;
 - record a Public Access Easement along the northern edge of the creek for pedestrian and bicycle access from the Ohlone Greenway through the property connecting to the El Cerrito Plaza Shopping Center;
 - record a deed restriction over the creek and pedestrian and bicycle path that complies with the California Department of Fish and Wildlife requirements; and
 - indicate on the map the dimensions of the deed restricted area.

Planning Commission

1. As part of the tenant rental agreement, the owner will include a statement that the project was approved under Conditional Use Permit and a Tentative Map. The notice shall be to the satisfaction of the Building Official.
2. Prior to the issuance of Certificate of Occupancy, the owner will add a statement in the tenant rental agreement that informs the tenants that they will be living in a unit that may convert to a condominium at a later date to the satisfaction of the Zoning Administrator.
3. One year prior to an offering of sale, the owner will send notice to the tenant that the unit will convert into a condominium.

CERTIFICATION

I CERTIFY that this resolution was adopted by the El Cerrito Planning Commission at a regular meeting held on June 14, 2017 upon motion of Commissioner Colin, second by Commissioner Motoyama:

AYES: Hansen, Bloom, Iswalt, Colin, Mendez, Motoyama
NOES: None
ABSTAIN: None
ABSENT: Lucas



Margaret Kavanaugh-Lynch

Development Services Manager

CONDOMINIUM ADDENDUM

For 510-512 El Cerrito Plaza

This Addendum to the Residential Lease Contract (this "Addendum") dated the 1st day of March, 2018 between Owner of Metro 510 Apartments ("Owner") and ("Residents") for the premises located at 510 El Cerrito Plaza #_____, in El Cerrito, CA 94530 (the "Leased Premises"). All capitalized terms used but not defined herein shall have the meaning set forth in the Residential Lease Contract. The Residential Lease Contract is subject to each of the following additional terms and conditions:

Metro 510 was approved under a Conditional Use Permit and a Tentative Map. Although not anticipated at this time, the rental units at Metro 510 may convert to condominiums at a later date.

Statutory Notice: Because the Leased Premises is a condominium, Government Code section 66459 requires that the Tenants be provided with the following notice:

"THE UNIT YOU MAY RENT HAS BEEN APPROVED FOR SALE TO THE PUBLIC AS A CONDOMINIUM PROJECT. THE RENTAL UNIT MAY BE SOLD TO THE PUBLIC, AND, IF IT IS OFFERED FOR SALE, YOUR LEASE MAY BE TERMINATED. YOU WILL BE NOTIFIED AT LEAST 90 DAYS PRIOR TO ANY OFFERING TO SELL. IF YOU STILL LAWFULLY RESIDE IN THE UNIT, YOU WILL BE GIVEN A RIGHT OF FIRST REFUSAL TO PURCHASE THE UNIT."

Further, the Planning Commission of the City of El Cerrito has required the property owner or their designee to provide a written notice to all tenants one year prior to the date their dwelling unit is offered for sale.

As of the date of this Addendum, Owner has no immediate intention of offering the condominiums for sale. If offered for sale, no Residential Lease Contract may be terminated prior to the expiration of the lease term as long as the Resident is complying with the terms of the Residential Lease Contract.

OWNER'S STATEMENT

THE UNDERSIGNED, BEING THE ONLY PARTY HAVING A RECORD TITLE INTEREST IN THE LANDS DELINEATED AND EMBRACED WITHIN THE HEAVY BLACK LINES UPON THIS MAP, DOES HEREBY CONSENT TO THE MAKING AND RECORDATION OF THE SAME.

THE UNDERSIGNED DOES HEREBY IRREVOCABLY OFFER FOR DEDICATION TO THE PUBLIC USE AS A DEED RESTRICTION FOR THE AREA DESIGNATED AS "DEED RESTRICTION AREA", RECORDED ON _____, 2018, UNDER RECORDER'S SERIAL NO. 2018-_____, CONTRA COSTA COUNTY RECORDS.

THE UNDERSIGNED ALSO DOES HEREBY OFFER FOR DEDICATION TO THE PUBLIC USE FOR PEDESTRIAN AND BICYCLE PATH ACCESS THE AREA DESIGNATED AS "PUBLIC ACCESS EASEMENT", RECORDED ON _____, 2018, UNDER RECORDER'S SERIAL NO. 2018-_____, CONTRA COSTA COUNTY RECORDS.

THIS MAP SHOWS ALL EASEMENTS ON THE PREMISES OR OF RECORD.

OWNER: CREEKSIDE WALK VENTURES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

BY: RAVELLO CALIFORNIA INC., A CALIFORNIA CORPORATION
ITS: MANAGER

BY: _____
NAME: DEREK BAAK
ITS: PRESIDENT

OWNER'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA)
COUNTY OF _____)

ON _____, 201____, BEFORE ME, _____,
A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING STATEMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

NAME (PRINTED OR TYPED), NOTARY PUBLIC IN
AND FOR SAID COUNTY AND STATE

PRINCIPAL COUNTY OF BUSINESS: _____

COMMISSION EXPIRES: _____

COMMISSION # OF NOTARY: _____

CITY CLERK'S STATEMENT

I, CHERYL MORSE, CLERK OF THE CITY COUNCIL OF THE CITY OF EL CERRITO, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE ABOVE AND FOREGOING MAP ENTITLED "FINAL MAP FOR CONDOMINIUM PURPOSES SUBDIVISION 9208" WAS PRESENTED TO THE SAID CITY COUNCIL, AS PROVIDED BY LAW, AT A REGULAR MEETING THEREOF HELD ON THE _____ DAY OF _____, 201____ AND THAT THE SAID CITY COUNCIL DID THEREUPON, BY RESOLUTION DULY PASSED AND ADOPTED AT SAID REGULAR MEETING, APPROVE SAID MAP.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE SEAL OF SAID CITY THIS _____ DAY OF _____ 201____.

CHERYL MORSE
CITY CLERK
CITY OF EL CERRITO
STATE OF CALIFORNIA

FINAL MAP
SUBDIVISION 9208
"FOR CONDOMINIUM PURPOSES"

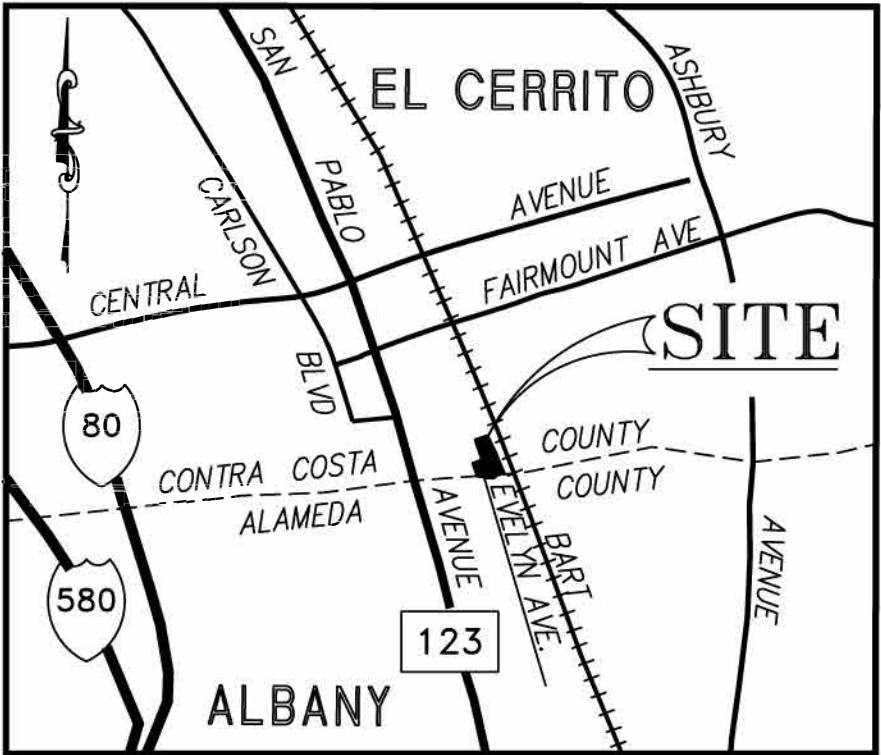
BEING PARCEL A AS SHOWN ON THAT CERTAIN
LOT LINE ADJUSTMENT APPLICATION 5981
RECORDED OCTOBER 20, 2003, INSTRUMENT NO.
2003-521887, OFFICIAL RECORDS

CITY OF EL CERRITO, CONTRA COSTA COUNTY
APRIL 2018



PLANNERS
CIVIL ENGINEERS
SURVEYORS

Aliquot Associates, Inc.
1390 S. Main St. - Ste. 310
Walnut Creek, CA 94596
Telephone: (925) 476-2300
Fax: (925) 476-2350



VICINITY MAP
NOT TO SCALE

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF CREEKSIDE VENTURES, LLC IN MAY, 2013. I HEREBY STATE THAT THIS SUBDIVISION MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY. I HEREBY STATE THAT THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE THE POSITIONS INDICATED AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

VINCENT J. D'ALO, L.S. 4210 DATE _____



CITY ENGINEER'S STATEMENT

I, YVETTEH ORTIZ, CITY ENGINEER OF THE CITY OF EL CERRITO, HEREBY STATE THAT I HAVE EXAMINED THE HEREON EMBODIED PARCEL MAP ENTITLED, "FINAL MAP SUBDIVISION 9208 FOR CONDOMINIUM PURPOSES" THAT SAID SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS THAT APPEARING ON THE TENTATIVE MAP, IF REQUIRED, AND ANY APPROVED ALTERATIONS THEREOF; AND THAT ALL OF THE PROVISIONS OF CHAPTER TWO OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES GOVERNING THE FILING OF SUBDIVISION MAPS APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP, IF REQUIRED, HAVE BEEN COMPLIED WITH.

YVETTEH ORTIZ, RCE 62368 DATE _____
CITY ENGINEER/PUBLIC WORKS DIRECTOR
CITY OF EL CERRITO

CITY SURVEYOR'S STATEMENT

I, PATRICK M. REI, ACTING CITY SURVEYOR FOR THE CITY OF EL CERRITO, HEREBY STATE THAT I HAVE EXAMINED THIS MAP ENTITLED, "FINAL MAP SUBDIVISION 9208 FOR CONDOMINIUM PURPOSES", AND I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

PATRICK M. REI, P.L.S. 8178 DATE _____
ACTING CITY SURVEYOR
CITY OF EL CERRITO

CITY PLANNING COMMISSION STATEMENT

I HEREBY STATE THAT THE PLANNING COMMISSION OF THE CITY OF EL CERRITO, STATE OF CALIFORNIA, APPROVED THE TENTATIVE MAP _____ ON _____, UPON WHICH THIS FINAL MAP IS BASED.

MARGARET KAVANAUGH-LYNCH
DEVELOPMENT SERVICES MANAGER
CITY OF EL CERRITO
STATE OF CALIFORNIA

COUNTY RECORDER'S STATEMENT

THE MAP ENTITLED "FINAL MAP SUBDIVISION 9208 FOR CONDOMINIUM PURPOSES" IS HEREBY ACCEPTED FOR RECORDATION, SHOWING A CLEAR TITLE AS PER LETTER OF TITLE MADE BY CHICAGO TITLE INSURANCE COMPANY DATED THE _____TH DAY OF _____, 201____, AND AFTER EXAMINING THE SAME, I DEEM THAT SAID MAP COMPLIES IN ALL RESPECTS WITH THE PROVISIONS OF STATE LAWS AND LOCAL ORDINANCES GOVERNING THE FILING OF CONDOMINIUM PLANS.

FILED AT THE REQUEST OF CHICAGO TITLE INSURANCE COMPANY, AT _____ MINUTES PAST _____ .M. THE _____ DAY OF _____, 201____, IN BOOK _____ OF MAPS, AT PAGE _____, IN THE OFFICE OF THE COUNTY RECORDER OF THE CONTRA COSTA, STATE OF CALIFORNIA.

SERIES NUMBER: _____

JOSEPH E. CANCIAMILLA
COUNTY RECORDER IN AND FOR
THE COUNTY OF CONTRA COSTA,
STATE OF CALIFORNIA

BY: _____
DEPUTY COUNTY RECORDER

FINAL MAP
SUBDIVISION 9208
"FOR CONDOMINIUM PURPOSES"
BEING PARCEL A AS SHOWN ON THAT CERTAIN
LOT LINE ADJUSTMENT APPLICATION 5981
RECORDED OCTOBER 20, 2003, INSTRUMENT NO.
2003-521887, OFFICIAL RECORDS

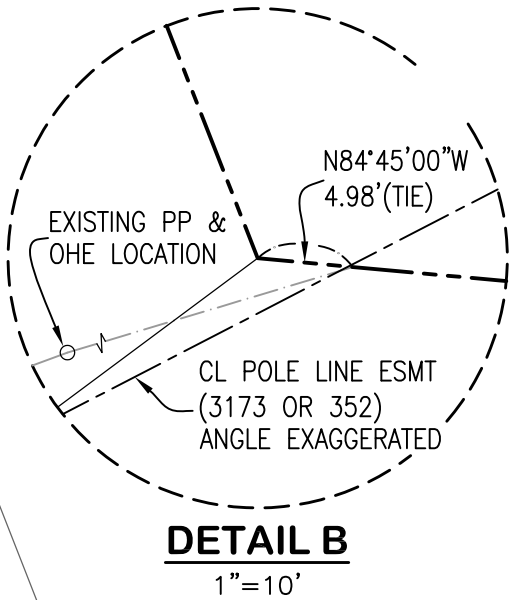
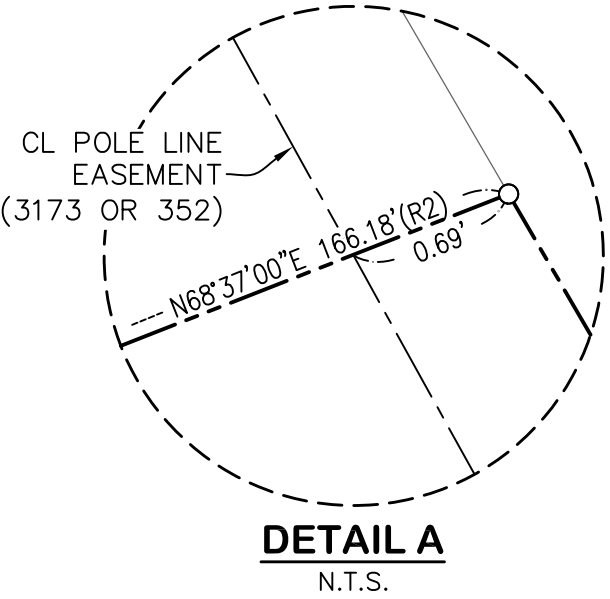
CITY OF EL CERRITO, CONTRA COSTA COUNTY
APRIL 2018
SCALE: 1"=40'



PLANNERS
CIVIL ENGINEERS
SURVEYORS

Aliquot Associates, Inc.
1390 S. Main St. - Ste. 310
Walnut Creek, CA 94596
Telephone: (925) 476-2300
Fax: (925) 476-2350

LINE TABLE		
LINE	LENGTH	BEARING
L1	38.72'(R2)	S30°11'49"E (S3°11'49"E)(R2)
L2	20.91'(R2)	N75°29'29"W(R2)
L3	11.00'(R2)	N14°11'29"W(R2)



PARCEL A
2012-317173
AREA= 131,072 S.F.±

NOTE:
SEE SHEET 4 OF 4
FOR THE DIMENSIONS
OF THE EASEMENTS
SHOWN BELOW

BASIS OF BEARINGS:
THE CALCULATED BEARING BETWEEN THE TWO FOUND MONUMENTS
ALONG THE CONTRA COSTA COUNTY/ALAMEDA COUNTY LINE BEING
NORTH 71°49'33" EAST WAS USED AS THE BASIS OF BEARINGS FOR
THIS MAP, AS SHOWN ON PARCEL MAP MS 452-01, 181 PM 31.

REFERENCES:
(R1) PARCEL MAP (181 PM 31)
(R2) GRANT DEED (2012-317173)

NOTE:
PARCEL TWO OF THE GRANT DEED (2012-317173) IS NOT
SHOWN HEREON, THE EXACT LOCATION IS NOT DEFINED OF
RECORD. REFERENCE IS HEREBY MADE TO SAID DOCUMENT
FOR FULL PARTICULARS.

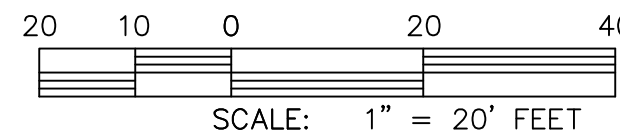
FINAL MAP
SUBDIVISION 9208
"FOR CONDOMINIUM PURPOSES"
BEING PARCEL A AS SHOWN ON THAT CERTAIN
LOT LINE ADJUSTMENT APPLICATION 5981
RECORDED OCTOBER 20, 2003, INSTRUMENT NO.
2003-521887, OFFICIAL RECORDS

CITY OF EL CERRITO, CONTRA COSTA COUNTY
APRIL 2018
SCALE: 1"=20'



PLANNERS
CIVIL ENGINEERS
SURVEYORS

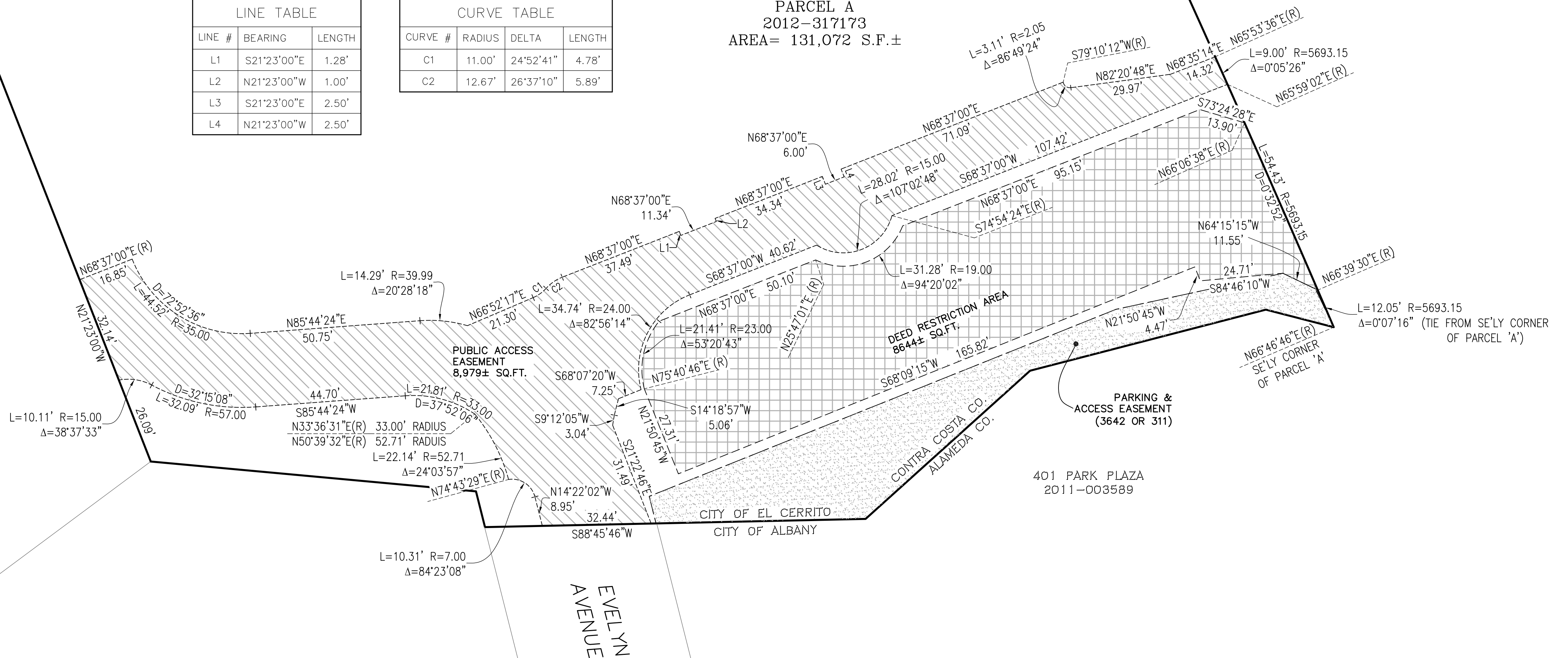
Aliquot Associates, Inc.
1390 S. Main St. - Ste. 310
Walnut Creek, CA 94596
Telephone: (925) 476-2300
Fax: (925) 476-2350



LINE TABLE		
LINE #	BEARING	LENGTH
L1	S21°23'00"E	1.28'
L2	N21°23'00"W	1.00'
L3	S21°23'00"E	2.50'
L4	N21°23'00"W	2.50'

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C1	11.00'	24°52'41"	4.78'
C2	12.67'	26°37'10"	5.89'

PARCEL A
2012-317173
AREA= 131,072 S.F.±



Recording requested by
Chicago Title Company
When recorded mail and
tax statements to:
Creekside Walk Ventures LLC
12121 Wilshire Blvd., Suite 512
Los Angeles, Ca. 90025
FCLA-TO16001364

GRANT DEED

The undersigned grantor(s) declare(s):
County transfer tax is \$ None pursuant to R & T 11925(d)
City transfer tax is \$ None pursuant to R & T 11925(d)
() computed on full value of property conveyed, or
() computed on full value less value of liens and
encumbrances remaining at time of sale.
() Unincorporated area; or (X) City of El Cerrito and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Creekside Walk Ventures, LLC, a California limited liability company

hereby GRANT(S) to

Creekside Walk Ventures, LLC, a California limited liability company

the following described real property in the City of El Cerrito, County of Contra Costa,
State of California:

SEE EXHIBIT'S "A" & "B" ATTACHED HERETO AND MADE A PART HEREOF

**THIS GRANT DEED IS BEING RECORDED TO ESTABLISH A DEED RESTRICTION
THAT REQUIRES THE PROPERTY OWNER TO PRESERVE THE CREEK
IMPROVEMENTS IN PERPETUITY IN AND TO THE LAND DESCRIBED IN
EXHIBIT "A" AND SHOWN ON "EXHIBIT "B" ATTACHED HERETO.**

Creekside Walk Ventures, LLC, a California limited liability company

By: Ravello California Inc., a California corporation, Its Manager

By: _____
Derek Baak, President

Date: _____, 2018

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF _____

On _____, _____, before me, _____
(here insert name and title of the officer)

personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Name (typed or printed), Notary Public in

and for said County and State

(Seal)

EXHIBIT “A”

ATTACH THE LEGAL DESCRIPTION HERE AS EXHIBIT “A”

EXHIBIT “B”

ATTACH THE PLAT MAP HERE AS EXHIBIT “B”

EXHIBIT 'A'

LEGAL DESCRIPTION FOR
DEED RESTRICTION

REAL PROPERTY SITUATED IN THE CITY OF EL CERRITO, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCEL 'A' AS SHOWN ON THAT CERTAIN LOT LINE ADJUSTMENT APPLICATION 5981 RECORDED OCTOBER 20, 2003, AS INSTRUMENT NO. 2003-0521887; AND THE SAME PARCEL DESCRIBED AS PARCEL ONE IN THE GRANT DEED RECORDED DECEMBER 12, 2012, AS DOCUMENT NO. 2012-0317173, BOTH IN CONTRA COSTA COUNTY OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL 'A' (2003-0521887); THENCE LEAVING SAID SOUTHEASTERLY CORNER ALONG THE NORTHEASTERN LINE OF SAID PARCEL 'A', ALONG THE ARC OF A 5,693.15 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 66°46'46" WEST, THROUGH A CENTRAL ANGLE OF 00°07'16", AN ARC LENGTH OF 12.05 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE LEAVING SAID NORTHEASTERN LINE OF SAID PARCEL 'A', NORTH 64°15'15" WEST, 11.55 FEET; THENCE SOUTH 84°46'10" WEST, 24.71 FEET; THENCE NORTH 21°50'45" WEST, 4.47 FEET; THENCE SOUTH 68°09'15" WEST, 165.82 FEET; THENCE NORTH 21°50'45" WEST, 27.31 FEET; THENCE ALONG THE ARC OF A NON-TANGENT 23.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 75°40'46" EAST, THROUGH A CENTRAL ANGLE OF 53°20'43", AN ARC LENGTH OF 21.41 FEET; THENCE NORTH 68°37'00" EAST, 50.10 FEET; THENCE ALONG THE ARC OF A NON-TANGENT 19.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 25°47'01" EAST, THROUGH A CENTRAL ANGLE OF 94°20'02", AN ARC LENGTH OF 31.28 FEET; THENCE NORTH 68°37'00" EAST, 95.15 FEET; THENCE SOUTH 73°24'28" EAST, 13.90 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID PARCEL 'A', THENCE ALONG A NON-TANGENT 5,693.15 FOOT CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 66°06'38" WEST, THROUGH A CENTRAL ANGLE OF 00°32'52", AN ARC DISTANCE OF 54.43 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING AN AREA OF 8,644 SQUARE FEET, MORE OR LESS.

END OF DESCRIPTION


VINCE D' ALO, LS 4210
STATE OF CALIFORNIA

04/26/2018

DATE

EXHIBIT "B"

B.A.R.T.D. RIGHT-OF-WAY

$L=54.43'$ $R=5693.15'$
 $\Delta=0^{\circ}32'52''$

$L=300.05'$ $R=5693.15'$ $\Delta=03^{\circ}01'11''(T)$

$L=12.05'$ $R=5693.15'$
 $\Delta=0^{\circ}07'16''$ (TIE FROM
BOUNDARY
CORNER)

P.O.C.

(SE'LY CORNER
OF PARCEL 'A')

T.P.O.B.

$S73^{\circ}24'28''E$
13.90'

$S66^{\circ}06'38''W(R)$

$N64^{\circ}15'15''W$
11.55'

$S84^{\circ}46'10''W$
24.71'

$N21^{\circ}50'45''W$
4.47'

CREEKSIDE WALK
VENTURES, LLC
PARCEL A
2012-00317173

401 PARK PLAZA
2011-003589

$N68^{\circ}37'00''E$ 95.15'

$L=31.28'$ $R=19.00'$
 $\Delta=94^{\circ}20'02''$

DEED RESTRICTION AREA
8644± SQ.FT.

$N25^{\circ}47'01''E(R)$

$N68^{\circ}37'00''E$
50.10'

$N75^{\circ}40'46''E(R)$

$N21^{\circ}50'45''W$
27.31'

$L=21.41'$ $R=23.00'$
 $\Delta=53^{\circ}20'43''$

$S68^{\circ}09'15''W$ 165.82'

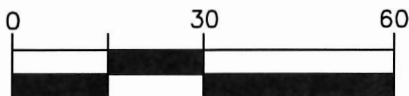
CITY OF EL CERRITO
CITY OF ALBANY
CONTRA COSTA CO.
ALAMEDA CO.

EVELYN AVENUE

LEGEND

P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT
(R) RADIAL
(T) TOTAL

 DEED RESTRICTION AREA



(IN FEET)
1 inch = 30 ft.

EL CERRITO

CONTRA COSTA COUNTY

CALIFORNIA



Planners
Civil Engineers
Surveyors

Aliquot Associates, Inc.
1390 S. Main St. - Ste. 310
Walnut Creek, CA 94596
Telephone: (925) 476-2300
Fax: (925) 476-2350

Subject DEED RESTRICTION AREA
Job No. 203076.10 Scale 1" = 30'
By MC Date 04-26-2018 Chkd. VJD
SHEET 1 OF 1

EXHIBIT 'A'

**LEGAL DESCRIPTION FOR
ACCESS EASEMENT FOR PEDESTRIAN AND BICYCLES**

REAL PROPERTY SITUATED IN THE CITY OF EL CERRITO, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCEL 'A' AS SHOWN ON THAT CERTAIN LOT LINE ADJUSTMENT APPLICATION 5981 RECORDED OCTOBER 20, 2003, AS INSTRUMENT NO. 2003-0521887; AND THE SAME PARCEL DESCRIBED AS PARCEL ONE IN THE GRANT DEED RECORDED DECEMBER 12, 2012, AS DOCUMENT NO. 2012-0317173, BOTH IN CONTRA COSTA COUNTY OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL 'A' (2003-0521887); THENCE LEAVING SAID SOUTHEASTERLY CORNER ALONG THE NORTHEASTERN LINE OF SAID PARCEL 'A', ALONG THE ARC OF A 5,693.15 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 66°46'46" WEST, THROUGH A CENTRAL ANGLE OF 00°47'44", AN ARC LENGTH OF 79.05 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE LEAVING SAID NORTHEASTERN LINE OF SAID PARCEL 'A', SOUTH 68°37'00" WEST, 107.42 FEET; THENCE SOUTHWESTERLY, WESTERLY, NORTHWESTERLY ALONG THE ARC OF A NON-TANGENT 15.00 FOOT RADIUS CURVE CONCAVE TO THE NORTH, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 74°54'24" WEST, THROUGH A CENTRAL ANGLE OF 107°02'48", AN ARC LENGTH OF 28.02 FEET; THENCE SOUTH 68°37'00" WEST, 40.62 FEET; THENCE ALONG THE ARC OF A 24.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 82°56'14", AN ARC LENGTH OF 34.74 FEET; THENCE SOUTH 68°07'20" WEST, 7.25 FEET; THENCE SOUTH 14°18'57" WEST, 5.06 FEET; THENCE SOUTH 09°12'05" WEST, 3.04 FEET; THENCE SOUTH 21°22'46" EAST, 31.49 FEET TO POINT ON THE SOUTH LINE OF SAID PARCEL 'A'; THENCE ALONG THE SOUTH LINE OF SAID PARCEL 'A', SOUTH 88°45'46" WEST, 32.44 FEET; THENCE LEAVING SAID SOUTH LINE OF PARCEL 'A', NORTH 14°22'02" WEST, 8.95 FEET; THENCE ALONG A 7.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 84°23'08", AN ARC DISTANCE OF 10.31 FEET TO A POINT OF CUSP; THENCE IN A NORTHWESTERLY DIRECTION ALONG A NON-TANGENT 52.71 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 74°43'29" WEST, THROUGH A CENTRAL ANGLE OF 24°03'57", AN ARC DISTANCE OF 22.14 FEET; THENCE ALONG A NON-TANGENT 33.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 33°36'31" WEST, THROUGH A CENTRAL ANGLE OF 37°52'06", AN ARC DISTANCE OF 21.81 FEET; THENCE SOUTH 85°44'24" WEST, 44.70 FEET; THENCE ALONG A 57.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 32°15'08", AN ARC DISTANCE OF 32.09 FEET; THENCE ALONG A 15.00 FOOT RADIUS REVERSE CURVE, THROUGH A CENTRAL ANGLE OF 38°37'33", AN ARC DISTANCE OF 10.11 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID PARCEL 'A'; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL 'A', NORTH 21°23'00" WEST, 32.14 FEET; THENCE LEAVING SAID SOUTHWESTERLY LINE OF PARCEL 'A', NORTH 68°37'00" EAST, 16.85 FEET TO A POINT OF CUSP; THENCE SOUTHEASTERLY AND EASTERLY ALONG A NON-TANGENT 35.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 68°37'00" EAST, THROUGH A CENTRAL ANGLE OF 72°52'36", AN ARC DISTANCE OF 44.52 FEET; THENCE NORTH 85°44'24" EAST, 50.75 FEET; THENCE ALONG A 39.99 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 20°28'18", AN ARC DISTANCE OF 14.29

EXHIBIT 'A'

**LEGAL DESCRIPTION FOR
ACCESS EASEMENT FOR PEDESTRIAN AND BICYCLES**

FEET; THENCE NORTH 66°52'17" EAST, 21.30 FEET; THENCE ALONG A 11.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 24°52'41", AN ARC DISTANCE OF 4.78 FEET; THENCE ALONG A 12.67 FOOT RADIUS REVERSE CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 26°37'10", AN ARC DISTANCE OF 5.89 FEET; THENCE NORTH 68°37'00" EAST, 37.49 FEET; THENCE AT RIGHT ANGLES, SOUTH 21°23'00" EAST, 1.28 FEET; THENCE AT RIGHT ANGLES, NORTH 68°37'00" EAST, 11.34 FEET; THENCE AT RIGHT ANGLES, NORTH 21°23'00" WEST, 1.00 FOOT; THENCE AT RIGHT ANGLES, NORTH 68°37'00" EAST, 34.34 FEET; THENCE AT RIGHT ANGLES, SOUTH 21°23'00" EAST, 2.50 FEET; THENCE AT RIGHT ANGLES, NORTH 68°37'00" EAST, 6.00 FEET; THENCE AT RIGHT ANGLES, NORTH 21°23'00" WEST, 2.50 FEET; THENCE AT RIGHT ANGLES, NORTH 68°37'00" EAST, 71.09 FEET TO A POINT OF CUSP; THENCE SOUTHERLY, SOUTHEASTERLY, AND EASTERLY ALONG A NON-TANGENT 2.05 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 79°10'12" EAST, THROUGH A CENTRAL ANGLE OF 86°49'24", AN ARC DISTANCE OF 3.11 FEET; THENCE NORTH 82°20'48" EAST, 29.97 FEET; THENCE NORTH 68°35'14" EAST, 14.33 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID PARCEL 'A'; THENCE ALONG SAID NORTHEASTERLY LINE ALONG A NON-TANGENT 5,693.15 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 65°53'36" WEST, THROUGH A CENTRAL ANGLE OF 00°05'26", AN ARC DISTANCE OF 9.00 FEET TO THE **TRUE POINT OF BEGINNING.**

CONTAINING AN AREA OF 8,979 SQUARE FEET, MORE OR LESS.

END OF DESCRIPTION

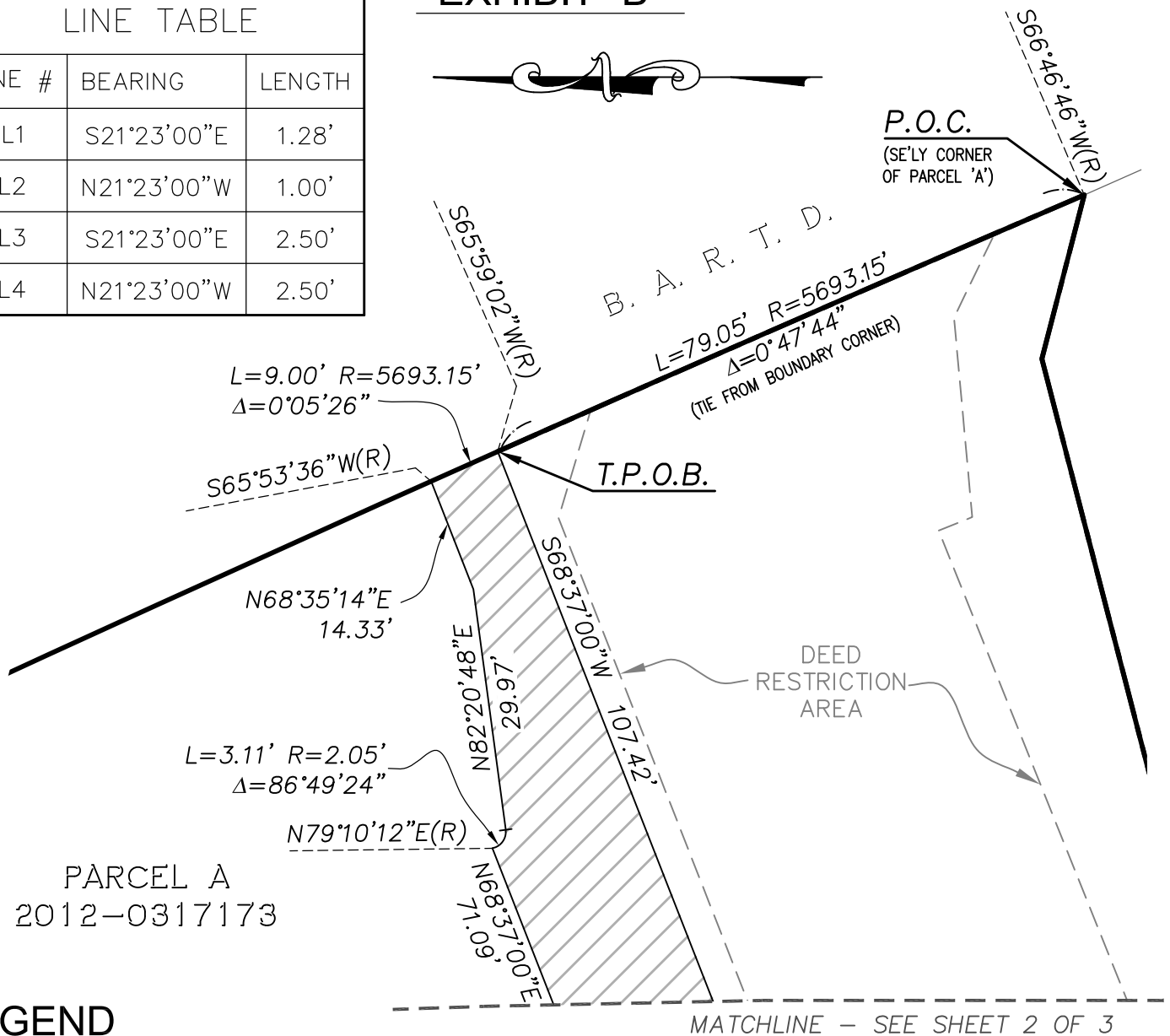
VINCE D' ALO, LS 4210
STATE OF CALIFORNIA

05/01/2018

DATE

EXHIBIT "B"

LINE TABLE		
LINE #	BEARING	LENGTH
L1	S21°23'00"E	1.28'
L2	N21°23'00"W	1.00'
L3	S21°23'00"E	2.50'
L4	N21°23'00"W	2.50'



LEGEND

	SUBJECT PROPERTY LINE
(R)	RADIAL
(T)	TOTAL
P.O.C.	POINT OF BEGINNING
T.P.O.B.	POINT OF COMMENCEMENT
BARTD	BAY AREA RAPID TRANSIT DISTRICT
	PUBLIC ACCESS EASEMENT

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C1	11.00'	24°52'41"	4.78'
C2	12.67'	26°37'10"	5.89'



(IN FEET)

1 inch = 20 ft.

APN: 504-170-022

EL CERRITO

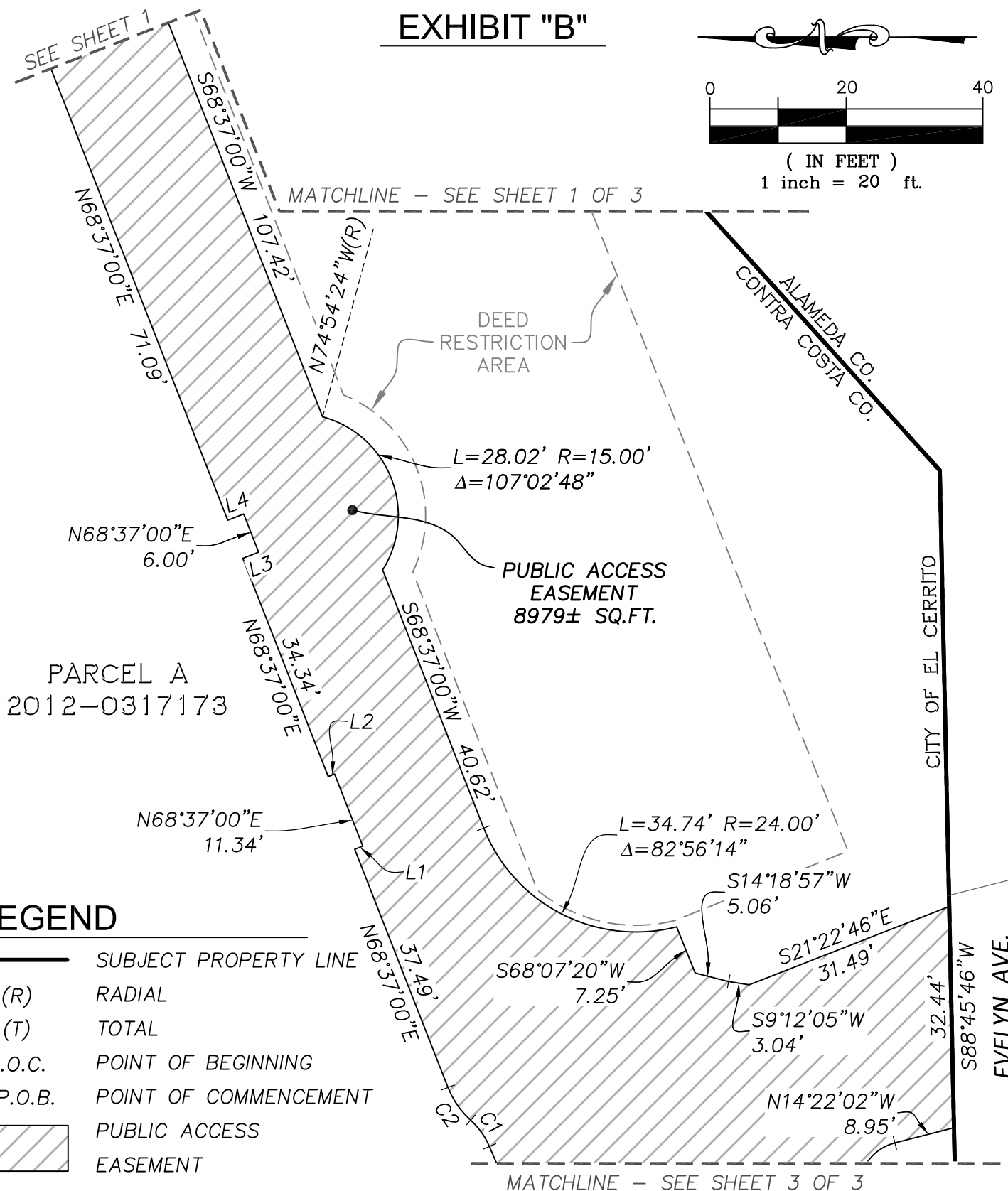
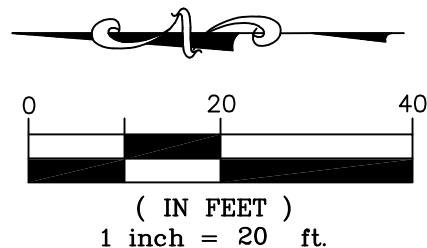
CONTRA COSTA COUNTY

CALIFORNIA



Subject ACCESS EASEMENT
 Job No. 203076.10 Scale 1" = 20'
 By MM Date 05-02-2018 Chkd. VJD
 SHEET 1 OF 3

EXHIBIT "B"



LEGEND

	SUBJECT PROPERTY LINE
(R)	RADIAL
(T)	TOTAL
P.O.C.	POINT OF BEGINNING
T.P.O.B.	POINT OF COMMENCEMENT
	PUBLIC ACCESS EASEMENT

APN: 504-170-022

EL CERRITO

CONTRA COSTA COUNTY

CALIFORNIA

SEE SHEET 1 FOR LINES & CURVE TABLES



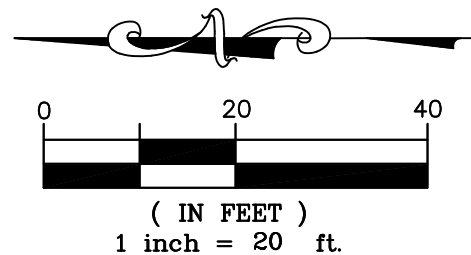
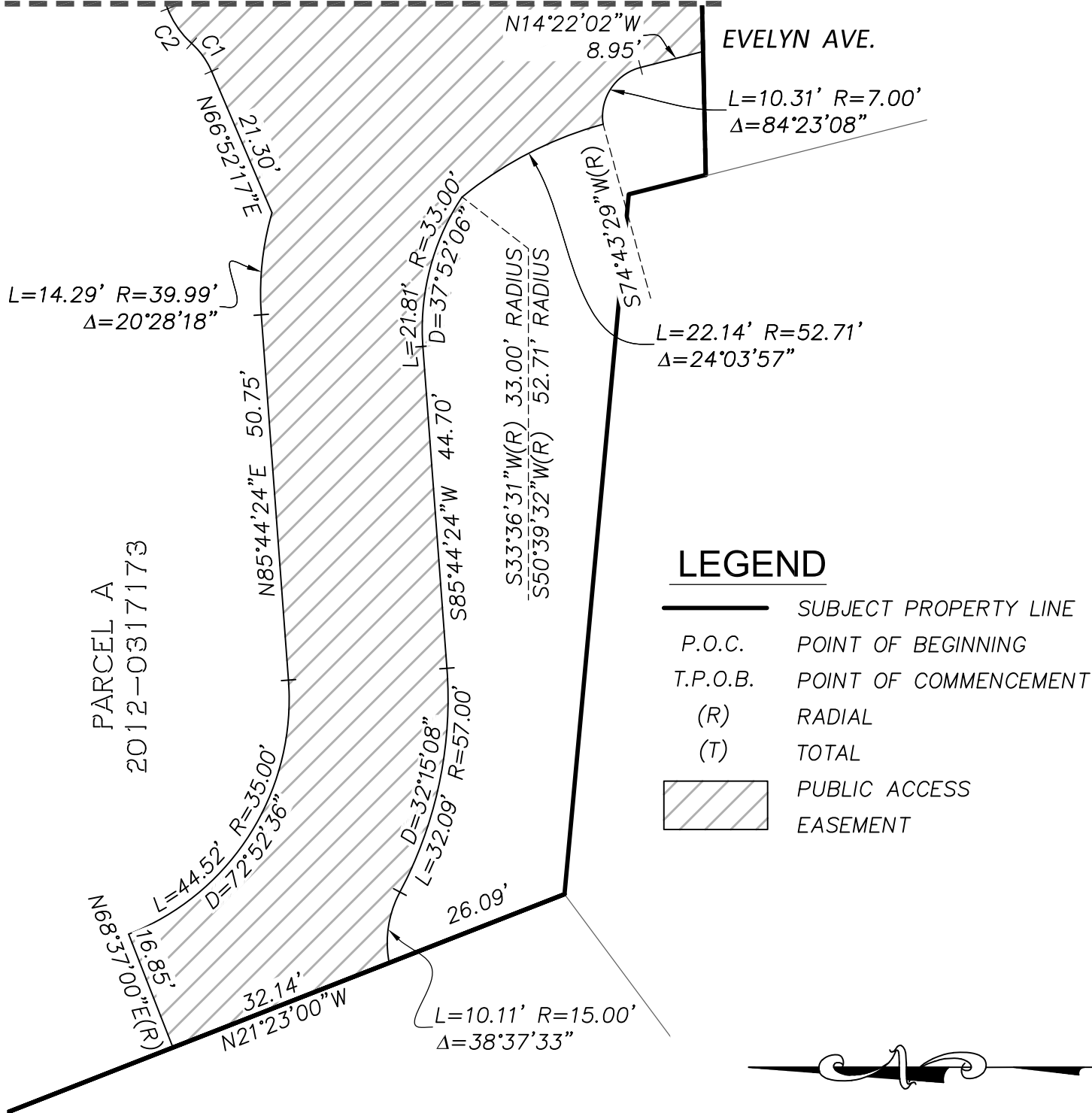
Planners
Civil Engineers
Surveyors

Aliquot Associates, Inc.
1390 S. Main St. - Ste. 310
Walnut Creek, CA 94596
Telephone: (925) 476-2300
Fax: (925) 476-2350

Subject ACCESS EASEMENT
Job No. 203076.10 Scale 1" = 20'
By MM Date 05-02-2018 Chkd. VJD
SHEET 2 OF 3

EXHIBIT "B"

MATCHLINE - SEE SHEET 2 OF 3



APN: 504-170-022

EL CERRITO

CONTRA COSTA COUNTY

CALIFORNIA



Planners
Civil Engineers
Surveyors

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1390 S. Main St. - Ste. 310
Walnut Creek, CA 94596
Telephone: (925) 476-2300
Fax: (925) 476-2350

Subject ACCESS EASEMENT
Job No. 203076.10 Scale 1" = 20'
By MM Date 05-02-2018 Chkd. VJD
SHEET 3 OF 3

Planning Commission Resolution PC18-06

APPLICATION NO. PL16-0156

A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION VERIFYING COMPLIANCE OF AND RECOMMENDING APPROVAL FOR A FINAL MAP FOR A ONE-LOT SUBDIVISION TO CREATED 128 CONDOMINIUM UNITS AS PART OF A MULTI-FAMILY RESIDENTIAL PROJECT (ECMC CHAPTER 18.16 SUBDIVISION ORDINANCE) ON A SITE LOCATED AT 510 AND 512 EL CERRITO PLAZA

WHEREAS, the subject property is located at the south eastern corner of the El Cerrito Plaza Shopping Center;

WHEREAS, the Assessor's Parcel Number of the subject property is 504-170-022;

WHEREAS, the address of the subject property is 510 and 512 El Cerrito Plaza;

WHEREAS, the zoning district of the site is Transit-Oriented Higher-Intensity Mixed Use Zone;

WHEREAS, the General Plan land use designation of the site is Transit-Oriented Higher-Intensity Mixed Use;

WHEREAS, a Final Subsequent Environmental Impact Report was certified for the project. Approval of the proposed Tentative Map is part of the project that was analyzed in the Subsequent Environmental Impact Report;

WHEREAS, approval of the Final Map is governed by Section 66426 of the State of California Government Code (Subdivision Map Act), Chapter 18 Division of Land of the El Cerrito Municipal Code and the San Pablo Avenue Specific Plan;

WHEREAS, for the purpose of the review of the Final Map, staff deemed the map application complete on May 8, 2018;

WHEREAS, the staff report includes facts that determine that the Final Map is in conformity with the requirements of Chapter 18 of the El Cerrito Municipal Code, further it conforms with the requirements of Tentative Map including all changes permitted and all requirements imposed as a condition to its acceptance;

WHEREAS, the Final Map is consistent with the Zoning Ordinance and General Plan of the City of El Cerrito; and

WHEREAS, on May 16, 2018, the Planning Commission of El Cerrito, after due consideration of all evidence and reports offered for review, does find and determine the following:

1. The Final Map and its attachments are found to be in conformance with the Tentative Map along with all requirements imposed as conditions of acceptance listed in Resolution PC17-04.

2. The project will implement the following standards of the General Plan Policies: LU 3.1 - Commercial / Residential; LU 4.1- Mixture of Uses; LU 4.2 - Availability of Goods and Services; LU 4.4 – Amenities; LU 4.5 - Quality of Development; LU 5.5 - Pedestrians, Bicycles, and Access; LU 5.6 - Development Along the Ohlone Greenway; LU 6.1 Natural Features; and CD 3.6 Cerrito Creek.

The project implements the following San Pablo Avenue Specific Plan goals: Goal A: Strengthen Sense of Place; Goal B: Ensure Return on Investment; and Goal E: Catalyze Mode Shift.

3. The Final Map will create a development and use of the site as a multi-family residential building. The project is an allowed use under the Transit-Oriented Higher-Intensity Mixed Use zone (TOHIMU). The project is consistent with the San Pablo Avenue Specific Plan goal of promoting higher intensity residential projects adjacent to the El Cerrito Plaza Bay Area Rapid Transit Station.

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration of maps, facts, exhibits, correspondence, and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Planning Commission hereby finds the Final Map is in conformity with the requirements of Chapter 18 of the El Cerrito Municipal Code in that it conforms with the Tentative Map including all changes permitted and all requirements imposed as a condition to its acceptance and hereby recommends approval of the Final Map to the City Council.

CERTIFICATION

I CERTIFY that this resolution was adopted by the El Cerrito Planning Commission at a regular meeting held on May 16, 2018 upon motion of Commissioner Mendez second by Commissioner Bloom:

AYES: Bloom, Colin, Crump, Hansen, Lucas, Mendez, Navarette
NOES: None
ABSTAIN: None
ABSENT: None


Margaret Kavanaugh-Lynch
Development Services Manager



AGENDA BILL

Agenda Item No. 4(F)

Date: June 11, 2018
To: El Cerrito City Council
From: Will Provost, Environmental Analyst
Maria Sanders, Operations + Environmental Services Manager
Yvetteh Ortiz, Public Works Director/City Engineer
Subject: Environmental Quality Committee Appointment

ACTION REQUESTED

Approve an Environmental Quality Committee recommendation to appoint Elizabeth Molnar to the Environmental Quality Committee, effective June 11, 2018.

BACKGROUND AND ANALYSIS

An application to serve on the Environmental Quality Committee (EQC) was received from Elizabeth Molnar. Ms. Molnar attended three regular meetings of the EQC, including meetings on March 13, April 10, and May 8, 2018. The Committee made arrangements to form an Ad Hoc Subcommittee at its Regular Meeting on April 10, 2018 in order to interview Ms. Molnar as they considered her for membership. During the EQC's Regular Meeting on May 8, 2018, the EQC heard a report from the Ad Hoc Subcommittee Meeting and voted to recommend to the City Council that Ms. Molnar be appointed to the Environmental Quality Committee.

Ms. Molnar is a new resident of El Cerrito, looking for ways to get engaged with the community in areas she is passionate about. She cares deeply about the environment and decreasing the impact humans have on the planet. Ms. Molnar is also the co-founder of Green Art Workshop, an organization that conducts environmental education through art-making. In this capacity, she plans workshops, develops relationships with community partners, and engages with the community. Her background in these areas and deep interest in environmental issues provides Ms. Molnar with an ideal foundation to support the work of the EQC.

If the Council approves this recommendation, the number of Committee members will be 12 out of a possible membership total of 15, as established by Resolution 2008-13.

STRATEGIC PLAN CONSIDERATIONS

The work of the members on the EQC is instrumental in helping the City achieve Goal F of the El Cerrito Strategic Plan, which is to "Foster environmental sustainability citywide." The EQC initiates and supports a variety of activities that advance all the strategies under Goal F:

- Be a leader in setting policies and providing innovative programs that promote environmental sustainability;

- Promote environmental education to facilitate behavioral changes;
- Implement policies to promote waste diversion;
- Encourage alternative modes of transportation; and
- Implement the Climate Action Plan.

Reviewed by:



Scott Hanin
City Manager

Attachments:

1. Molnar Application



June 11, 2018

**SPECIAL CONCURRENT CITY COUNCIL / PUBLIC
FINANCING AUTHORITY / EL CERRITO EMPLOYEE
PENSION TRUST BOARD**

Environmental Quality Committee Appointment

Attachment 1 Application

is available for review in hardcopy format at the following
locations:

Office of the City Clerk
10940 San Pablo Avenue
El Cerrito
(510) 215-4305

and

The El Cerrito Library
El Cerrito
6510 Stockton Avenue

EL CERRITO CITY COUNCIL PROCLAMATION
June 2018 is Elder and Dependent Adult Abuse Awareness Month

WHEREAS, older adults deserve to be treated with respect and dignity to enable them to serve as leaders, mentors, volunteers and vital participating members of our communities; and

WHEREAS, as our population lives longer, we are presented with an opportunity to think about our collective needs and future as a nation; and

WHEREAS, ageism and social isolation are major causes of elder abuse in the United States; and

WHEREAS, recognizing that it is up to all of us, to ensure that proper social structures exist so people can retain community and societal connections, reducing the likelihood of abuse; and

WHEREAS, preventing abuse of older adults through maintaining and improving social supports like senior centers, human services and transportation will allow everyone to continue to live as independently as possible and contribute to the life and vibrancy of our communities; and

WHEREAS, where there is justice there can be no abuse; therefore, Contra Costa County and the City of El Cerrito urge all people to restore justice by honoring older adults and join us in our engaging and empowering movement to putting an end to abuse.

NOW THEREFORE, the City Council of the City of El Cerrito hereby proclaims the month of June 2018 as Elder and Dependent Adult Abuse Awareness Month in the City of El Cerrito and encourage all to recognize and celebrate older adults and their ongoing contributions to the success and vitality of our country.

.

Dated: June 11, 2018

Gabriel Quinto, Mayor



AGENDA

- Budget Overview

- Strategic Plan Goals

- Accomplishments

- Goals

- Challenges

- City Finances

- Citywide Budget Overview

- General Fund

- Assumptions

- Reserves

- Budget Considerations

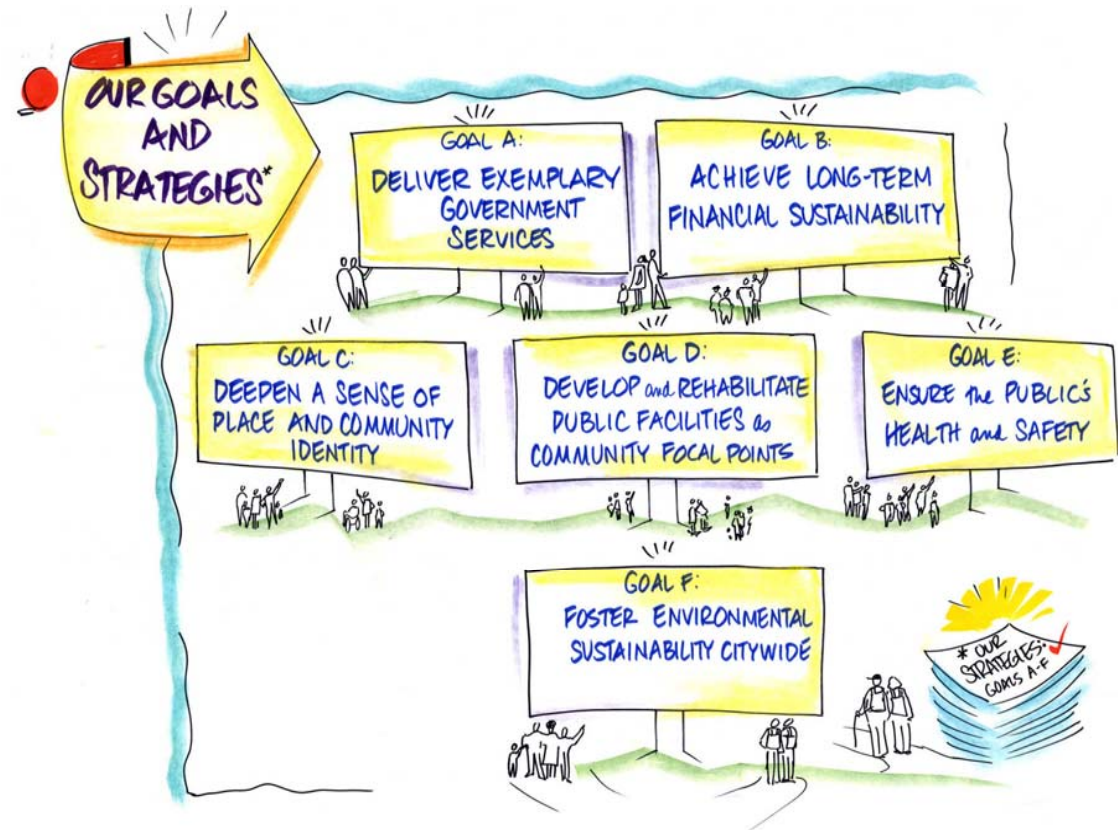
- City Council Next Steps

STRATEGIC PLAN GOALS

■ BUDGET FOCUS FOR FY 2018-19 & 2019-20

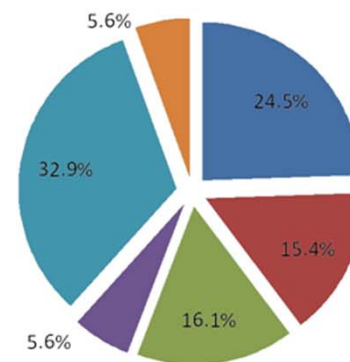
■ GOAL B

■ GOAL D



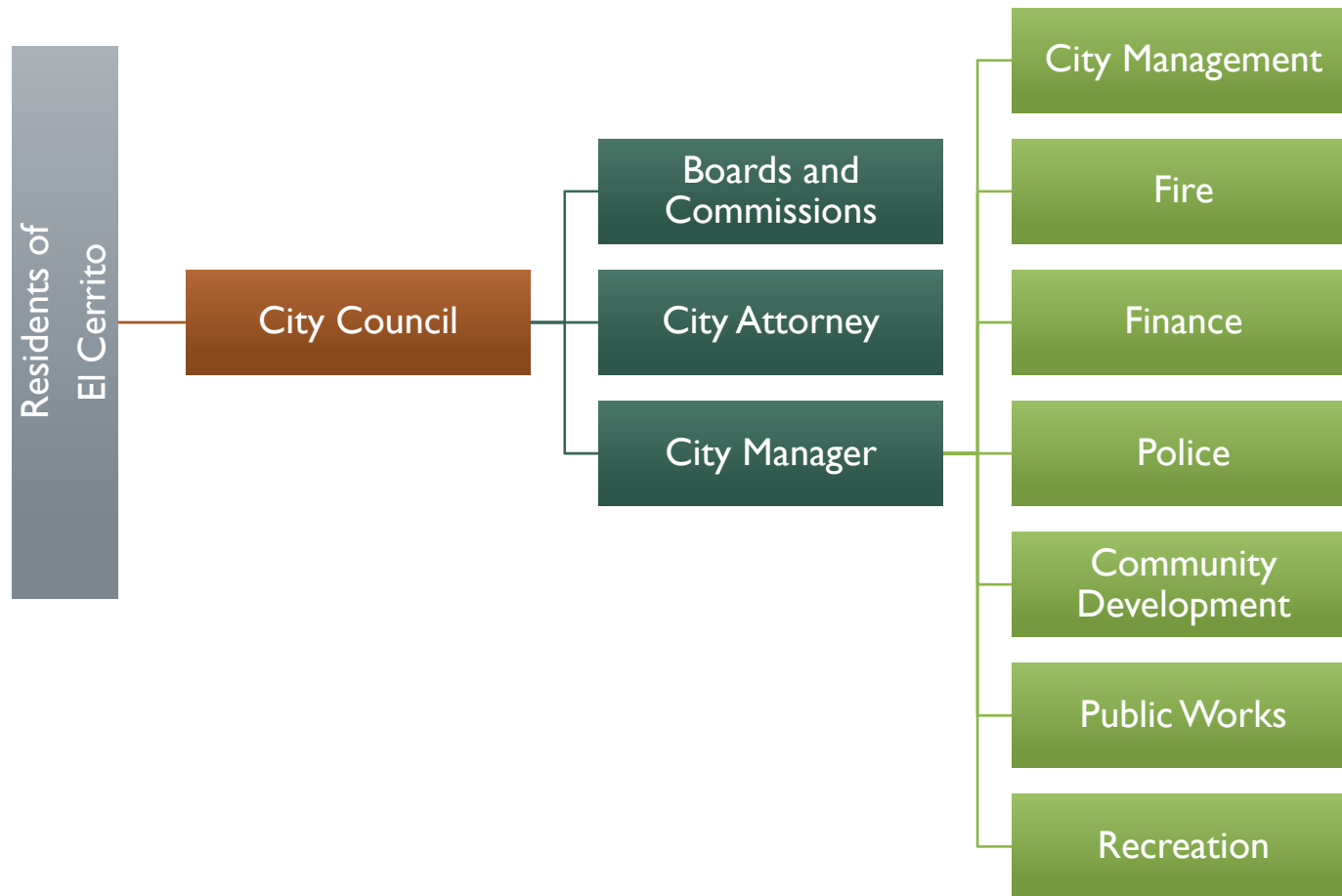
HOW THE BUDGET AND GOALS ALIGN

Departmental Budget Alignment
to Strategic Plan Goals (All Funds)



- | | |
|-------------------------------------|--|
| ■ Goal A: Exemplary Services | ■ Goal B: Financial Sustainability |
| ■ Goal C: Sense of Place & Identity | ■ Goal D: Public Facilities |
| ■ Goal E: Public Health & Safety | ■ Goal F: Environmental Sustainability |

CITY ORGANIZATION REMAINS THE SAME



PROPOSED STAFFING FY 2018-19 AND 2019-20

	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
City Council	5	5	5	5	5
City Management	10.5	11.5	11.5	11.5	11.5
Finance Department	6	6	6	6	6
Community Development	13.5	13.5	13.5	14	14
Police Department	58	58	58	58	58
Fire Department	37	37	37	37	37
Public Works Department	23.8	24.8	24.8	24.2	24.2
Recreation Department	23	23	23	23	23
Total	176.8	178.8	168.8	178.7	178.7

10 of these positions will remain vacant

ADMINISTRATION OVERVIEW

Accomplishments	Goals	Challenges
• Oversaw 100th Birthday celebration • Implementation of Minimum Wage Policy • Assisted with Marijuana Ordinance and permit • Oversaw Measure B Library election • Significantly updated our technology, security and automation practices • Processed over 1100 passport applications	• Pass a ballot measure to implement a new City Charter and Real Property Transfer Tax • Successful implementation of the November General Election • Begin library community engagement process	• Preparing for significant increases in pension costs • Continued implementation of changing technology • Minimal reserves and creating and funding a new emergency reserve fund

COMMUNITY DEVELOPMENT DEPARTMENT OVERVIEW

Accomplishments	Goals	Challenges
• Residential Development • <u>Under construction:</u> 224 multifamily units, (81 affordable units) • <u>Entitled:</u> 379 units • <u>Complete Applications:</u> 225 multifamily units • <u>Under Review:</u> 1,070 residential units • Commercial Development: Los Moles, MOD Pizza, Dentists at EC Plaza, 24-Hour Fitness, Sola Salon, Tala Coffee and others • Started <u>Homeowner Workshop series</u> • Preparation of Affordable Housing Strategy & Inclusionary Zoning Ordinance	• Attract new amenities and businesses • Begin Phase II of the San Pablo Avenue Specific Plan • Initiate the development process at the El Cerrito Plaza BART station for a an innovative TOD project	• Developing and securing funding for BRIDGE Affordable Housing at the Mayfair site and break ground • Servicing entitled projects to move through the construction and occupancy stages • Preparing for and adapting to the changes in the economic, political and social forces the Bay Area

FIRE DEPARTMENT OVERVIEW

Accomplishments	Goals	Challenges
• Transitioned to CCC fire for dispatch • Provided 19 mutual aid responses • Secured a \$15,000 technical rescue equipment grant • Completed a Hazard Mitigation Plan and a Wildfire Protection Plan for Kensington and El Cerrito. • Implemented automated staffing	• Replace engine 171, 365 and OES 300 • Manage the transition of leadership within the fire department • Continue to pursue vegetation management activities in the HNA • Continue to strengthen the CERT program	• Transition of senior leadership • Adequate funding for capital replacement and on going maintenance programs

POLICE DEPARTMENT OVERVIEW

Accomplishments	Goals	Challenges
• Started Body Worn Camera Program • Transitioned to cost effective cloud-based Records Management System • Created three new positions: Community Liaison Officer, Administrative Sergeant, Public Safety Executive Assistant.	• Find new opportunities for community engagement in crime prevention • Focus on quality of life matters, including crimes of violence and theft • Embrace emerging and existing technology to increase agency effectiveness	• Continue to staff a professional and diverse department • Effectively manage the response to legislative changes relating to law enforcement • Respond to increasing technological complexity in crime prevention and detection

10

PUBLIC WORKS OVERVIEW

Accomplishments	Goals	Challenges
• Managed significant rains during FY 16-17 • Implemented HHW at Recycling Center • Managed capital improvement projects • Oversaw relocation of senior services	• Maintain public infrastructure given current resources • Complete numerous capital projects • Adopt an updated Storm Drain Master Plan	• Address impacts of November 2018 ballot measure to repeal SBI: \$410,000 annually • Address increasing in Illegal Dumping • Graffiti on public facilities and the RoW • Recycling markets are deteriorating

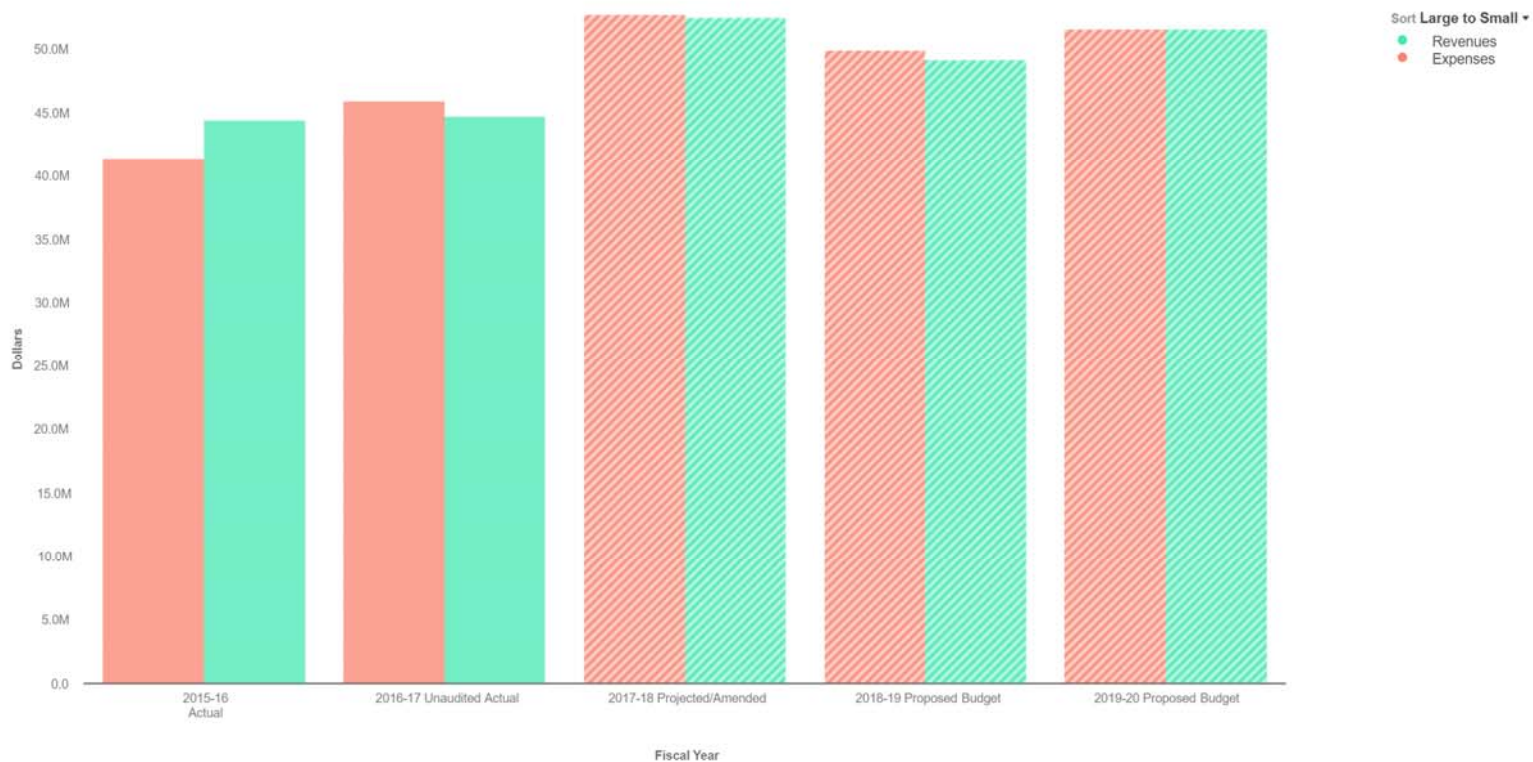
RECREATION OVERVIEW

Accomplishments	Goals	Challenges
• Swim Center Renovations, Temporary Senior Center, and Senior Center @ Hana Gardens • Parks and Recreation Facilities Master Plan • Recreation Re-Organization • Significant enhancements to Youth Services	• Complete and implement Parks and Recreation Facilities Master Plan • Identify funding to meet community needs and desires • Improve efficiency and bring greater focus to program and facility quality and care • Expand programming and services to meet community needs	• Aging infrastructure and facilities that are inadequate for demand • Attracting and retaining high quality, part time staff - especially childcare teachers. • Lack of funding to replace aging equipment

CITY FINANCES

- CITYWIDE BUDGET
- GENERAL FUND
- CIP

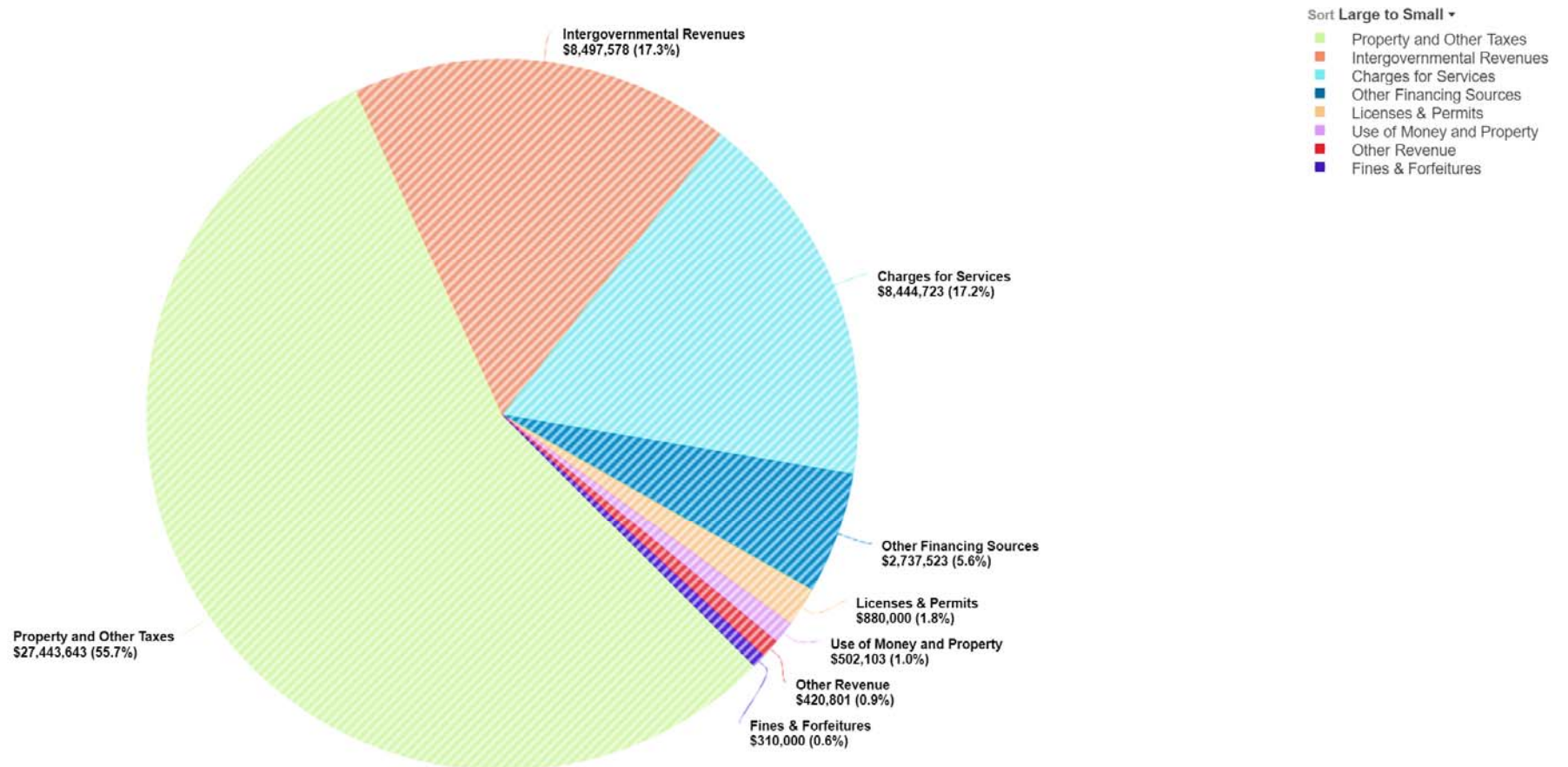
A SNAPSHOT OF OVERALL CITY BUDGET



Expand All	2015-16 Actual	2016-17 Unaudited Actual	2017-18 Projected/Amended	2018-19 Proposed Budget	2019-20 Proposed Budget
Revenues	\$ 44,489,747	\$ 44,813,893	\$ 52,496,309	\$ 49,236,371	\$ 51,651,241
Expenses	41,499,627	46,011,084	52,669,864	49,974,602	51,598,352
Revenues Less Expenses	\$ 2,990,120	\$ -1,197,192	\$ -173,555	\$ -738,231	\$ 52,889

Data filtered by Types, No Project and exported on May 29, 2018. Created with OpenGov

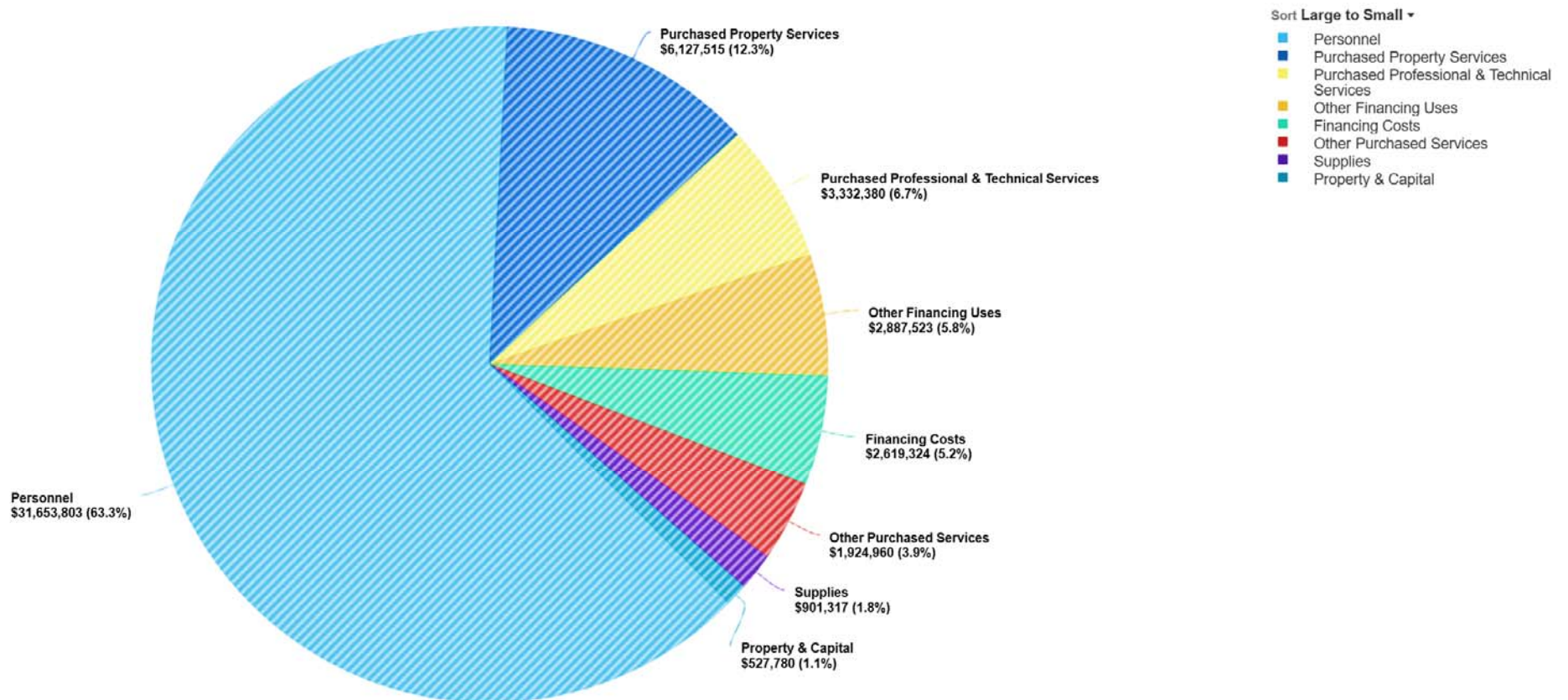
PROPOSED CITYWIDE REVENUES ALL FUNDS



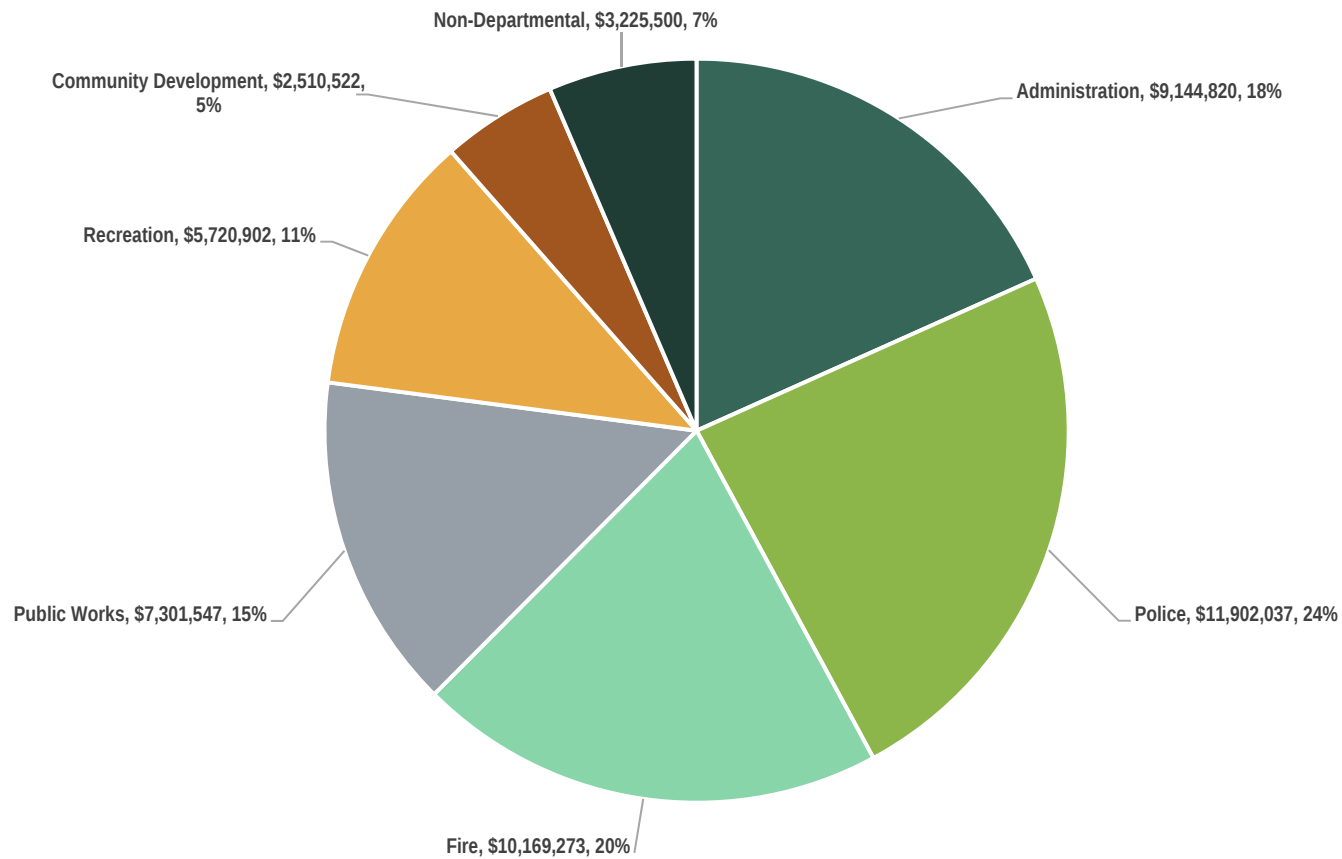
OVERALL REVENUES BY TYPE

Class	2015-16 Actual	2016-17 Unaudited Actual	2017-18 Projected/ Amended Budget	2018-19 Proposed Budget	2019-20 Proposed Budget
Property and Other Taxes	24,021,248	25,636,961	26,592,906	27,443,643	29,066,030
Intergovernmental Revenues	8,546,337	7,116,355	13,164,985	8,497,578	8,726,245
Charges for Services	6,966,762	7,553,022	7,810,427	8,444,723	8,750,439
Other Financing Sources	2,740,805	2,201,034	2,438,144	2,737,523	2,757,003
Licenses & Permits	607,729	709,729	886,375	880,000	992,720
Other Revenue	831,828	666,460	825,237	420,801	483,361
Use of Money and Property	448,495	579,475	536,256	502,103	524,843
Fines & Forfeitures	326,543	350,856	241,980	310,000	350,600
Total	44,489,747	44,813,893	52,496,309	49,236,371	51,651,241

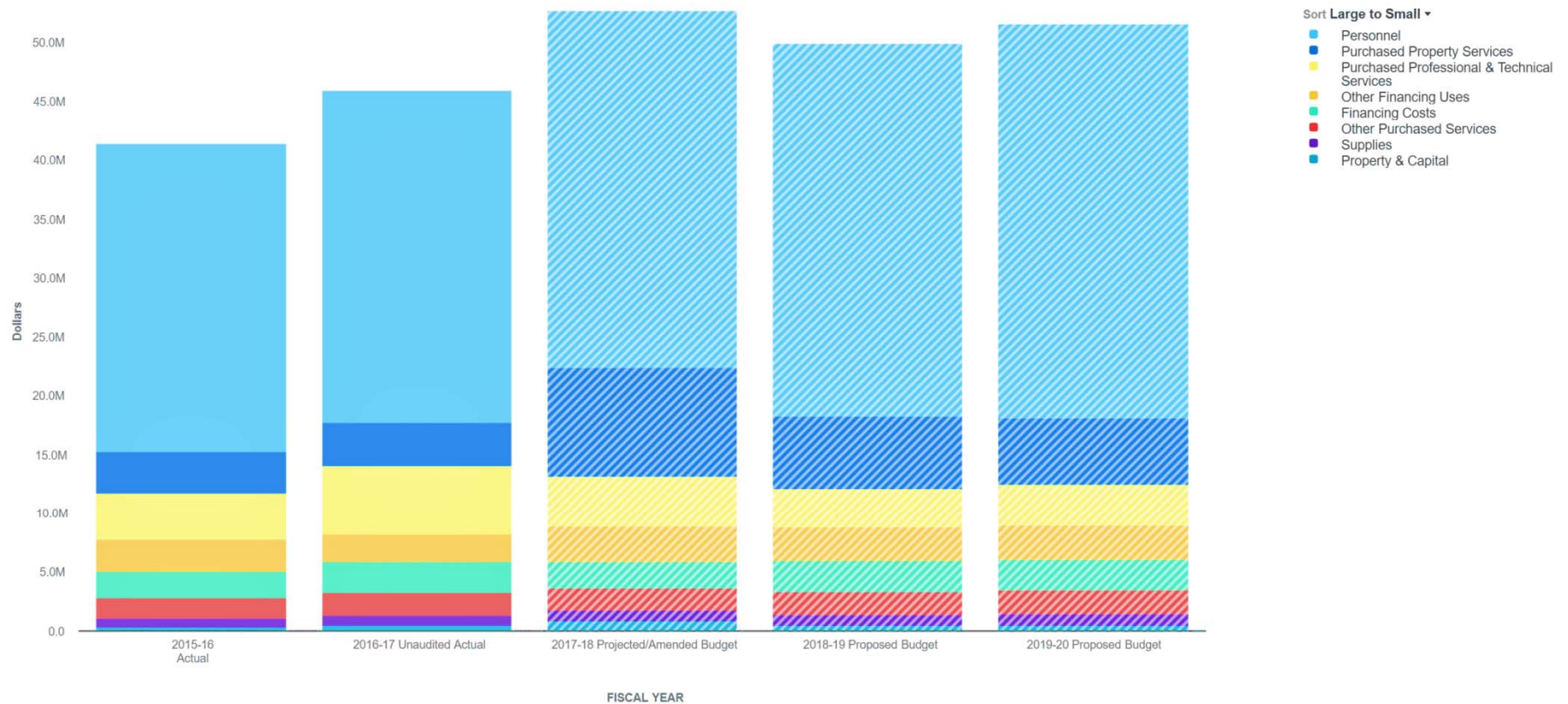
PROPOSED CITYWIDE EXPENDITURES ALL FUNDS



CITYWIDE SPENDING BY DEPARTMENT ALL FUNDS



CITYWIDE EXPENSES OVER TIME

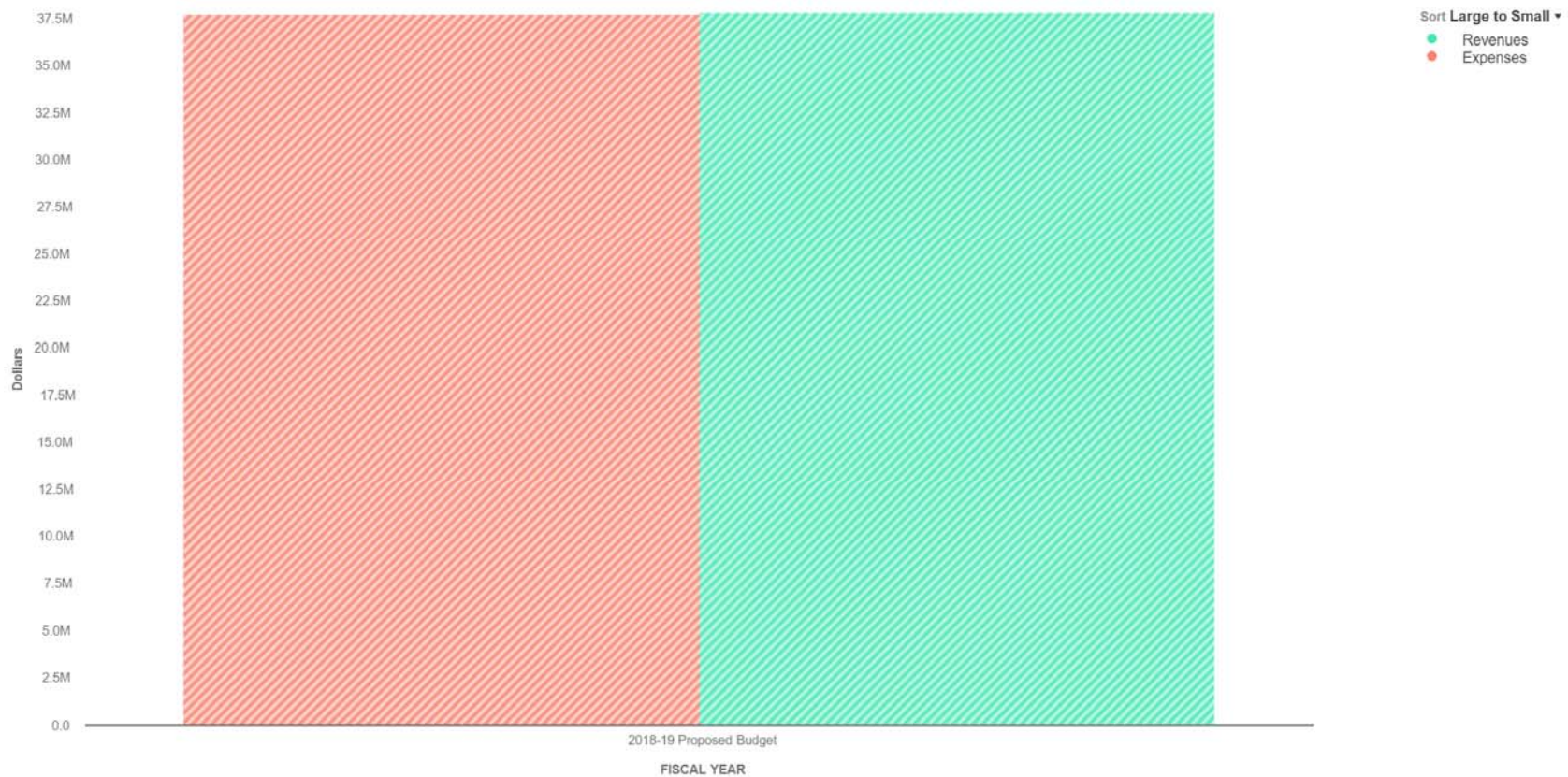


Data filtered by Expenses, No Project and exported on June 1, 2018. Created with OpenGov

CITYWIDE EXPENSES OVER TIME

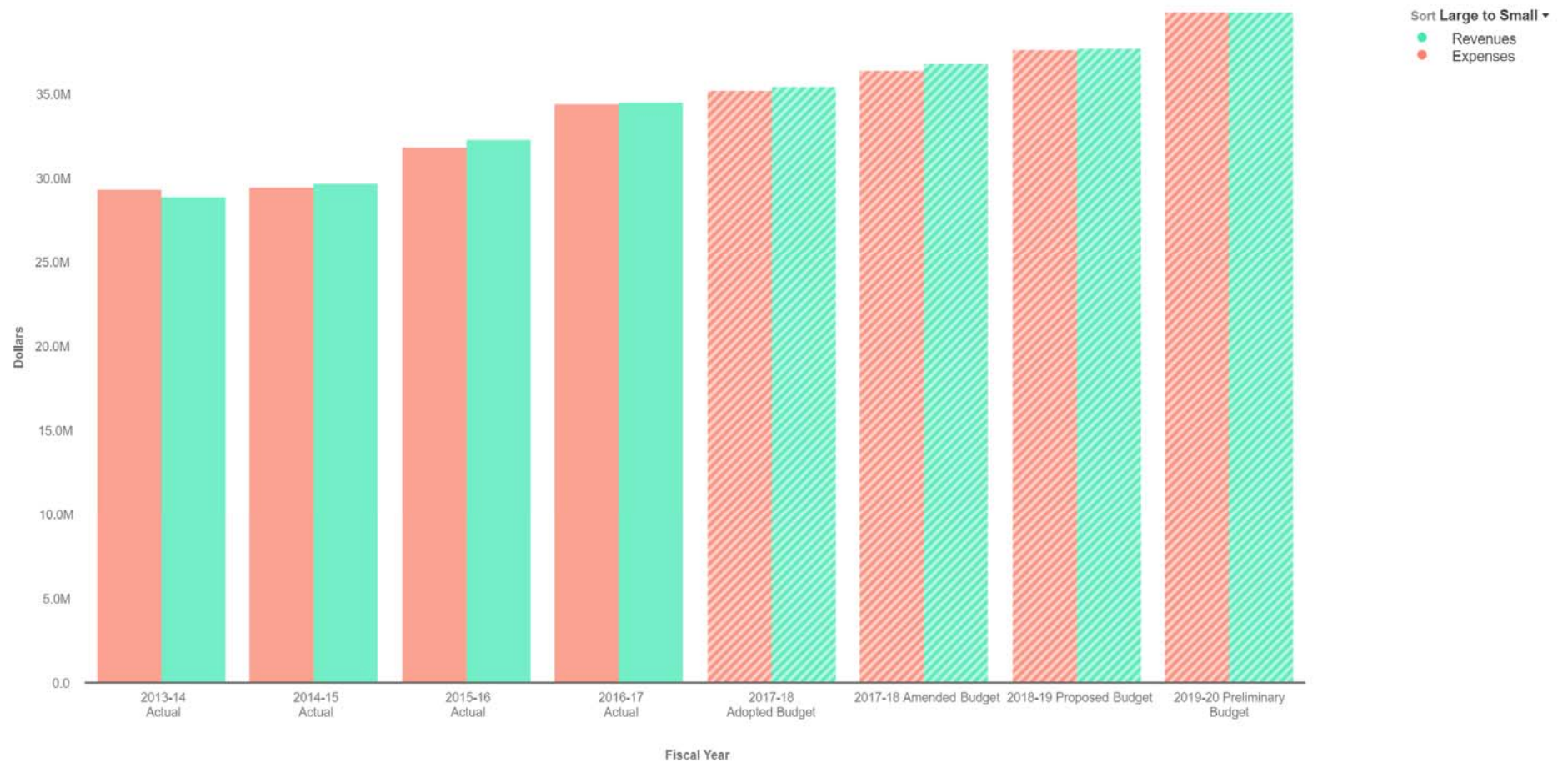
Class	2015-16 Actual	2016-17 Unaudited Actual	2017-18 Projected/ Amended Budget	2018-19 Proposed Budget	2019-20 Proposed Budget
Personnel	26,174,249	28,167,277	30,179,363	31,653,803	33,387,139
Purchased Property Services	3,521,520	3,702,521	9,259,903	6,127,515	5,677,886
Purchased Professional & Technical Services	3,961,483	5,880,353	4,315,124	3,332,380	3,528,667
Other Financing Uses	2,718,952	2,301,034	2,973,807	2,887,523	2,912,908
Financing Costs	2,283,462	2,689,148	2,264,647	2,619,324	2,564,950
Other Purchased Services	1,678,822	1,922,776	1,837,035	1,924,960	2,029,019
Supplies	772,901	815,613	937,100	901,317	967,812
Property & Capital	388,238	532,362	902,885	527,780	529,971
Total	41,499,627	46,011,084	52,669,864	49,974,602	51,598,352

GENERAL FUND OVERVIEW

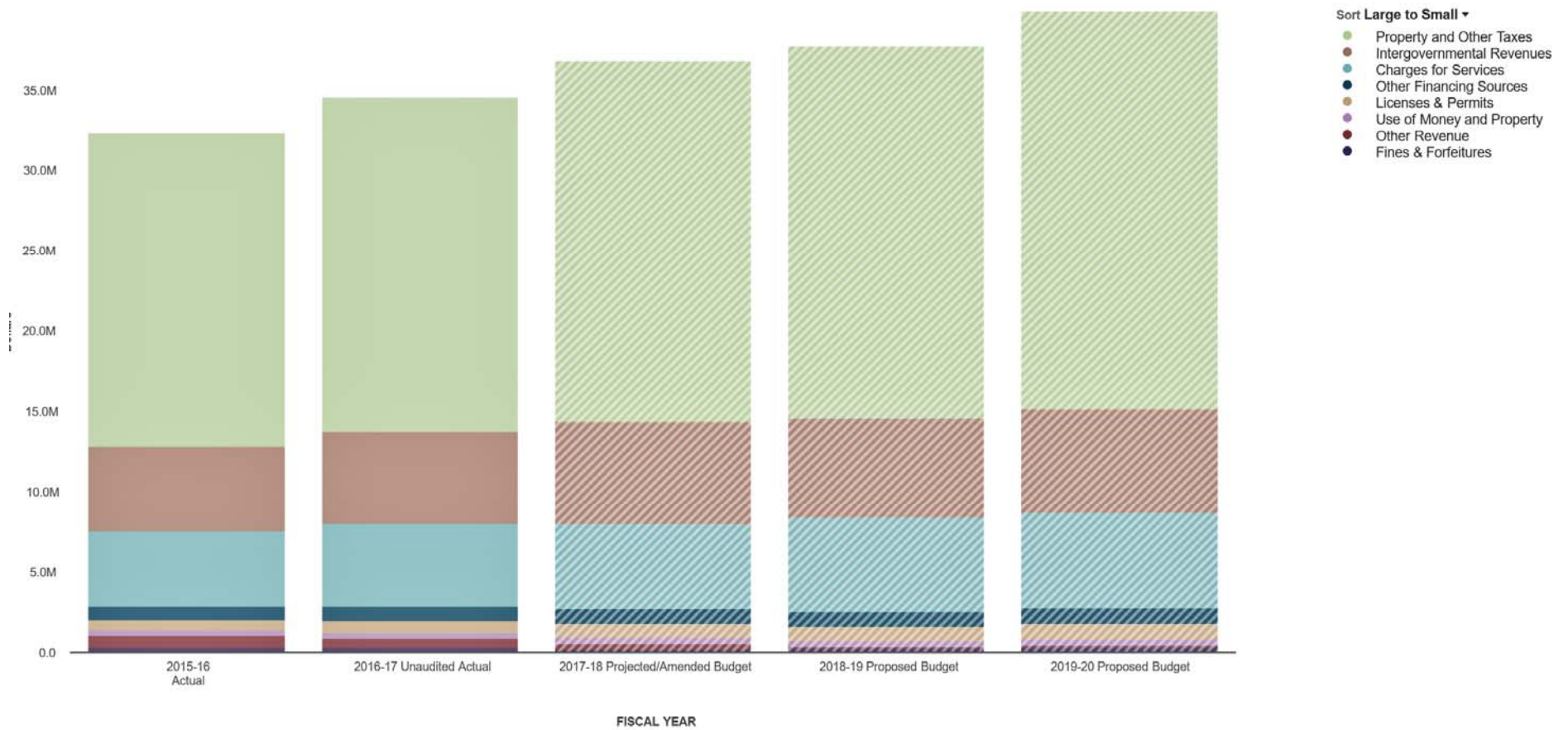


Expand All	2 2018-19 Proposed Budget
Revenues	\$ 37,770,371
Expenses	37,709,317
Revenues Less Expenses	\$ 61,054

GENERAL FUND OVER TIME



GENERAL FUND REVENUES



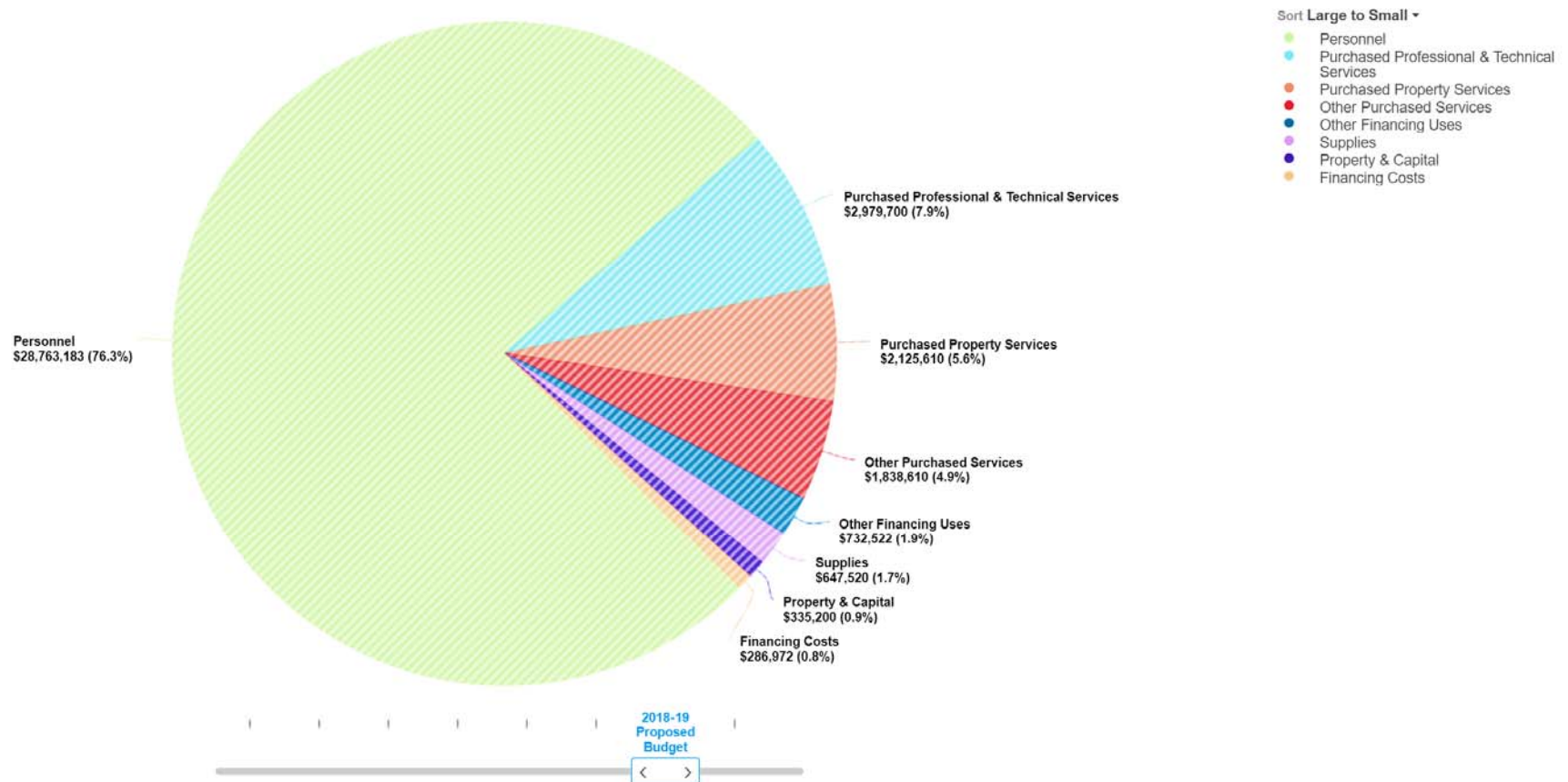
GENERAL FUND REVENUES

Class	2015-16 Actual	2016-17 Unaudited Actual	2017-18 Projected/ Amended Budget	2018-19 Proposed Budget	2019-20 Proposed Budget
Property and Other Taxes	19,509,906	20,854,307	22,504,530	23,156,000	24,720,380
Intergovernmental Revenues	5,297,857	5,705,040	6,378,901	6,215,000	6,487,350
Charges for Services	4,649,897	5,149,621	5,251,647	5,834,500	5,932,510
Other Financing Sources	890,194	915,214	915,214	919,871	940,851
Licenses & Permits	607,729	709,729	886,375	880,000	992,720
Use of Money and Property	311,742	345,666	403,756	373,000	395,740
Other Revenue	775,439	577,743	300,806	82,000	84,760
Fines & Forfeitures	326,543	350,856	241,980	310,000	350,600
Total	32,369,307	34,608,176	36,883,209	37,770,371	39,904,911

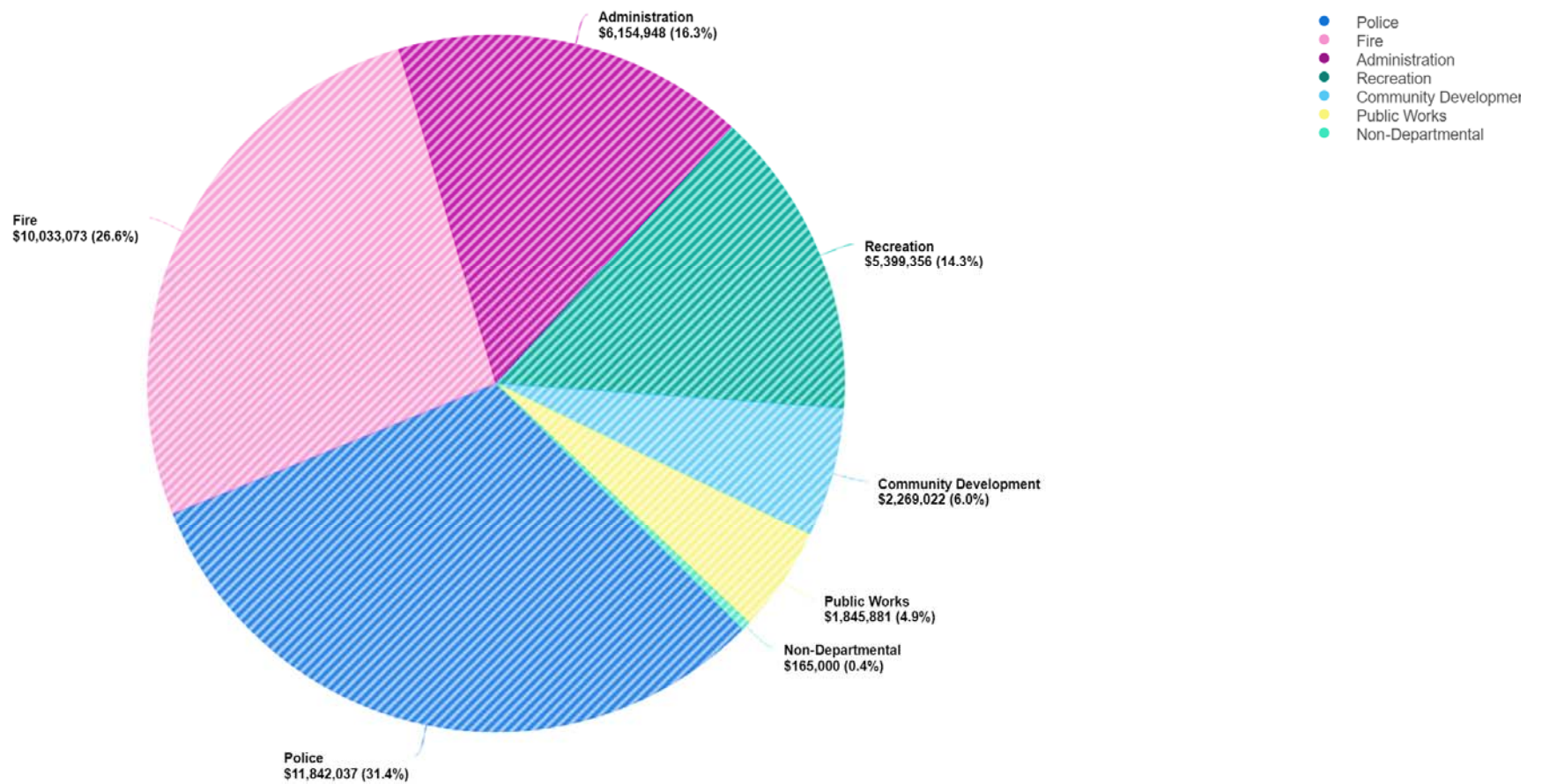
KEY REVENUE ASSUMPTIONS

- Strong increases in property taxes due to much higher home prices and larger sized commercial real estate sales along San Pablo Avenue
- Other taxes continue to increase at modest pace
- UUT revenues increase after multiple reductions due largely to utility rate increases
- Fees generally increased by 3%
- Grant revenues continue to support overall activities

HOW WILL THE GENERAL FUNDS BE SPENT?



EXPENSES BY DEPARTMENT



GENERAL FUND EXPENSES BY DEPARTMENT

Department	2015-16 Actual	2016-17 Unaudited Actual	2017-18 Projected/ Amended Budget	2018-19 Proposed Budget	2019-20 Proposed Budget
Police	10,534,813	10,780,219	11,462,191	11,842,037	12,445,173
Fire	9,004,400	9,547,462	10,111,021	10,033,073	10,603,579
Administration	4,913,933	5,418,828	5,831,922	6,154,948	6,391,386
Recreation	4,470,027	4,835,979	4,905,253	5,399,356	5,684,761
Community Development	1,774,947	2,139,731	2,274,356	2,269,022	2,561,931
Public Works	1,116,014	1,521,289	1,713,377	1,845,881	2,015,964
Non-Departmental	0	222,456	164,000	165,000	165,000
Non-Departmental Revenue	80,374	894	0	0	0
Economic Development	0	6,371	0	0	0
Total	31,894,508	34,473,230	36,462,120	37,709,317	39,867,793

KEY EXPENDITURE ASSUMPTIONS

- Personnel (76% of General Fund budget)
 - 10 vacancies will remain saving \$1,297,000
 - COLAs for all employees pursuant to collective bargaining agreements
 - Police salary savings of approximately \$501,000, including three officer vacancies
 - \$134,000 saved due to Economic Development Analyst vacancy
 - As done for many years, the Fire Department, while fully staffed operationally will rely on overtime rather than fill the three authorized “coverage” positions (results in approximate \$150,000 in net savings)
- Other expenses flat or modest increases

KEY ASSUMPTIONS

- No additional expenses for parks, open space and recreational facilities are included.
- No additional use of unrestricted General Fund reserves to balance; surplus of \$61,000 projected
- Staffing increased but lower than historical high
- Over 90% personnel or fixed expenses

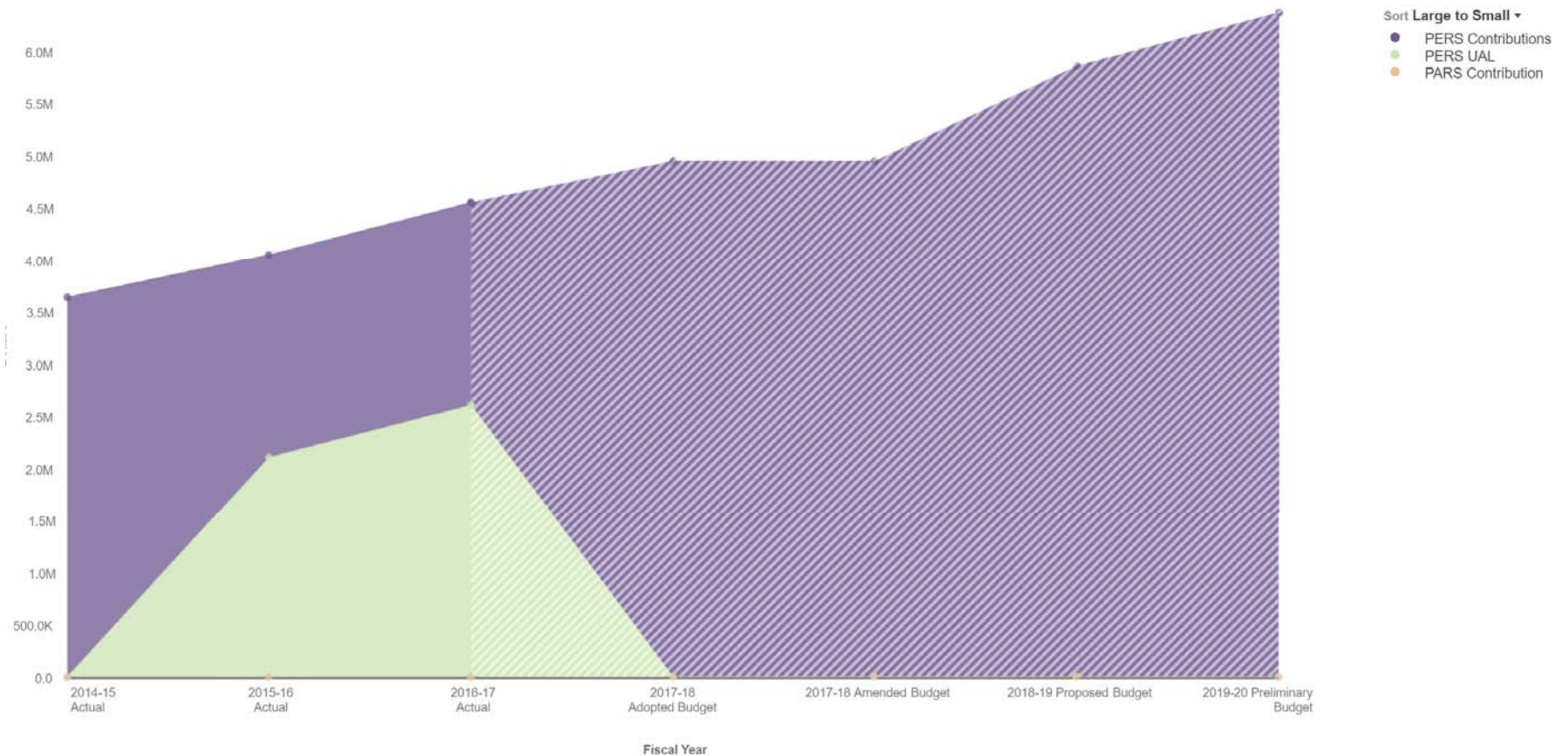
KEY ASSUMPTIONS

- All employees contributing 8-12% of their salaries towards pension costs
- Overall salary savings from vacancies equals approximately \$1,300,000, down from \$1.9 million
- Salary savings of \$501,000 in Police based on staffing levels and likely recruitment and retention and lack of necessary funding
- The General Fund will contribute \$164,000 to capital improvements once again

UNANTICIPATED EVENTS IMPACTED EXPENSES AND RESERVES

- Senior Center Relocation - \$400,000 (1.1%) in Fiscal Year 2017-18
- Police Dispatch Services - \$330,000 annually
- Combined impact approximately 4% from FY17-19
- Proposed audit adjustments to prior years approximately (-4%)
- Shows vulnerability to unanticipated events

COST OF PENSIONS CONTINUE TO INCREASE



GENERAL FUND OVERVIEW

(WITH PROPOSED AUDIT ADJUSTMENTS)

General Fund Forecast

General Fund Summary	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Projected	FY 2018-19 Proposed	FY 2019-20 Proposed
Beginning Restricted Fund Balance	138,412	180,540			
Beginning Unassigned Fund Balance	1,323,100	1,713,302	2,097,036	2,518,125	2,579,179
Total Revenues	32,362,063	33,670,383	36,883,209	37,770,371	39,904,911
Personnel	23,921,443	25,685,943	27,433,894	28,763,183	30,324,378
Non-Personnel	8,008,289	7,781,245	9,028,226	8,946,134	9,543,415
Total Expenses	31,929,732	33,467,189	36,462,120	37,709,317	39,867,793
Annual Balance	432,330	203,194	421,089	61,054	37,118
Unassigned Ending Fund Balance without Prior Year Audit Adjustment	1,893,842	2,097,036	2,518,125	2,579,179	2,616,297
Ending Unassigned Reserve Percent	5.9%	6.3%	6.9%	6.8%	6.6%
One time Prior Year Fund Balance Audit Adjustment *	(1,278,327)				
Unassigned Ending Fund Balance with Prior Year Audit Adjustment	615,515	818,709	1,239,798	1,300,852	1,337,970
Ending Unassigned Reserve Percent	1.9%	2.4%	3.4%	3.4%	3.4%

* Prior period audit adjustment includes payroll accrual of \$912,139 due to timing of final pay period.

GENERAL FUND RESERVES

- Reserves have decreased from 5.9% in 2015 to 3.4% in Fiscal Year 2020
- In spite of proposed audit adjustment, cash balances remain the same
- Fund Balance projected to remain constant over the next two fiscal years
- During the fiscal year, cash reserves on hand fluctuates between \$500,000 and \$7,000,000
- Staff and FAB will be recommending creating a dedicated emergency reserve.
 - Long Range goal \$6,000,000
 - Currently unfunded
- Unanticipated expenses equal to about 4% over same period
- Importance of Real Property Transfer tax to long term financial stability
- Citywide fund balance between \$12 million and \$13 million

CAPITAL IMPROVEMENT PROGRAM – OVERVIEW



- Ten-Year CIP includes 38 identified projects
- Next two years includes 25 active projects either undergoing further planning, design or construction as follows:

- I Admin
- 3 Facilities
- I I Parks & Trails
- 9 Streets-Transportation
- I Stormwater & Drainage



CAPITAL IMPROVEMENT PROGRAM – PROJECT HIGHLIGHTS

- Complete Construction
 - Centennial Park, Phase I Improvements
 - Ohlone BART Station Area Access, Safety and Placemaking Improvements
 - 2018 Slurry Seal
- Complete Design, Bid & Begin Construction
 - Park & Recreational Facilities – Minor Repairs
 - Hillside Natural Area Signage Improvements
 - Ohlone Camera Security System Upgrade & Expansion
 - 2018 Curb Ramp and Sidewalk Repair (Access Modifications)
 - Korematsu Safe Routes to School Phase I Improvements
 - Eureka Avenue and Lexington Avenue Street Improvements
 - Carlson Boulevard & San Diego Street Pedestrian Crossing Improvement
- Adopt Storm Drain Master Plan Update and Green Infrastructure Plan



AREAS FOR FUTURE DISCUSSION AND DIRECTION

- Strategy for CalPERS Increases
- Strategy to increase General Fund Reserves
 - Increase Revenues
 - Decrease Expenses/Services
- Creation and funding of Emergency Reserve
- Impact of Charter Election
- Other??

FOR CITY COUNCIL CONSIDERATION

- Reasonableness of Assumptions
- Consistency with City Council Mission, Vision and Goals
- Consistent with Overall Council Policy

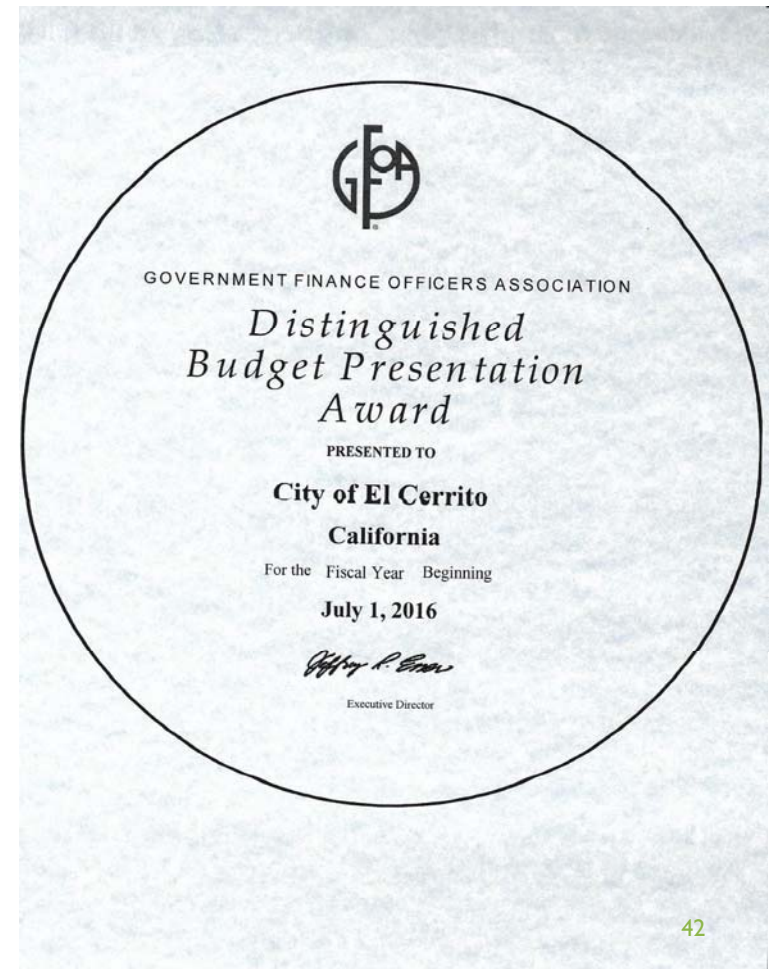
NEXT STEPS

- Beginning tonight, Review and Provide Comments and Questions
- Final Clean-up of budget book
- Consider Overall Budget for Adoption
- Next Meeting(s) and Possible Adoption
 - June 19th (regular meeting)
 - June 25th and 26th if necessary

SPECIAL THANKS TO.....

- Residents and businesses of El Cerrito for their continued support and trust
- City Council
- Financial Advisory Board
- City Staff for their hard work and commitment
- Senior Staff for their leadership and dedication
- Mark and Shannon for the hard work on the budget

AWARDS



Questions or
Comments?

June 11, 2018

**SPECIAL CONCURRENT CITY COUNCIL / PUBLIC FINANCING
AUTHORITY / EL CERRITO EMPLOYEE PENSION TRUST BOARD**

Agenda Item No. 7(A)

**Proposed Biennial Budget
Fiscal Years 2018-19 and 2019-20**

Documents are available for review at:

<http://el-cerrito.org/DocumentCenter/View/10080/El-Cerrito-FY2018-19-and-2019-20-Proposed-Budget-Book>

Office of the City Clerk
10890 San Pablo Avenue
El Cerrito, CA
(510) 215-4305

and

The El Cerrito Library
6510 Stockton Avenue
El Cerrito, CA



AGENDA BILL

Agenda Item No. 7(B)

Date: June 11, 2018
To: El Cerrito City Council
From: Mark R Rasiah, Finance Director/City Treasurer
Subject: Tax and Revenue Anticipation Notes – FY 2018-19 Short Term Cash Flow Financing

ACTION REQUESTED

Adopt a Resolution approving the borrowing of funds for Fiscal Year 2018-19 and the issuance and sale of 2018-19 tax and revenue anticipation notes (“TRAN”).

Incorporated into the resolution is the authorization of the City Manager to execute an agreement to sell the TRAN in an amount not-to-exceed \$6,000,000 and authorize staff to enter into agreements with NHA Advisors, LLC, as the City’s Municipal Advisor and Jones Hall, as bond counsel, to prepare and execute appropriate legal documents related to said financing.

BACKGROUND

Each year many public agencies that depend on property tax revenues collected through the county, experience decreases in general fund cash balances while waiting for property tax installments in December and April of each year. As part of managing cash flows and meeting monthly obligations, public agencies normally issue short-term notes known as a tax revenue anticipation note (TRAN). A TRAN provides the necessary cash to cover expenses while waiting for the larger property tax receipts to transfer to the City.

The City has issued a TRAN in each of the last six years to tide through cash flow pressures. Staff has projected cash flow shortfalls, as in previous years, typically in the fall of each year. A facility such as the TRAN will help bridge the dip in cash flow pending receipt of property tax revenues that staff anticipates in mid-December 2018.

The City has previously issued its TRAN and sold it to Westamerica Bancorporation. NHA Advisors, working with Hilltop Securities (serving as the City’s Placement Agent), has negotiated with Westamerica Bancorporation to purchase the TRAN at an interest rate of 2.25% (0.50% higher than last year). By selling the TRAN directly to a single investor, the City avoids the costs associated with rating agencies, disclosure counsel, and underwriting firms. Based on a financial analysis performed by the NHA Advisors, the all-in cost of the TRAN will be lower through the sale directly to Westamerica Bancorporation than publicly offering the TRAN.

ANALYSIS

City staff, working with NHA Advisors, developed a financial model during FY 2017-18 to examine the City's fund balances, monthly revenue and expenditure projections and anticipated cash flow deficits. This analysis shows that the projected FY 2018-19 revenues and expenditures would create monthly deficits in the first half of the fiscal year and therefore would require cash flow support in the form of a TRAN. It is hoped that at some point enough reserves will be built up so as to obviate a TRAN.

Based on the financial markets and preliminary pricing, staff recommends that the City issue the TRAN and sell the note directly to Westamerica Bancorporation with the following terms:

- Principal Amount - \$6,000,000
- Interest Rate – 2.25%
- Final Maturity – July 11, 2019

FINANCIAL CONSIDERATIONS

The City is working with NHA Advisors and Jones Hall, Bond Counsel, to draft the necessary financial documentation to execute and complete the financing in July 2018. The total interest on the TRAN over the fiscal year is anticipated to be approximately \$135,000.

Financing fees are nearly the same as in prior years and are budgeted at \$35,000. A breakdown of these costs is included below.

Role	Firm	Amount
Financial Advisor	NHA Advisors	\$20,000
Bond Counsel	Jones Hall	11,000
Placement Agent	Hilltop Securities	3,500
Miscellaneous	Contingency	500
Total:		\$35,000

LEGAL CONSIDERATIONS

The City Attorney has reviewed the terms proposed and will approve the final documents including the issuance of an attorney's letter in regard to the form as required documentation for the TRAN.

STRATEGIC PLAN CONSIDERATIONS

Approving the attached resolution will permit the City Manager to develop a plan to ensure that Citywide Revenues meet the cost of providing Citywide services, including adequate reserve for unanticipated revenue shortfalls. It will further ensure procedures that represent best practices in financial management in achieving long term financial sustainability (Goal B).

Reviewed by:



Scott Hanin, City Manager

Attachment:

1. Resolution
2. Form of bond Counsel Opinion

RESOLUTION NO. 2018-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING
THE BORROWING OF FUNDS FOR FISCAL YEAR 2018-19 AND THE ISSUANCE
AND SALE OF 2018-19 TAX AND REVENUE ANTICIPATION NOTES

WHEREAS, pursuant to Article 7.6 (commencing with section 53850) of Chapter 4 of Part 1 of Division 2 of Title 5 of the California Government Code (the "Law"), this City Council (the "Council") has found and determined that moneys are needed for the requirements of the City, a municipal corporation and general law city duly organized and existing under the laws of the State of California, to satisfy obligations payable from the General Fund of the City (the "General Fund"), and that it is necessary that said sum be borrowed for such purpose at this time by the issuance of temporary notes therefor in anticipation of the receipt of taxes, income, revenue, cash receipts and other moneys to be received by the City for the General Fund during or allocable to the fiscal year of the City beginning July 1, 2018 and ending June 30, 2019 ("Fiscal Year 2018-19"); and

NOW THEREFORE, BE IT RESOLVED that the Council of the City of El Cerrito approves the following:

Section 1. Limitation on Maximum Amount. The principal amount of notes issued pursuant hereto, when added to the interest payable thereon, shall not exceed eighty-five percent (85%) of the estimated amount of the uncollected taxes, income, revenue, cash receipts and other moneys of the City for the General Fund attributable to Fiscal Year 2018-19, and available for the payment of said notes and the interest thereon (as hereinafter provided).

Section 2. Authorization and Terms of Notes. Solely for the purpose of anticipating taxes, income, revenue, cash receipts and other moneys to be received by the City for the General Fund during or allocable to Fiscal Year 2018-19, and not pursuant to any common plan of financing, the City hereby determines to and shall borrow the principal amount of not-to-exceed Six Million Dollars (\$6,000,000) by the issuance of temporary notes under the Law, designated "City of El Cerrito, California 2018-19 Tax and Revenue Anticipation Notes" (the "Notes"). The Notes shall be dated the date of initial delivery, shall mature (without option of prior redemption) no later than thirteen months after their date of issuance, and shall bear interest, payable at maturity and computed on a 30-day month/360-day year basis, at a rate not in excess of two and one-quarter percent (2.25%) per annum. Both the principal of and interest on the Notes shall be payable in lawful money of the United States of America, as described below.

Section 3. Form of Notes. The Notes shall be issued in fully registered form, without coupons, and shall be substantially in the form and substance set forth in Exhibit A attached hereto and by reference incorporated herein, the blanks in said form to be filled in with appropriate words and figures. The Notes shall be numbered from 1 consecutively

upward in order of issuance, shall be in the denomination of \$5,000 each or any integral multiple thereof.

Section 4. Use of Proceeds. The proceeds of the sale of the Notes shall be deposited in a segregated account in the General Fund and used and expended by the City for any purpose for which it is authorized to expend funds from the General Fund.

Section 5. Security. The principal amount of the Notes, together with the interest thereon, shall be payable from taxes, income, revenue, cash receipts and other moneys which are received by the City for the General Fund for Fiscal Year 2018-19. As security for the payment of the principal of and interest on the Notes the City hereby pledges the first "unrestricted moneys" (as hereinafter defined) to be received by the City as follows: (a) an amount equal to fifty percent (50%) of the principal amount of the Notes in the month of February, 2019; (b) an amount equal to fifty percent (50%) of the principal amount of the Notes in the month of May, 2019; and (c) an amount sufficient to pay interest as due on the Notes at their maturity, in the month of June, 2019 (such pledged amounts being hereinafter called the "Pledged Revenues"). The principal of the Notes and the interest thereon shall constitute a first lien and charge thereon and shall be payable from the Pledged Revenues. To the extent not so paid from the Pledged Revenues, the Notes shall be paid from any other moneys of the City lawfully available therefor. In the event that there are insufficient "unrestricted moneys" received by the City to permit the deposit into the Special Account (as hereinafter defined) of the full amount of the Pledged Revenues to be deposited in any month by the last business day of such month, then the amount of any deficiency shall be satisfied and made up from any other moneys of the City lawfully available for the repayment of the Notes and interest thereon. The term "unrestricted moneys" shall mean taxes, income, revenue, cash receipts, and other moneys intended as receipts for the General Fund for Fiscal Year 2018-19 and which are generally available for the payment of current expenses and other obligations of the City.

Section 6. Special Account. There is hereby created, within the General Fund, a special account to be designated the "2018-19 Tax and Revenue Anticipation Note Special Account" (the "Special Account") and applied as directed in this Resolution. Any money placed in the Special Account shall be for the benefit of the owners of the Notes and, until the Notes and all interest thereon are paid or until provision has been made for the payment of the Notes at maturity with interest to maturity, the moneys in the Special Account shall be applied solely for the purposes for which the Special Account is created.

During the months of February, May, and June 2019, the City shall deposit all Pledged Revenues in the Special Account. On the maturity date of the Notes, the City shall use the moneys in the Special Account to pay the principal of and interest on the Notes at maturity and to the extent said moneys are insufficient therefor an amount of moneys from the General Fund which will enable payment of the full principal of and interest on the Notes at maturity. Any moneys remaining in the Special Account after the Notes and the interest thereon have been paid, or provision for such payment has been made, shall be transferred to the General Fund.

Section 7. Deposit and Investment of Special Account. All moneys held by the City in the Special Account, if not invested, shall be held in time or demand deposits as public funds and shall be secured at all times by bonds or other obligations which are authorized by law as security for public deposits, of a market value at least equal to the amount required by law.

Moneys in the Special Account shall, to the greatest extent possible, be invested by the City directly, or through an investment agreement, in investments as permitted by the laws of the State of California as now in effect and as hereafter amended, and the proceeds of any such investments shall be deposited in the Special Account.

Section 8. Execution of Notes. The Mayor of the City, the City Manager, and the Finance Director (each an "Authorized Officer") are each hereby authorized to execute the Notes by manual or facsimile signature, and the City Clerk of the City is hereby authorized to countersign the same by manual or facsimile signature (although at least one of such signatures shall be manual) and to affix the seal of the City thereto by facsimile impression thereof, and said officers are hereby authorized to cause the blank spaces thereof to be filled in as may be appropriate.

Section 9. Transfer of Notes. Whenever any Note or Notes shall be surrendered for transfer, the City shall execute, authenticate and deliver a new Note or Notes, for like aggregate principal amount.

Section 10. Exchange of Notes. Any Note may be exchanged at the office of the City Clerk for a like aggregate principal amount of Notes of authorized denominations and of the same maturity.

Section 11. Note Register. The City shall keep or cause to be kept sufficient books for the registration and transfer of the Notes and the City Clerk shall register or transfer or cause to be registered or transferred, on said books, Notes as herein before provided.

Section 12. Temporary Notes. The Notes may be initially issued in temporary form exchangeable for definitive Notes when ready for delivery. The temporary Notes may be printed, lithographed or typewritten, shall be of such denominations as may be determined by the City, and may contain such reference to any of the provisions of this Resolution as may be appropriate. Every temporary Note shall be executed by the City upon the same conditions and in substantially the same manner as the definitive Notes. If the City issues temporary Notes it will execute and furnish definitive Notes without delay, and thereupon the temporary Notes may be surrendered, for cancellation, in exchange therefor at the office of the City Clerk and the City Clerk shall deliver in exchange for such temporary Notes an equal aggregate principal amount of definitive Notes of authorized denominations. Until so exchanged, the temporary Notes shall be entitled to the same benefits pursuant to this Resolution as definitive Notes executed and delivered hereunder.

Section 13. Notes Mutilated, Lost, Destroyed or Stolen. If any Note shall become mutilated the City, at the expense of the owner of said Note, shall execute and deliver a new Note of like maturity and principal amount in exchange and substitution for the Note so mutilated, but only upon surrender to the City Clerk of the Note so mutilated. Every mutilated Note so surrendered to the City Clerk shall be canceled and delivered to, or upon the order of, the City. If any Note shall be lost, destroyed or stolen, evidence of such loss, destruction or theft may be submitted to the City and, if such evidence be satisfactory to the City and indemnity satisfactory to it shall be given, the City, at the expense of the owner, shall execute and deliver a new Note of like maturity and principal amount in lieu of and in substitution for the Note so lost, destroyed or stolen. The City may require payment of a sum not exceeding the actual cost of preparing each new Note issued under this Section 13 and of the expenses which may be incurred by the City in the premises. Any Note issued under the provisions of this Section 13 in lieu of any Note alleged to be lost, destroyed or stolen shall constitute an original additional contractual obligation on the part of the City whether or not the Note so alleged to be lost, destroyed or stolen be at any time enforceable by anyone, and shall be equally and proportionately entitled to the benefits of this Resolution with all other Notes issued pursuant to this Resolution.

Section 14. Covenants and Warranties. It is hereby covenanted and warranted by the City that all representations and recitals contained in this Resolution are true and correct, and that the City and its appropriate officials have duly taken all proceedings necessary to be taken by them, and will take any additional proceedings necessary to be taken by them, for the prompt collection and enforcement of the taxes, income, revenue, cash receipts and other moneys pledged hereunder in accordance with law and for carrying out the provisions of this Resolution.

Section 15. Tax Covenants.

(a) *No Arbitrage*. The City shall not take, nor permit nor suffer to be taken any action with respect to the proceeds of the Notes which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the date of issuance of the Notes (the "Closing Date") would have caused the Notes to be "arbitrage bonds" within the meaning of section 148 of the Internal Revenue Code of 1986 (the "Code").

(b) *Rebate Requirement*. The City shall take any and all actions necessary to assure compliance with section 148(f) of the Code, relating to the rebate of excess investment earnings, if any, to the federal government.

(c) *Private Activity Note Limitation*. The City shall assure that proceeds of the Notes are not so used as to cause the Notes to satisfy the private business tests of section 141(b) of the Code.

(d) *Private Loan Financing Limitation*. The City shall assure that proceeds of the Notes are not so used as to cause the Notes to satisfy the private loan financing test of section 141(c) of the Code.

(e) *Federal Guarantee Prohibition.* The City shall not take any action or permit or suffer any action to be taken if the result of the same would be to cause any of the Notes to be “federally guaranteed” within the meaning of section 149(b) of the Code.

(f) *Maintenance of Tax-Exemption.* The City shall take all actions necessary to assure the exclusion of interest on the Notes from the gross income of the owners of the Notes to the same extent as such interest is permitted to be excluded from gross income under the Code as in effect on the Closing Date.

(g) *Bank Qualification.* The City hereby designates the Notes for purposes of paragraph (3) of section 265(b) of the Code and represents that not more than \$10,000,000 aggregate principal amount of obligations the interest on which is excludable (under section 103(a) of the Code) from gross income for federal income tax purposes (excluding (i) private activity bonds, as defined in section 141 of the Code, except qualified 501(c)(3) bonds as defined in section 145 of the Code and (ii) current refunding obligations to the extent the amount of the refunding obligation does not exceed the outstanding amount of the refunded obligation), including the Notes, has been or will be issued by the City, including all subordinate entities of the City, during the calendar year 2018.

Section 16. Sale of Notes. If applicable, an Authorized Officer is hereby authorized to cause Bond Counsel (as defined below) to prepare and to execute and deliver a Note Purchase Agreement with Westamerica Bank (or such other purchaser identified by the Finance Director) in such form as an Authorized Officer shall approve, such approval to be conclusively evidenced by his or her execution and delivery thereof.

An Authorized Officer is further authorized to determine the maximum principal amount of Notes not to exceed Six Million Dollars (\$6,000,000) and the maximum interest rate on the Notes not to exceed two and one-quarter percent (2.25%) per annum.

Section 17. Engagement of Professional Services. The City hereby approves the engagement of NHA Advisors, LLC as Municipal Advisor, Jones Hall, A Professional Law Corporation, as Bond Counsel, and Hilltop Securities as Placement Agent to the City in connection with the issuance and sale of the Notes. An Authorized Officer is hereby directed and authorized to negotiate and execute agreements with Bond Counsel, the Municipal Advisor and the Placement Agent.

Section 18. Preparation of Notes; Official Action. Bond Counsel is directed to cause suitable Notes to be prepared showing the interest rate determined in accordance with the manner of sale of the Notes, to procure their execution by the proper officers, and to cause the Notes to be delivered when so executed to the purchaser upon the receipt of the purchase price by the City.

An Authorized Officer is further authorized and directed to make, execute and deliver such certificates, agreements and other closing documents as are necessary to consummate the transactions contemplated by this Resolution.

Section 19. Effective Date. This Resolution shall take effect upon its adoption.

I CERTIFY that at the regular meeting on June 11, 2018 the El Cerrito City Council passed this resolution by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAINED:	COUNCILMEMBERS:

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on June 11, 2018.

Cheryl Morse, City Clerk

APPROVED:

Gabriel Quinto, Mayor

EXHIBIT A
FORM OF NOTE

No. 1

*****\$6,000,000*****

CITY OF EL CERRITO, CALIFORNIA
2018-19 TAX AND REVENUE ANTICIPATION NOTE

INTEREST RATE:	MATURITY DATE:	ISSUE DATE:	CUSIP:
2.25%	July 9, 2019	July 10, 2018	

REGISTERED OWNER:

PRINCIPAL SUM: ****SIX MILLION DOLLARS****

The CITY OF EL CERRITO, a municipal corporation, duly organized and existing under and by virtue of the Constitution and laws of the State of California (the “City”), for value received hereby promises to pay to the Registered Owner stated above, or registered assigns (the “Owner”), on the Maturity Date stated above, the Principal Sum stated above, in lawful money of the United States of America, and to pay interest thereon in like lawful money at the rate per annum stated above, payable on the Maturity Date stated above, calculated on the basis of 360-day year composed of twelve 30-day months. Both the principal of and interest on this Note shall be payable at maturity to the Owner.

It is hereby certified, recited and declared that this Note is one of an authorized issue of Notes in the aggregate principal amount of Six-Million Dollars (\$6,000,000), all of like tenor, issued pursuant to the provisions of Resolution No. _____ of the City Council of the City duly passed and adopted on June 11, 2018 (the “Resolution”), and pursuant to Article 7.6 (commencing with section 53850) of Chapter 4, Part 1, Division 2, Title 5, of the California Government Code, and that all things, conditions and acts required to exist, happen and be performed precedent to and in the issuance of the Notes exist, have happened and have been performed in regular and due time, form and manner as required by law, and that this Note, together with all other indebtedness and obligations of the City, does not exceed any limit prescribed by the Constitution or statutes of the State of California.

The principal amount of the Notes, together with the interest thereon, shall be payable from taxes, income, revenue, cash receipts and other moneys which are received by the City for the General Fund of the City for Fiscal Year 2018-19. As security for the payment of the principal of

and interest on the Notes the City has pledged the first “unrestricted moneys” (as hereinafter defined) to be received by the City as follows: (a) an amount equal to fifty percent (50%) of the principal amount of the Notes in the month of February, 2019; (b) an amount equal to fifty percent (50%) of the principal amount of the Notes in the month of May, 2019; and (c) an amount sufficient to pay interest as due on the Notes at their maturity, in the month of June, 2019 (such pledged amounts being hereinafter called the “Pledged Revenues”). The principal of the Notes and the interest thereon shall constitute a first lien and charge thereon and shall be payable from the Pledged Revenues. To the extent not so paid from the Pledged Revenues, the Notes shall be paid from any other moneys of the City lawfully available therefor. In the event that there are insufficient “unrestricted moneys” received by the City to permit the deposit into the Special Account (as hereinafter defined) of the full amount of the Pledged Revenues to be deposited in any month by the last business day of such month, then the amount of any deficiency shall be satisfied and made up from any other moneys of the City lawfully available for the repayment of the Notes and interest thereon. The term “unrestricted moneys” shall mean taxes, income, revenue, cash receipts, and other moneys intended as receipts for the General Fund of the City for Fiscal Year 2018-19 and which are generally available for the payment of current expenses and other obligations of the City.

The Notes are issuable as fully registered notes, without coupons, in denominations of \$5,000 and any integral multiple thereof. Subject to the limitations and conditions as provided in the Resolution, Notes may be exchanged for a like aggregate principal amount of Notes of other authorized denominations and of the same maturity.

The Notes are not subject to redemption prior to maturity.

This Note is transferable by the Owner hereof, but only under the circumstances, in the manner and subject to the limitations provided in the Resolution. Upon registration of such transfer a new Note or Notes, of authorized denomination or denominations, for the same aggregate principal amount and of the same maturity will be issued to the transferee in exchange herefor.

The City may treat the Owner hereof as the absolute owner hereof for all purposes, and the City shall not be affected by any notice to the contrary.

IN WITNESS WHEREOF, the City of El Cerrito has caused this Note to be executed by the City Manager and countersigned by the City Clerk of the City, all as of the Issue Date stated above.

CITY OF EL CERRITO

By: _____

[S E A L]

Countersigned:

City Clerk

ABBREVIATIONS

The following abbreviations, when used in the inscription on the face of this Note, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM --	as tenants in common	UNIF GIFT MIN ACT
TEN ENT --	as tenants by the entireties	____ Custodian
JT TEN --	as joint tenants with	____ Minor
	right of survivorship and	Under Uniform Gifts to Minc
	not as tenants in	Act
	common	_____
		(State)

ADDITIONAL ABBREVIATIONS MAY ALSO BE USED
THOUGH NOT IN THE LIST ABOVE

ASSIGNMENT

For value received, the undersigned do(es) hereby sell, assign and transfer unto

(Name, Address and Tax Identification or Social Security Number of Assignee)

the within Note and do(es) hereby irrevocably constitute and appoint

_____,
attorney, to transfer the same on the registration books of the City with full power of substitution
in the premises.

Dated: _____

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor

NOTICE: The signature on this Assignment must correspond with the name(s) as written on the face of the within Note in every particular without alteration or enlargement or any change whatsoever.

_____, 2018

City Council
City of El Cerrito
10940 San Pablo Avenue
El Cerrito, California 94530

OPINION: \$6,000,000 City of El Cerrito, California
 2018-19 Tax and Revenue Anticipation Notes

Members of the City Council:

We have acted as bond counsel in connection with the issuance by the City of El Cerrito, California (the "City"), of \$6,000,000 City of El Cerrito, California 2018-19 Tax and Revenue Anticipation Notes, dated the date hereof (the "Notes"), pursuant to Article 7.6 (commencing with Section 53850) of Chapter 4, Part 1, Division 2, Title 5 of the California Government Code (the "Act"), and a resolution of the City adopted on _____, 2018 (the "Resolution"). We have examined the law and such certified proceedings and other papers as we deem necessary to render this opinion.

As to questions of fact material to our opinion, we have relied upon representations of the City contained in the Resolution and in the certified proceedings of public officials and others furnished to us, without undertaking to verify such facts by independent investigation.

Based upon our examination, we are of the opinion, under existing law, as follows:

1. The City is a duly created and validly existing municipal corporation with the power to adopt the Resolution, to perform the agreements on its part contained therein and to issue the Notes.
2. The Resolution has been duly adopted by the City and constitutes a valid and binding obligation of the City enforceable upon the City.
3. Pursuant to the Act, the Resolution creates a first lien on funds pledged by the Resolution for the security of the Notes.
4. The Notes have been duly authorized, executed and delivered by the City and are valid and binding general obligations of the City.

5. Interest on the Notes is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of the federal alternative minimum tax, although, in the case of tax years beginning prior to January 1, 2018, for the purpose of computing the alternative minimum tax imposed on certain corporations, such interest earned by a corporation prior to the end of its tax year in 2018 is taken into account in determining certain income and earnings. The Notes are “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Tax Code”), and, in the case of certain financial institutions (within the meaning of Section 265(b)(5) of the Tax Code), a deduction is allowed for 80 percent of that portion of such financial institutions’ interest expense allocable to the portion of the Notes designated as and comprising interest.

The opinions set forth in the preceding paragraph are subject to the condition that the City comply with all requirements of the Tax Code relating to the exclusion from gross income for federal income tax purposes of interest on obligations such as the Notes, and in order for the Notes to be “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Tax Code. The City has made certain representations and covenants in order to comply with each such requirement. Inaccuracy of those representations, or failure to comply with certain of those covenants, may cause the inclusion of such interest in gross income for federal income tax purposes, which may be retroactive to the date of issuance of the Notes, or may cause the Notes not to be “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Tax Code.

6. The interest on the Notes is exempt from personal income taxation imposed by the State of California.

We express no opinion regarding any other tax consequences arising with respect to the ownership, sale or disposition of, or the amount, accrual or receipt of interest on, the Notes.

The rights of the owners of the Notes and the enforceability of the Notes and the Resolution may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors’ rights heretofore or hereafter enacted and may also be subject to the exercise of judicial discretion in appropriate cases.

This opinion is given as of the date hereof, and we assume no obligation to revise or supplement this opinion to reflect any facts or circumstances that may hereafter come to our attention, or any changes in law that may hereafter occur. Our engagement with respect to this matter has terminated as of the date hereof.

Respectfully submitted,

A Professional Law Corporation