

**EL CERRITO CITY COUNCIL
EL CERRITO REDEVELOPMENT AGENCY
THE PENSION TRUST BOARD
THE MUNICIPAL SERVICE CORPORATION BOARD
THE EL CERRITO PUBLIC FINANCING AUTHORITY**

MINUTES

SPECIAL CITY COUNCIL MEETING

Monday, June 1, 2009 – 6:30 p.m.

Hillside Conference Room

**SPECIAL CONCURRENT MEETING OF THE
EL CERRITO CITY COUNCIL
THE REDEVELOPMENT AGENCY
THE PENSION TRUST BOARD
THE MUNICIPAL SERVICES CORPORATION BOARD
THE PUBLIC FINANCING AUTHORITY**

Monday, June 1, 2009 – 7:30 p.m.

City Council Chambers

Meeting Location

El Cerrito City Hall

10890 San Pablo Avenue, El Cerrito

Sandi Potter – Mayor

**Mayor Pro Tem Janet Abelson
Councilmember Greg Lyman**

**Councilmember/Agency Chair William C. Jones, III
Councilmember/Agency Vice-Chair Ann Cheng**

ROLL CALL

Councilmember Abelson, Cheng, Jones, Lyman and Mayor Potter present.

6:30 p.m.

CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Potter convened the special city council meeting at 6:30 p.m.

ANNOUNCEMENT OF CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code section 54956.9(c): One potential case

ORAL COMMUNICATIONS FROM THE PUBLIC – No speakers.

RECESSED INTO SPECIAL CITY COUNCIL MEETING CLOSED SESSION at 6:31 p.m.

POSSIBLE REPORT OUT OF CLOSED SESSION – No reportable action

ADJOURNED SPECIAL CITY COUNCIL MEETING at 7:30 p.m.

ROLL CALL

Councilmembers/Agency Members/Board Members Abelson, Cheng, Jones (Agency Chair), Lyman and Mayor/Board Chair Potter present.

7:30 p.m.

CONVENE CONCURRENT MEETING OF THE EL CERRITO CITY COUNCIL / THE REDEVELOPMENT AGENCY / THE PENSION TRUST BOARD / THE MUNICIPAL SERVICES CORPORATION BOARD AND THE THE PUBLIC FINANCING AUTHORITY

Mayor Potter convened the concurrent meeting of the City Council/Redevelopment Agency/Pension Trust Board/Municipal Services Corporation Board and the Public Financing Authority meeting at 7:38 p.m.

1. **PLEDGE OF ALLEGIANCE TO THE FLAG** was led by Councilmember Cheng.
2. **COUNCIL / STAFF COMMUNICATIONS**

Mayor Pro Tem Abelson reported on her attendance at the inauguration of the Blue Star Veterans Memorial Marker at Arlington Park on May 28th which honors all those who have served our country. Mayor Pro Tem Abelson also noted the City's receipt of a Certificate of Special Congressional Recognition commemorating this event issued by Congresswoman Tauscher.

3. **ORAL COMMUNICATIONS FROM THE PUBLIC**

Al Miller, El Cerrito, stated that the impressive presence of the police and fire representatives from the City of El Cerrito made the Blue Star Memorial Marker Ceremony particularly special. Mr. Miller also commented on the external limitations presented by the Gann limit and what the city can spend and suggested that staff help educate city residents about the external limitations within which the City Council and staff must work with in achieving a budget. Regarding the Cerrito Theater, Mr. Miller recommended that the city change the marquis from "closed" to "closed temporarily" and advertise public events on the marquis.

Mary Milton, El Cerrito, asked the Council not to place the Cerrito Theater on the back burner and find another operator to run it. Ms. Milton said many people want the Theater to continue. Ms. Milton noted that she had found the movie programming at the Elmwood Theater very interesting and that it may be more suited to this community than the programming that was offered by the Cerrito operators.

Linda Moss, El Cerrito, said that it is a priority to get the Cerrito Theater moving and that the City should have made an effort to keep the Cerrito going on an interim basis until a new operator is found. Ms. Moss asked that the City keep the public informed about the status of the Theater via a report at every council meeting. Ms. Moss also noted that Ann Lehman had offered some very constructive ideas to initiate and keep the public engaged in the Theater and expand the clientele.

Peter Loubal, El Cerrito, informed the Council that he had attended a meeting of the Parkway Theater Boosters in Oakland who have been speaking to different investors and operators. Oakland Councilmember Kwan also attended this meeting. Mr. Loubal contrasted the activity of the Parkway community with the silence of the El Cerrito community, expressed concerns regarding the current status of the Cerrito Theater and encouraged openness and transparency.

4. PRESENTATIONS – None

5. ADOPTION OF THE CONSENT CALENDAR – Items 5A through 5C

Moved, seconded (Abelson/Lyman) and carried unanimously to adopt Consent Calendar Items 5A through 5C in one motion as indicated below.

A. Minutes for Approval

Approve the May 18, 2009 Special Redevelopment Agency Closed Session, Special City Council and Special Concurrent City Council/Redevelopment Agency Meeting.

Action: Approved minutes.

B. Adoption of the Gann Appropriation Limit for FY 2009–2010

Adopt a Resolution selecting the California Per Capita Personal Income option for the Cost of Living factor and the County Population option for the Population factor. Utilizing those factors establishes the City's appropriations limit as \$35,251,595 for FY 2009–10.

Action: Adopted Resolution No. 2009–28.

C. Opposition to California State Proposal to Take or Borrow Local Property Taxes, Transportation Funds or Other Revenues to Balance the State Budget

At the request of Mayor Pro Tem Abelson, adopt a resolution finding that a severe fiscal hardship will exist if additional local property tax funds are seized and additional unfunded mandates are adopted by the State of California and directing the City Clerk to send copies of the resolution to the Governor, Senator DeSaulnier, Assemblywoman Skinner and the League of California Cities.

Action: Adopted Resolution No. 2009–29 and directed the City Clerk to send copies of the resolution to the Governor, Senator DeSaulnier, Assemblywoman Skinner and the League of California Cities.

6. PUBLIC HEARING

A. Landscape and Lighting Assessment District No. 1988–1

Conduct a public hearing and upon conclusion adopt a Resolution setting the annual Landscape and Lighting Assessment for FY 2009–10 as \$72 per residential parcel and as noted in the Engineer's Report for other classes of properties.

Mayor Potter opened the public hearing. No speakers.

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

Action: Moved, seconded (Lyman/Abelson) and carried unanimously to adopt Resolution No. 2009-30.

B. Confirm the Method of Collecting the Storm Drain Reconstruction Fees

Conduct a public hearing and upon conclusion adopt a resolution approving the Storm Drain Annual Report for FY 2009-2010 and directing that Storm Drain Fees be collected on the property tax rolls.

Mayor Potter opened the public hearing. No speakers.

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

Action: Moved, seconded (Lyman/Jones) and carried unanimously to adopt Resolution No. 2009-31.

7. POLICY MATTERS

Fiscal Year 2009-2010 City Budget – Presentation by Scott Hanin, City Manager.

Presentation and discussion of the City's Fiscal Year 2009-2010 budget. *Adoption of the City Budget is scheduled for consideration on June 15, 2009.*

Presenter: Scott Hanin, City Manager.

Speakers: Al Miller, El Cerrito, commented positively on the budget presentation and budget book and stated that the current budget is indicative of how far the city has come since the Committee of the Whole performed budget review several years ago and noted staff's commitment to openness and transparency.

Action: Presentation heard and discussion held.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

A. Mayor Potter reported that on May 20, the Arts & Culture Commission met to discuss different options for use of public art funds on the San Pablo Corridor. The Commission agreed to the use of textured surfaces such as mosaics and different functional elements along the corridor with a focus on certain hubs identified in the San Pablo Avenue Area Specific Plan.

B. Mayor Pro Tem Abelson reported that the Committee on Aging will devote every other meeting to a program presentation. On May 20th the DMV led a senior driving workshop led by the Department of Motor Vehicles for individuals who are no longer able to drive due to the physical infirmities of age. This sensitive workshop was well attended and offered suggestions for what one can do to prolong one's ability to drive such as undertaking physical therapy to improve range of motion. Mayor Pro Tem Abelson also reported that the Parks and Recreation Commission reviewed the Recreation Department budget, heard reports on summer program attendance and discussed the Bruce King Memorial Dog Park.

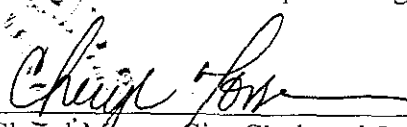
C. Councilmember Cheng – No report.

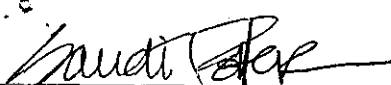
D. Councilmember Jones reported that the Gilman Sports Facility Joint Powers Authority will be meeting for the first time in 4-5 months. Councilmember Jones will report out at the Council's next meeting. Councilmember Jones also reported that the West Contra Costa

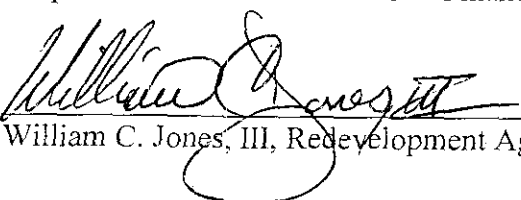
County Integrated Waste Management Authority fund balance is more than the operating balance. Councilmember Jones noted that during this difficult economic time it is important to remind people that the public construction projects going on around town come from dedicated funds and grants.

- E. Councilmember Lyman reported that the Financial Advisory Board (FAB) discussed the reasonableness of the assumptions in the budget at great length and found the projections to be fairly conservative. The FAB also discussed the CalPers buyout and offered four alternatives: 1) more furloughs; 2) layoff a position; 3) 2% reduction; or 4) do nothing or absorb it into the general fund.
9. **ADJOURNED CONCURRENT EL CERRITO CITY COUNCIL/REDEVELOPMENT AGENCY/ PENSION TRUST BOARD / MUNICIPAL SERVICES CORPORATION BOARD AND THE PUBLIC FINANCING AUTHORITY MEETING** at 9:52 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the concurrent City Council/Redevelopment Agency/Pension Trust Board/Municipal Services Corporation Board and the Public Financing Authority meeting of June 1, 2009 as approved by the El Cerrito City Council/Redevelopment Agency/Pension Trust Board and Public Financing Authority.


Cheryl Morse, City Clerk and Secretary to the Redevelopment Agency,
Pension Trust Board, Municipal Services Corporation Board and the Public
Financing Authority


Sandi M. Potter, Mayor and Chair of the Pension Trust Board, Municipal Services
Corporation Board and the Public Financing Authority


William C. Jones, III, Redevelopment Agency Chair