



AGENDA

CITY COUNCIL MEETING
Tuesday, April 17, 2012 – 7:00 p.m.

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

Bill Jones – Mayor

Mayor Pro Tem Greg Lyman
Councilmember Rebecca Benassini

Councilmember Ann Cheng
Councilmember Janet Abelson

7:00 p.m. CONVENE CITY COUNCIL MEETING

- 1. PLEDGE OF ALLEGIANCE TO THE FLAG** – Councilmember Abelson
- 2. COUNCIL / STAFF COMMUNICATIONS** (*Reports of Closed Session, commission appointments and informational reports on matters of general interest which are announced by the City Council & City Staff.*)
- 3. ORAL COMMUNICATIONS FROM THE PUBLIC**

All persons wishing to speak should sign up with the City Clerk. Remarks are limited to 3 minutes per person. Please 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. PRESENTATIONS

A. HEAL Cities Campaign – Presentation of certificate designating El Cerrito is an Active City.

B. San Pablo Avenue Streetscape Public Art Project Update

Receive an informational presentation by artists Jonathan Russell and Saori Ide about the San Pablo Avenue Public Art Project.

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

Consent Calendar items are considered to be routine by the City Council and will be enacted by one motion unless a request for removal for discussion or explanation is received prior to the time Council votes on the motion to adopt.

A. Minutes for Approval

Approve the following: 1) April 3, 2012 Special Joint City Council – West Contra Costa County Unified School District Board of Education meeting minutes; and 2) April 3, 2012 Special City Council meeting minutes.

B. Earth Day Proclamation

Approve a proclamation proclaiming April 21, 2012 as Earth Day in the City of El Cerrito and encouraging all residents and businesses to help make El Cerrito a greener, healthier, more sustainable place for all.

C. Proclamation Recognizing Cynthia LeBlanc

Approve a proclamation commending Cynthia LeBlanc, EdD. on her appointment as Chair of the National American Society Board of Directors and on her designation as a St. George National Award recipient, the American Cancer Society's highest national honor, for her dedicated and outstanding volunteer work and significant contributions in working to achieve the American Cancer Society's mission to save lives.

D. Support for West Contra Costa Unified School District Measure K

Adopt a resolution encouraging the El Cerrito electorate to review the language and arguments concerning the WCCUSD parcel tax measure and thereafter support the measure on June 5, 2012 because this parcel tax renewal/extension measure is not only beneficial, but is essential to the quality of life of El Cerrito residents.

E. Choose Civility Initiative

At the request of Mayor Jones and Councilmember Abelson adopt a resolution recognizing and supporting the "Choose Civility" initiative and encouraging others to participate in this campaign through activities that demonstrate to the public the importance of civility.

6. PUBLIC HEARINGS – None

7. POLICY MATTERS

A. City Council Matters

1) Ohlone Gardens Affordable Housing Project

The City Council, acting as housing successor, will consider adoption of a resolution: a) Authorizing the execution of an amendment to the existing loan agreement with the Ohlone Gardens, L.P. for the Ohlone Gardens Affordable Housing Project, 6431 and 6495 Portola Drive; and b) Approving the proposed replacement plan for special needs units and supportive services plan.

2) Selection of El Cerrito Wall of Fame Subcommittee

Confirm two City Council appointments to the El Cerrito Wall of Fame Subcommittee for the purposes of reviewing nominations and returning to the City Council with a recommendation to consider at an upcoming meeting.

B. City Acting as Successor Agency to the Former El Cerrito Redevelopment Agency

Authorize Submission of a Draft Second Recognized Obligations Payment Schedule and Approve the Successor Agency Fiscal Year 2012–13 Budget

Adopt two Successor Agency resolutions reviewing and authorizing submittal of the draft Second Recognized Obligations Payment Schedule required under AB1x26, and approving the Successor Agency's Administrative Budget for Fiscal Year 2012–13.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

A. Mayor Jones Assignments: Contra Costa County Mayors' Conference, Crime Prevention Committee, Design Review Board, Disaster Preparedness Council Delegate, Municipal Service Corporation Chair, Oversight Board of the Successor Agency for the Former El Cerrito Redevelopment Agency, Pension Board Chair, Temporary Permits Committee, Tom Bates Regional Sports Field JPA, Underground Utilities Committee, West County Integrated Waste Management Authority Alternate and West County Mayors' & Supervisors' Association.

B. Mayor Pro Tem Lyman Assignments: Commission/Committee Rules Subcommittee, Contra Costa County Mayors' Conference Alternate, Disaster Preparedness Council Alternate, Economic Development Board, Municipal Services Corporation Vice-Chair, Pension Board Alternate, Planning Commission, Tree Committee, West County Integrated Waste Management Authority Delegate and West County Mayors' & Supervisors' Association Alternate.

C. Councilmember Abelson Assignments: Association of Bay Area Governments (ABAG) General Assembly Alternate, Committee on Aging, Contra Costa Transportation Authority, Environmental Quality Committee, League of California Cities East Bay Division Delegate and West Contra Costa Transportation Advisory Committee Delegate.

D. Councilmember Benassini Assignments: Arts and Culture Commission, Park and Recreation Commission, Redevelopment Agency Vice-Chair, and Tom Bates Regional Sports Field JPA Alternate.

E. Councilmember Cheng Assignments: Association of Bay Area Governments (ABAG) General Assembly Delegate, Commission/Committee Rules Subcommittee, Financial Advisory Board, Human Relations Commission, League of California Cities East Bay Division Alternate, Redevelopment Agency Chair and West Contra Costa Transportation Advisory Committee Alternate.

9. ADJOURN CITY COUNCIL MEETING in memory of Former El Cerrito Mayor Larry Damon.

The next City Council meeting is scheduled on Tuesday, May 1, 2012 at 7:00 p.m. The meeting will take place in the City Council Chambers at City Hall, 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. 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/ind-ex.aspx?NID=114>. 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.



AGENDA BILL

Agenda Item No. 4(B)

Date: April 17, 2012
To: El Cerrito City Council
From: Suzanne Iarla, Arts and Culture Commission Staff Liaison
Subject: Artist's Presentation on San Pablo Avenue Public Art Project

ACTION REQUESTED

Receive an informational presentation by Artists Jonathan Russell and Saori Ide about the San Pablo Avenue Public Art Project.

On March 22, 2012 the Arts and Culture Commission ("Commission") approved the final design proposal for the San Pablo Avenue Public Art Project for Saori Ide and Jonathan Russell to create twelve wind sculptures and install them on streetlight poles along San Pablo Avenue. As part of the contract for this project, the Artists are required to make an informational presentation to the City Council at the conclusion of the design phase.

BACKGROUND

The El Cerrito Redevelopment Agency's San Pablo Avenue Streetscape project was a multi-phased improvement project to identify El Cerrito as a distinct place along the Avenue, enhance the economic vitality of the area and create a better walking environment. A budget of \$100,000 was allocated within the San Pablo Avenue Streetscape Project for public art to meet the requirements of the City's Arts in Public Places Program (ECMC Chapter 13.50).

In 2009, a Call to Artists/Request For Proposal was issued nationwide seeking an artist to develop and install site-specific, durable, artworks that serve to provide continuity and color along the length of the San Pablo Avenue Streetscape Project. The artworks would be elemental in nature: continuous, consistent, site-specific works along the entire length of the Avenue. The Call also asked artists to respond to the cultural diversity of the El Cerrito community and develop artworks that identify San Pablo Avenue as unique, walkable, and reflective of the surrounding neighborhoods.

The City received 17 proposals, including proposals from several local artists. A selection panel reviewed the proposals and recommended the Commission consider 8 proposals. The Commission reviewed all 8 and interviewed the top two at a public meeting. The Commission voted to select the team of Saori Ide and Jonathan Russell from Berkeley CA, who developed a proposal that would install "icons" in the form of artwork installed on streetlight poles along the length of San Pablo Avenue. The original

Agenda Item No. 4(B)

icons were proposed to be colorful, metal artworks that would be attached to the poles in a similar way that banners have been installed on the poles in the recent past.

Based on the Arts and Culture Commission's recommendation, on February 16, 2010, the City Council approved Resolution No. 2010-06 authorizing the City Manager to enter into a contract with the Artists. The contract was signed by the Artists and the City Manager in the spring of 2010.

For over a year, the Artists met with the Commission, solicited public comment, and developed a design proposal for colorful metal artwork icons installed on streetlight poles along the Avenue. At the Commission's April 20, 2011 meeting, the Artists presented drawings for approximately 58 icons that showed both the content and artistic style proposed for the icons. After some discussion about the design (including style, content, continuity, and artistic style) the Commission approved a motion asking the Artists to come back with a new approach that was abstract; copper or other metal; sculptural; integrated into the current streetscape; and uniquely stylistic. In July 2011, the Commission formally rejected the original design proposal and re-affirmed their request that the Artists present an alternate design using the elements described in the Commission's April action.

In September 2011, the Artists presented concepts for alternate designs and the Commission directed the artists to proceed in developing a full (detailed) design proposal for the 12 abstract kinetic sculptures on light poles. The Artists and Commission met multiple times regarding the design and placement for the 12 kinetic sculptures.

On March 22, 2012 the Commission convened a public hearing and upon conclusion of the hearing, approved the final design proposal for the San Pablo Avenue Public Art Project. The final proposal contains plans to create twelve abstract wind sculptures made of copper and stainless steel to be installed on designated light poles on San Pablo Avenue near the following intersections:

- Carlson Blvd.
- near City Hall (Manila and Bayview)
- Potrero Ave.
- near El Cerrito del Norte BART station (Hill Street)
- Conlon Ave.

The Artists describe the artwork as "an identifying signature public art piece to enhance and enliven San Pablo Avenue and its surroundings."

The Commission approved the final design proposal with a vote of 5-0-2. Two recently-appointed members abstained from the vote.

ANALYSIS

As part of the contract for this project, the Artists are required to make an informational presentation to the City Council at the conclusion of the design phase. After tonight's meeting, the Artists shall begin the "Fabrication and Installation" phase of the project. They plan to install the sculptures in phases over the next seven months. The project is estimated to be completed by the end of the calendar year.

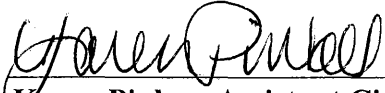
FINANCIAL CONSIDERATIONS

No financial impact.

LEGAL CONSIDERATIONS

None at this time

Reviewed by:



Karen Pinkos, Assistant City Manager

Attachment:

1. Final Proposal: 12 Wind Sculptures on Light Poles
by Saori Ide and Jonathan Russell

Note: The Call to Artists/RFP and the Agreement with the Artists (contract) are available online at <http://www.el-cerrito.org/index.aspx?nid=692>

El Cerrito San Pablo Avenue
Public Art Project

Final Proposal

12 Wind Sculptures on Light Poles

Saori Ide and Jonathan Russell

jr@redmetalarts.com

San Pablo Avenue Streetscape Project

Public Art Description

An "identifying signature" public art piece to enhance and enliven San Pablo Ave and its surroundings.

Design Concept:

We have designed 12 abstract wind sculptures that will mount on 12 designated light poles along San Pablo Avenue. The shapes and the composition of each form are uniquely designed and placed within the center of an open circle. Our idea is to create playful and eye-catching sculptures that both pedestrians and drivers alike can enjoy. These wind sculptures will provide the city of El Cerrito with a cohesive and vibrant artwork that will create a pedestrian friendly environment and visually tie together the long stretch of San Pablo Avenue, from the North end to the South. These sculptures will be mounted on streetlights 20' above the ground facing the sidewalk (opposite from the lights) to ensure visibility from a distance as well to insure that safety and vandalism concerns are met.

Materials and Equipment:

Our studio/metal fabricating shop located on Fourth Street is fully equipped with the necessary equipment to tackle any size job. All artwork for this project will be fabricated at our studio. The open circles will be fabricated with stainless steel reflecting the same aesthetic of the new bicycle racks placed along San Pablo Avenue. Each unique abstracted form will be fabricated in copper and will be light-weight, weather resistant and durable. Some of the forms will be fabricated with copper sheet and others will be created by a technique called "Electro-forming". With this process, the shapes are created initially in wax and coated with copper conductive paint. These forms then will be placed in an electro-forming bath while copper is built up to the desired thickness.

We will leave the natural color of the materials as requested by the Art Commission members. The natural tone of the copper gives a warm and earthy feeling to the entire project. The mechanism for the moving elements will be pillow blocks mounted within enclosed parts of the sculptures.

Dimensions:

The stainless steel circles are 4 ½' in diameter and the abstract forms will fit within this circle. Each wind sculpture will be mounted on light poles 20' off the ground.

Safety:

The elevated placement of the artwork will ensure pedestrian safety as well as protect against vandalism. We selected 12 light poles that are located in areas with high visibility and heavy pedestrian and motor vehicles traffic for added security. The wind and weight load on the streetlights are within the pole manufacturers specifications and meet the City of El Cerrito engineer's approval.

Maintenance:

Copper and stainless steel are durable, permanent, outdoor materials that need almost no maintenance. We will keep the natural surface and color of the materials so there will be no issues of surface finish (paint) durability. Each sculpture can be easily removed from the street light pole for easy cleaning and maintenance if necessary.

Saori Ide and Jonathan Russell

San Pablo Avenue Streetscape Project

Project Budget

Date: 3/14/12

Project Expenses	
Consultant and Legal Fees	\$3,000.00
Materials	\$21,000.00
Fabrication and Labor	\$33,300.00
Equipment Rental	\$2,000.00
Insurance	\$1,500.00
Studio Operation and Administrative Expenses	\$8,000.00
Installation	\$5,000.00
Fees and Permits	\$1,200.00
Total:	\$75,000.00

San Pablo Avenue Streetscape Project

Locations of the Proposed Wind Sculptures

Two (2) sculptures near the Carlson Blvd. intersection

- Sculpture #3 on pole number 3 (east sidewalk)
- Sculpture #4 on pole number 9 (west sidewalk)

Three (3) sculptures at the City Hall / Manila and Bay View intersection

- Sculpture #9 on pole number 113 (west sidewalk)
- Sculpture #8 on pole number 109 (east sidewalk)
- Sculpture #6 on pole number 112 (east sidewalk)

Two (2) sculptures at the Potrero Ave. intersection

- Sculpture #12 on pole number 150 (west sidewalk)
- Sculpture #2 on pole number 149 (east sidewalk)

Three (3) sculptures at the Del Norte / Hill Street intersection

- Sculpture #1 on pole number 170 (west sidewalk)
- Sculpture #5 on pole number 175 (west sidewalk)
- Sculpture #11 on pole number 176 (east sidewalk)

Two (2) sculptures at the Conlon Ave. intersection

- Sculpture #10 on pole number 215 (west sidewalk)
- Sculpture #7 on pole number 217 (east sidewalk)

San Pablo Avenue Streetscape Project

Project Timeline

After approval of final design

Fabrication 5 – 7 months

Installation 1 week per each intersection

We will begin fabricating and installing the sculptures by grouping order.
The first installation is estimated to take place 4 months into the project.

Our suggested installation order is:

1st Installation: **Carlson Avenue Intersection**
Sculpture #3 and #4

2nd Installation: **Potrero Avenue Intersection**
Sculpture #2 and #12

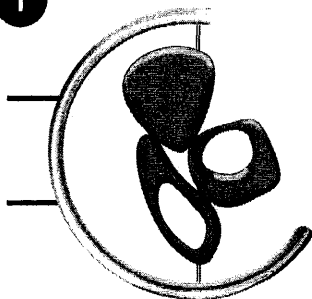
3rd Installation: **Conlon Street Intersection**
Sculpture #7 and #10

4th Installation: **City Hall and Manila Intersection**
Sculpture #6, #8, and #9

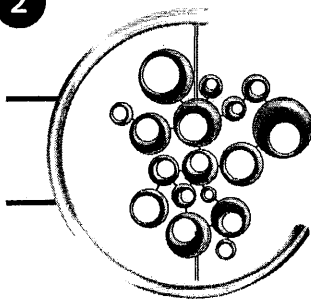
5th Installation: **Del Norte at Hill Intersection**
Sculpture #1, #5, and #11

12 Selected Wind Sculptures

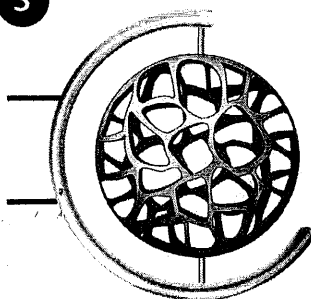
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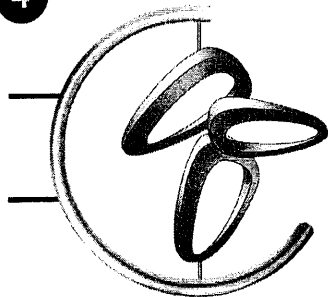
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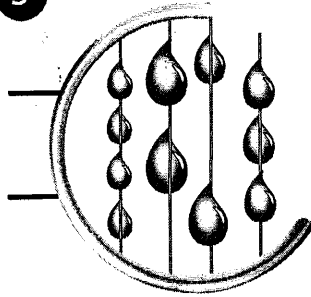
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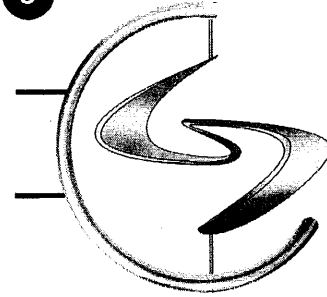
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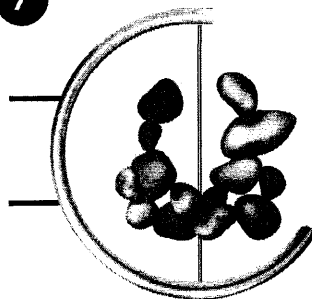
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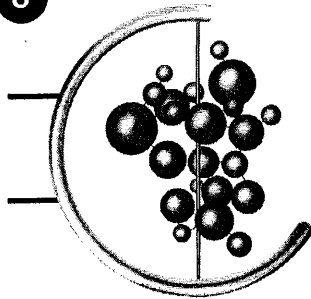
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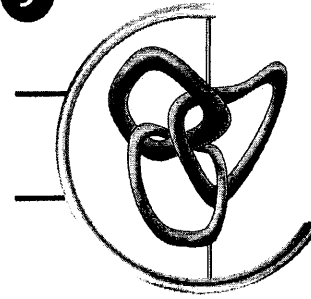
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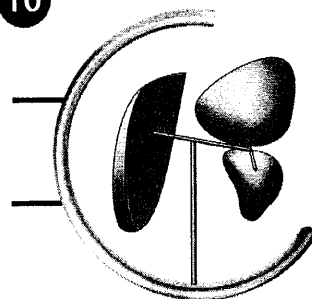
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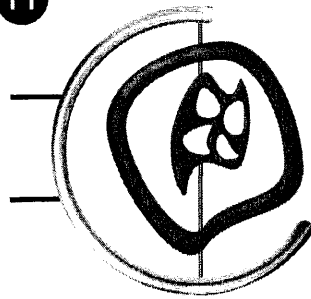
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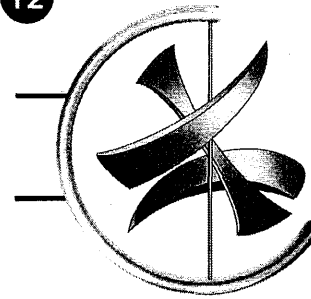
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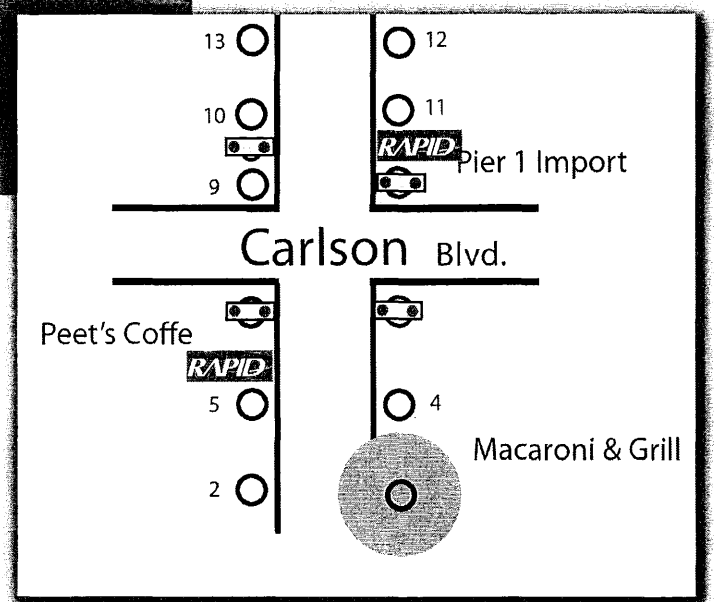
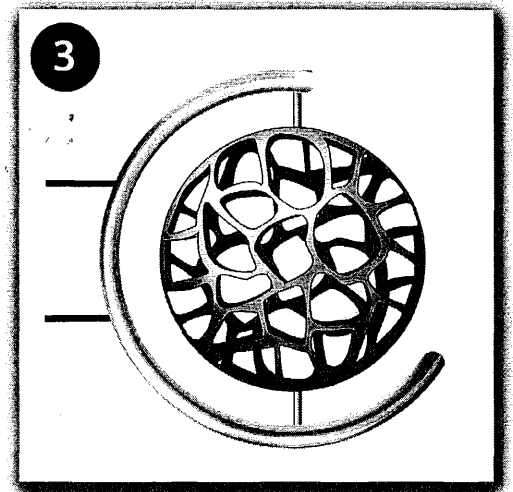


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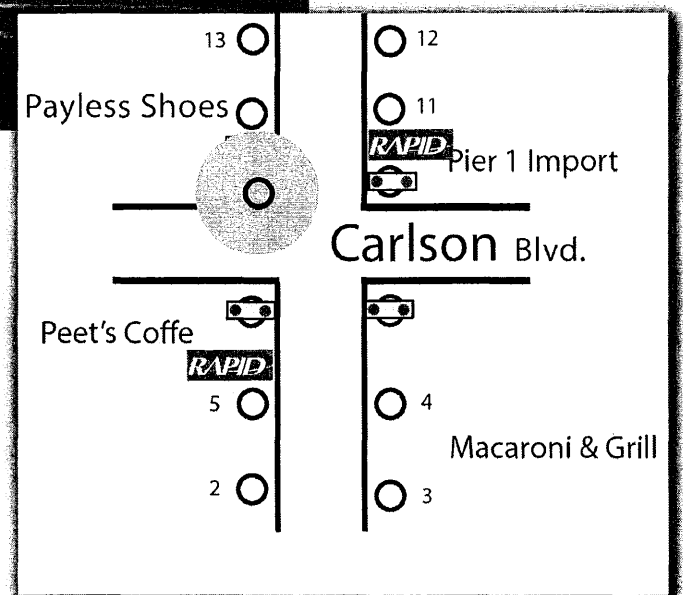
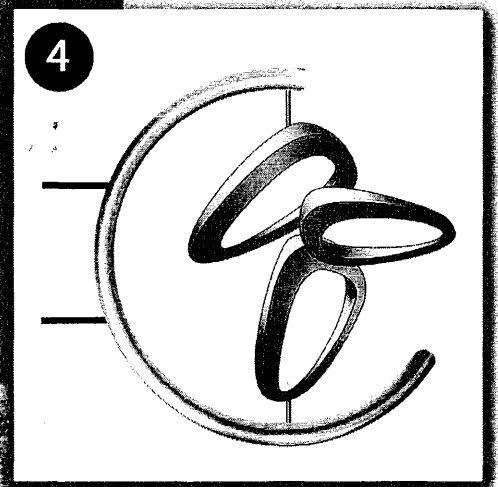
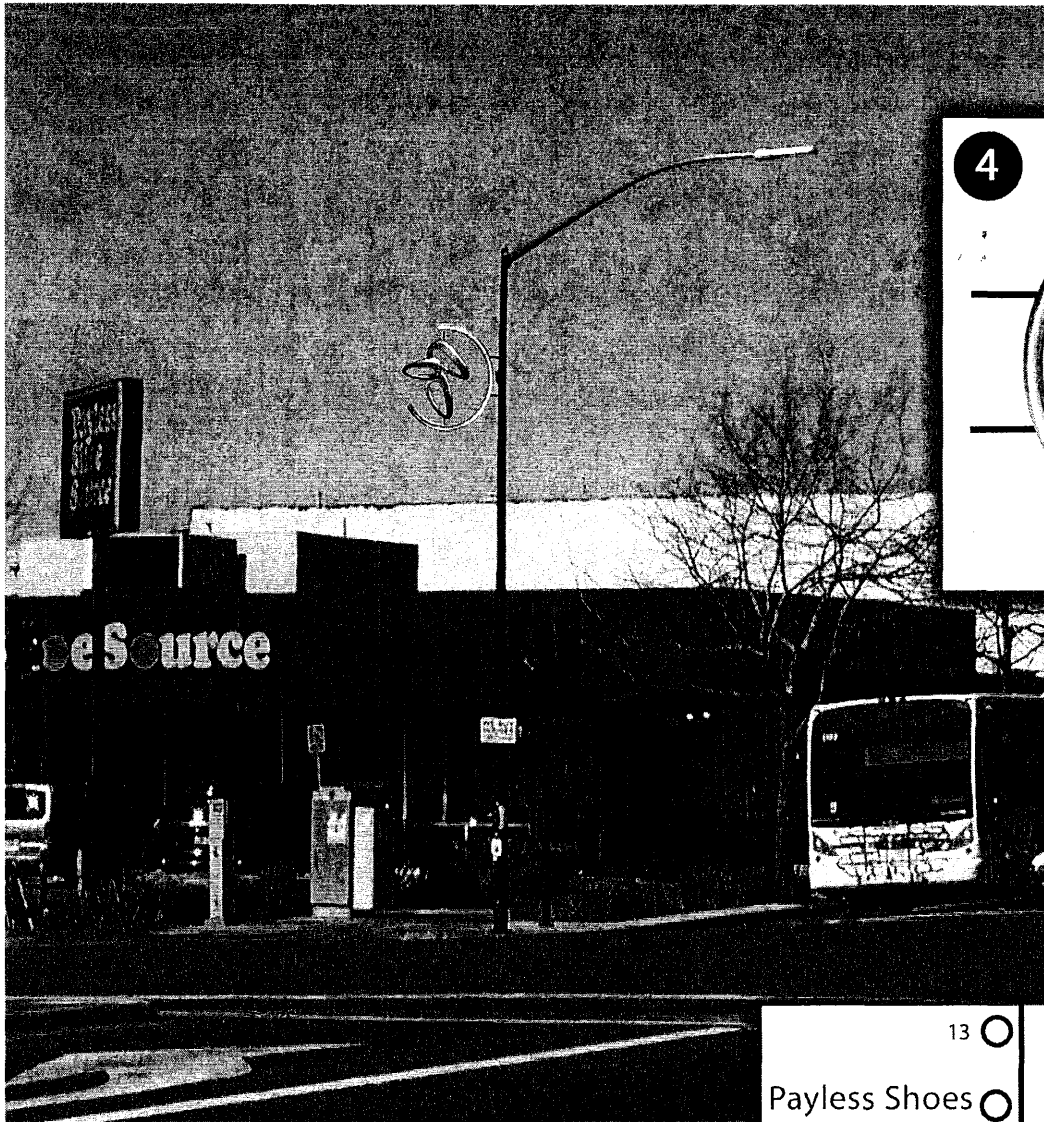
El Cerrito San Pablo Avenue Public Art Project

Carlson Avenue Intersection (East Sidewalk)



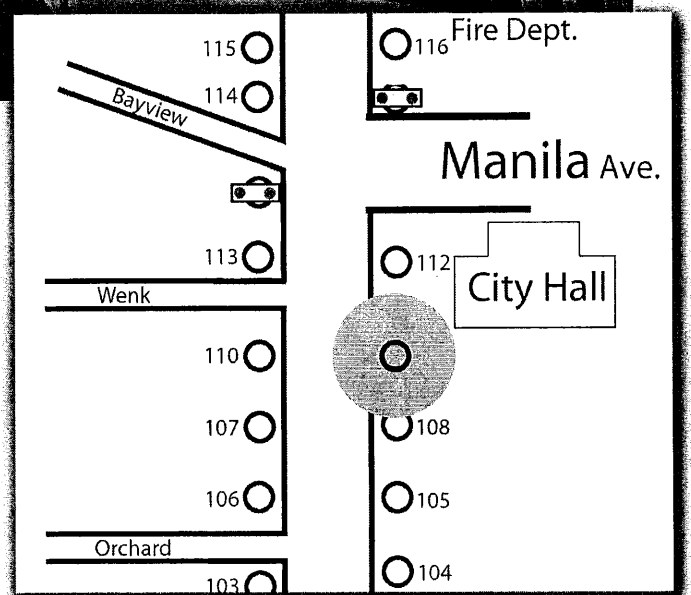
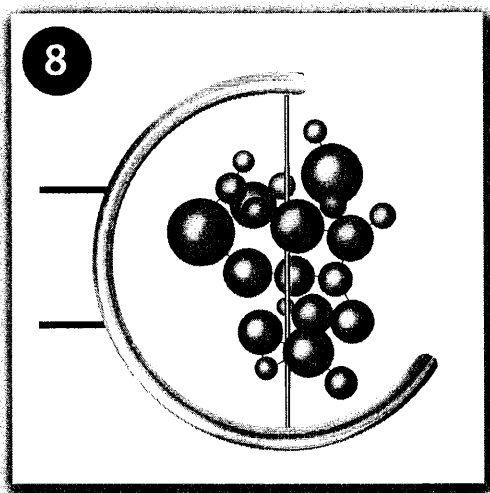
El Cerrito San Pablo Avenue Public Art Project

Carlson Avenue Intersection (West Sidewalk)



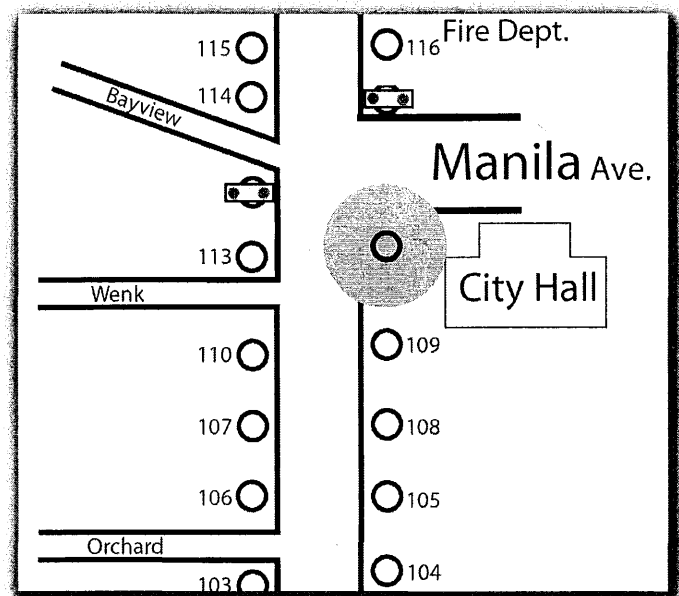
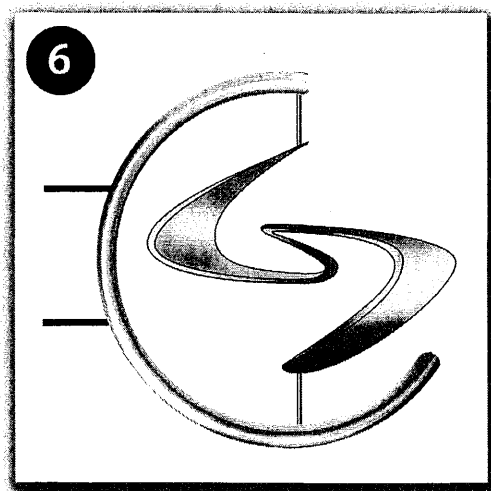
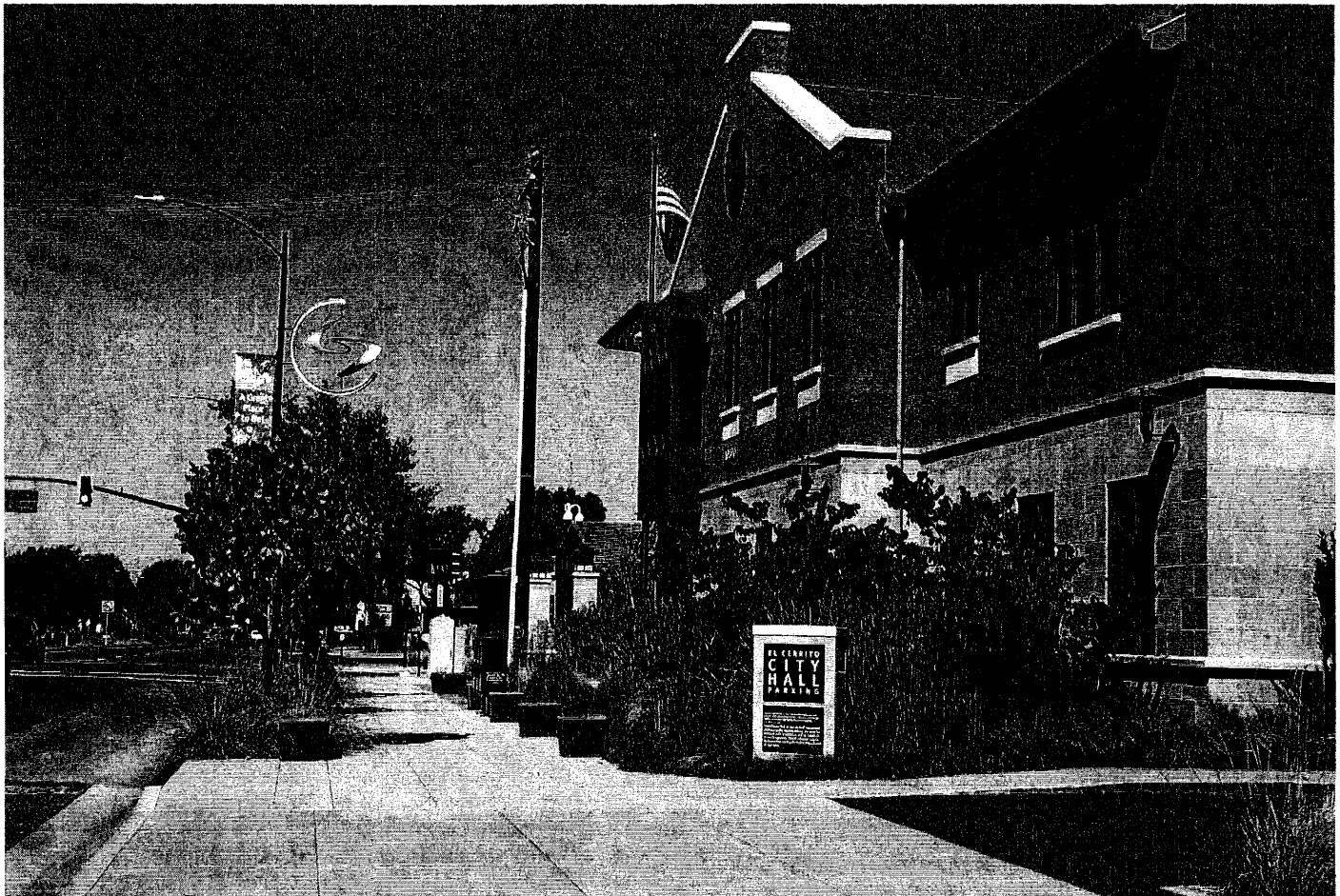
El Cerrito San Pablo Avenue Public Art Project

City Hall and Manila Avenue Intersection
(East Sidewalk)



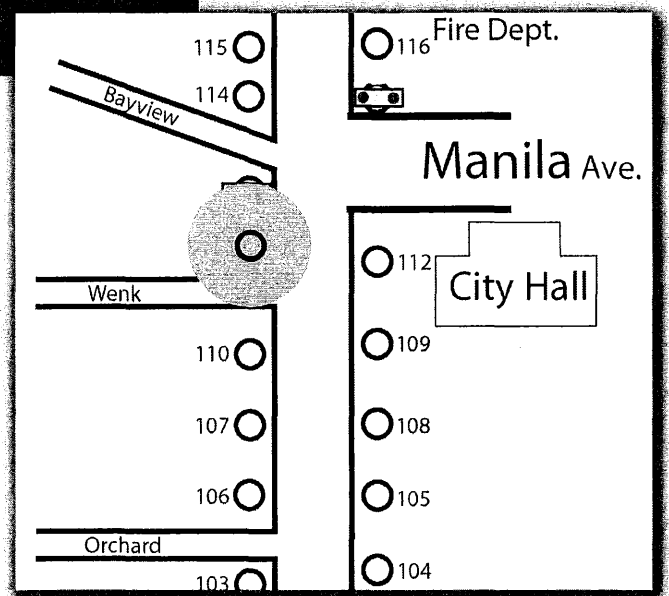
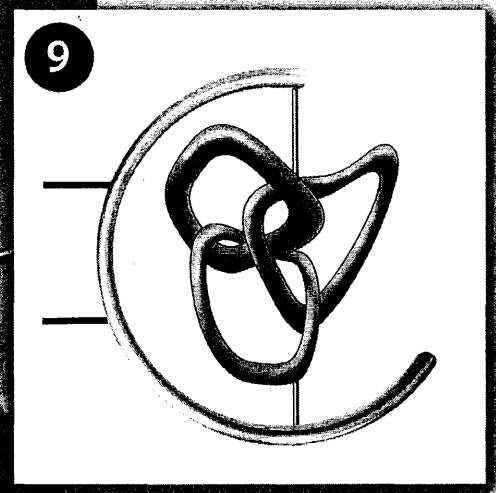
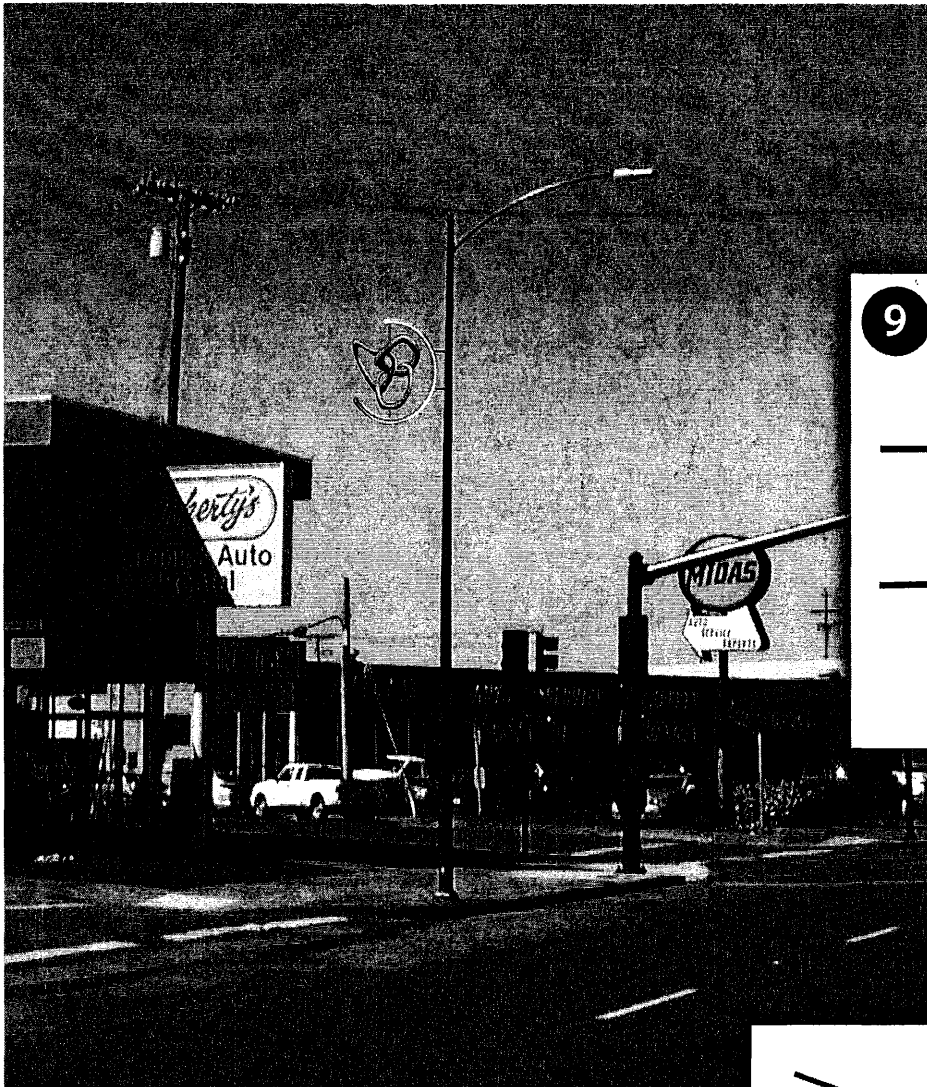
El Cerrito San Pablo Avenue Public Art Project

City Hall and Manila Avenue Intersection
(East Sidewalk)



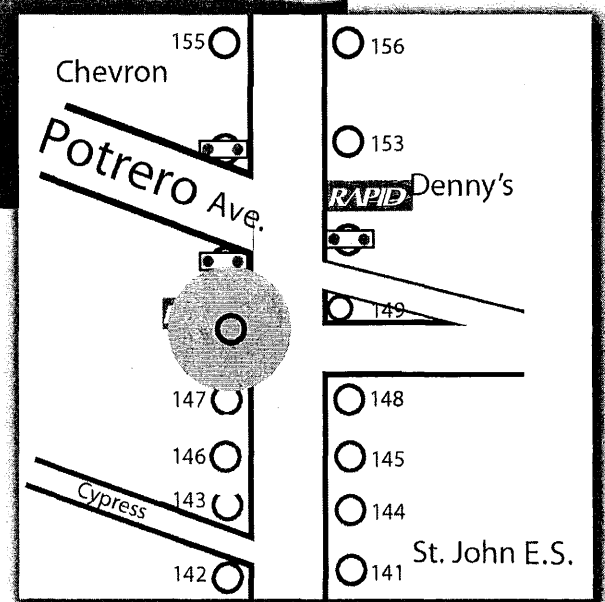
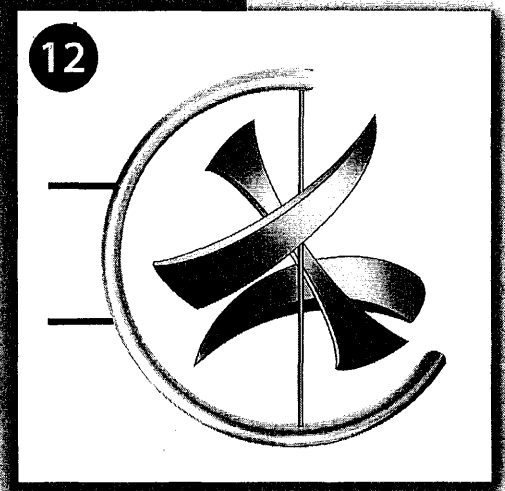
El Cerrito San Pablo Avenue Public Art Project

City Hall and Manila Avenue Intersection
(East Sidewalk)



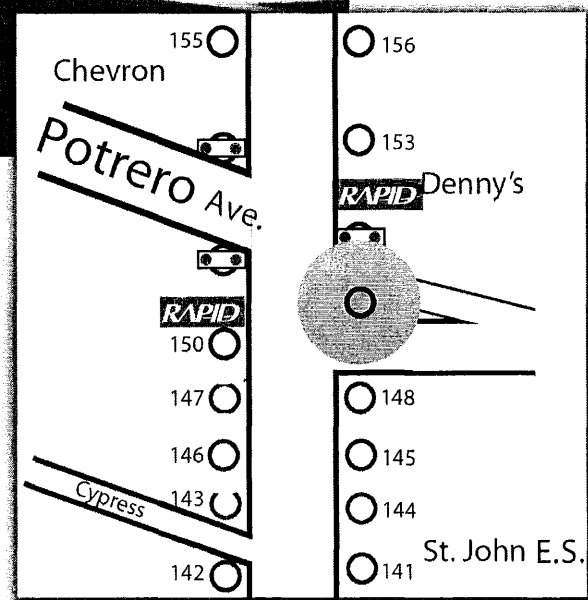
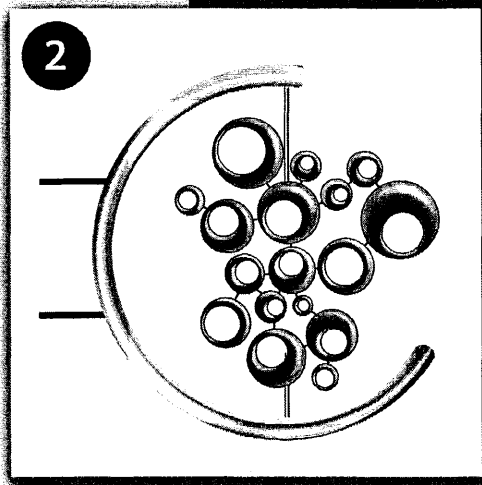
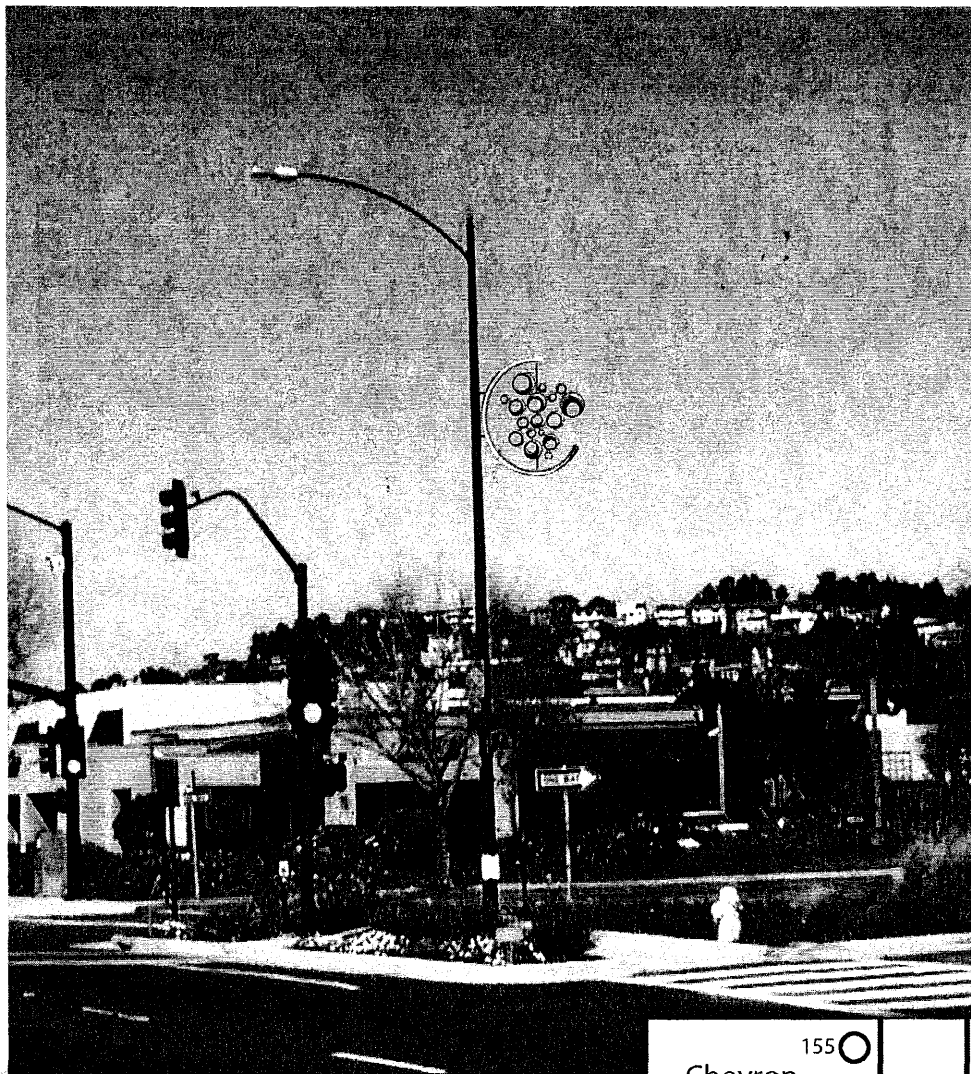
El Cerrito San Pablo Avenue Public Art Project

Potrero Avenue Intersection (West Sidewalk)



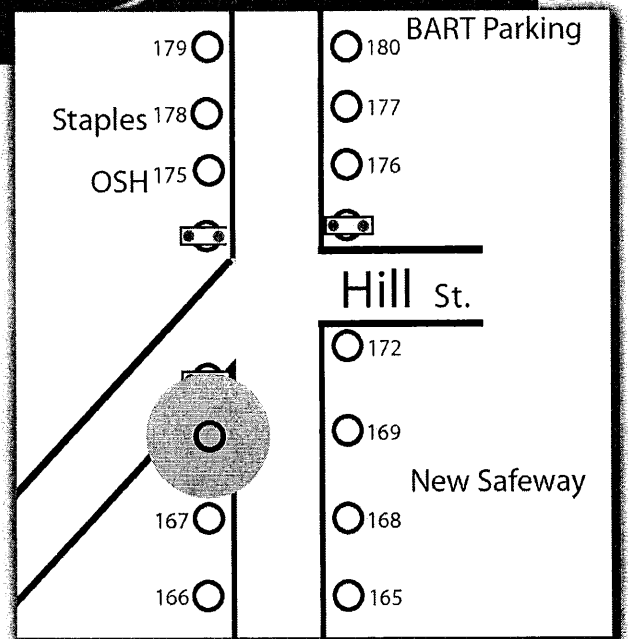
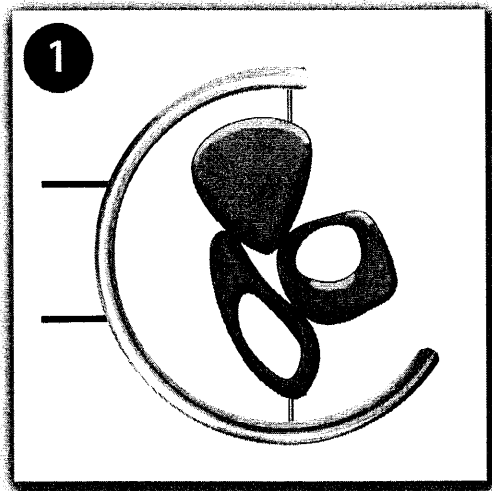
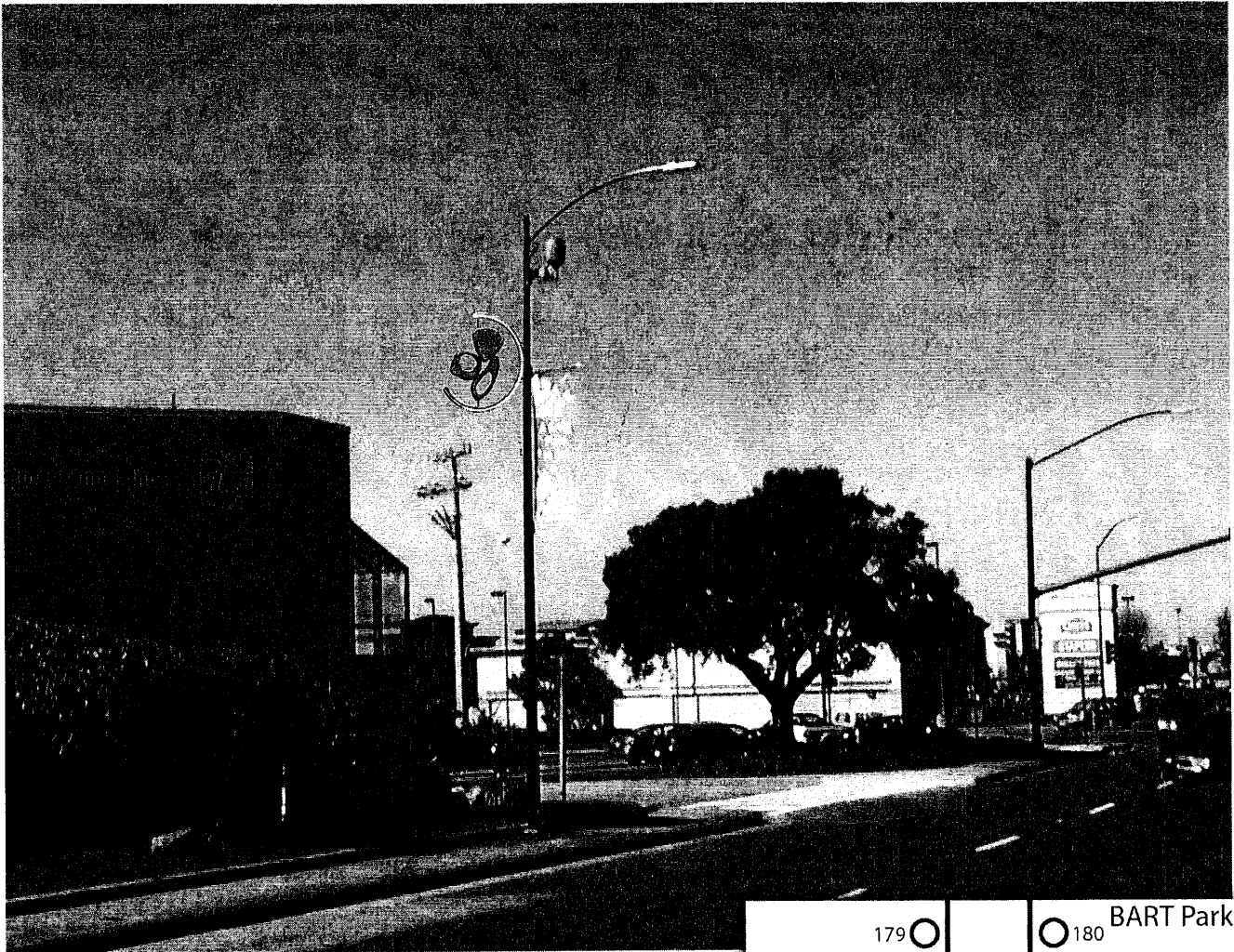
El Cerrito San Pablo Avenue Public Art Project

Potrero Avenue Intersection (at Triangle)



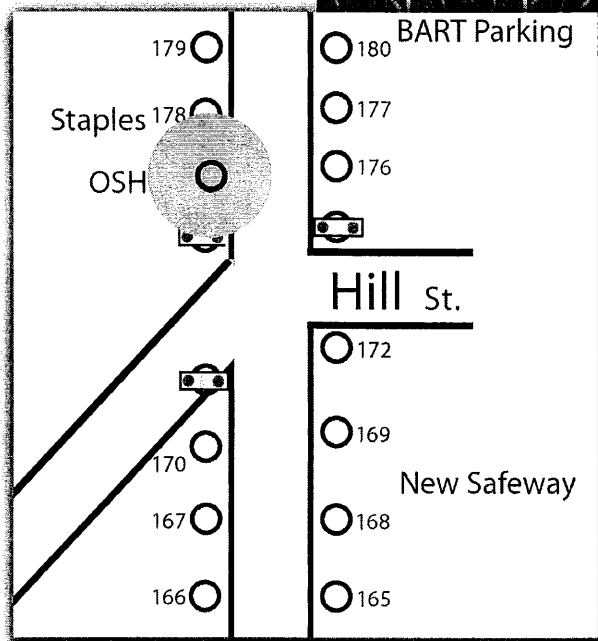
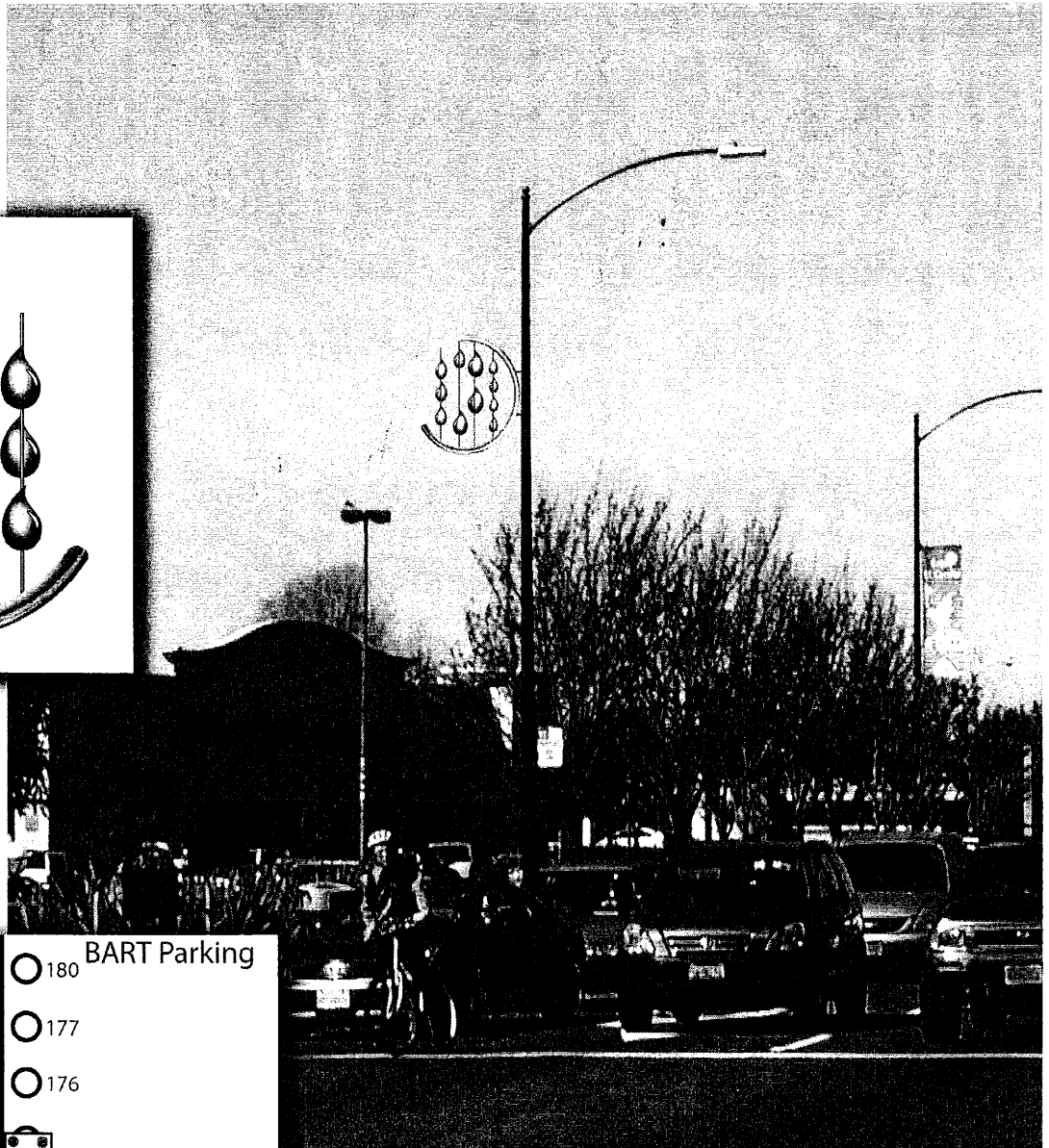
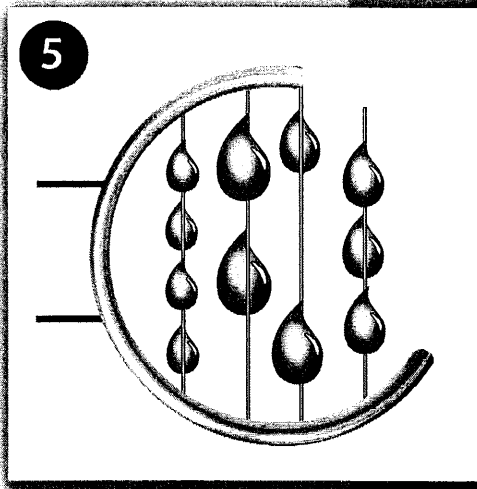
El Cerrito San Pablo Avenue Public Art Project

BART Del Norte at Hill Street Intersection
(West Sidewalk)



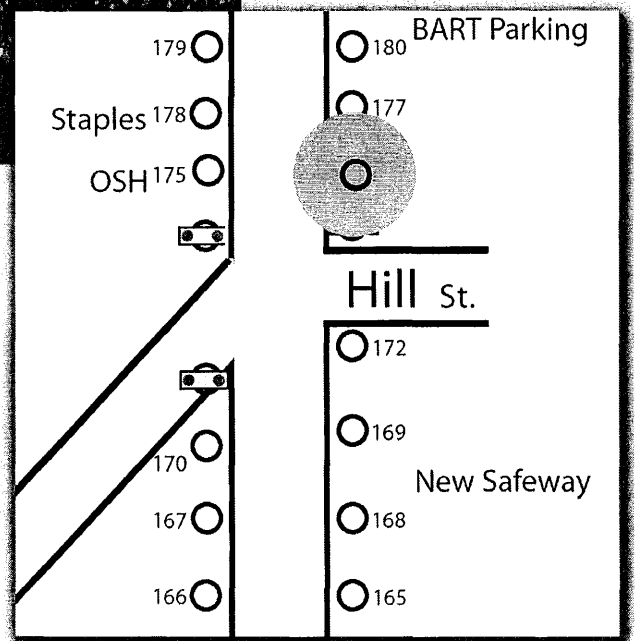
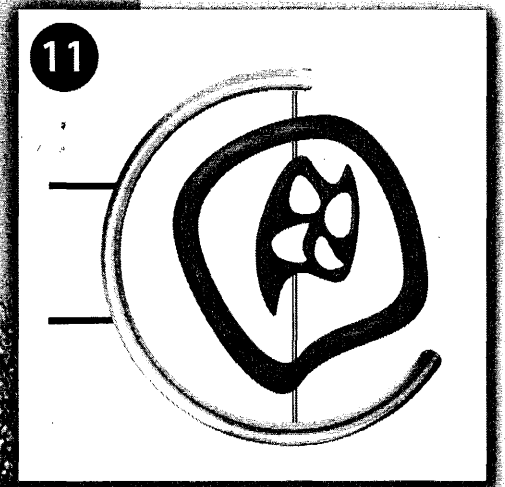
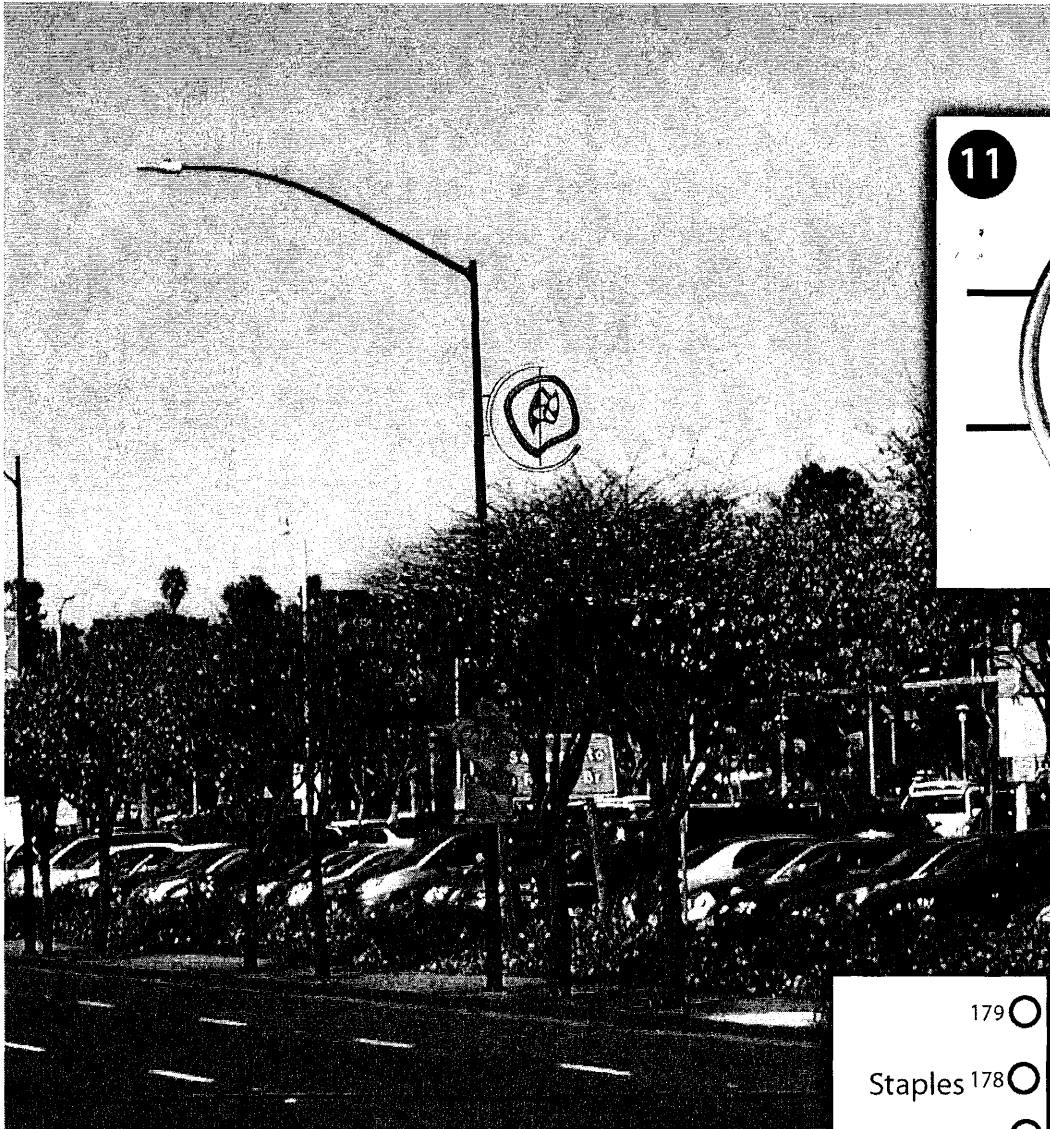
El Cerrito San Pablo Avenue Public Art Project

BART Del Norte at Hill Street Intersection
(West Sidewalk)



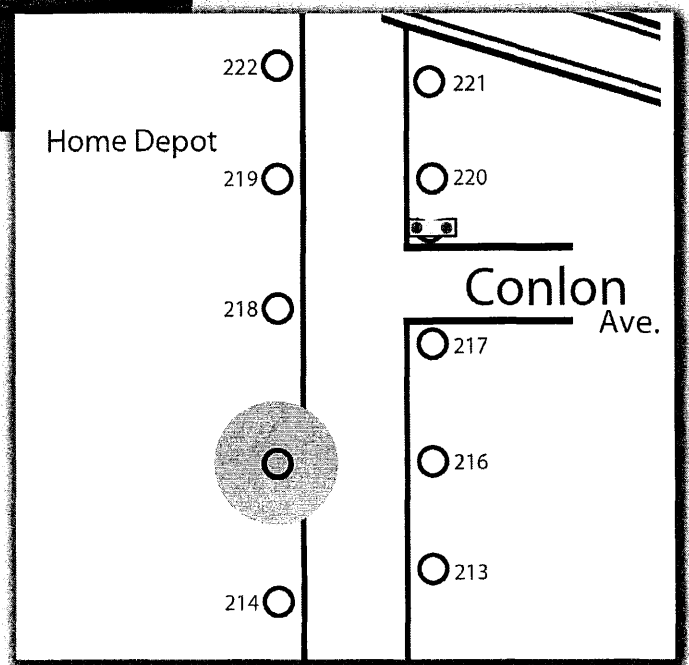
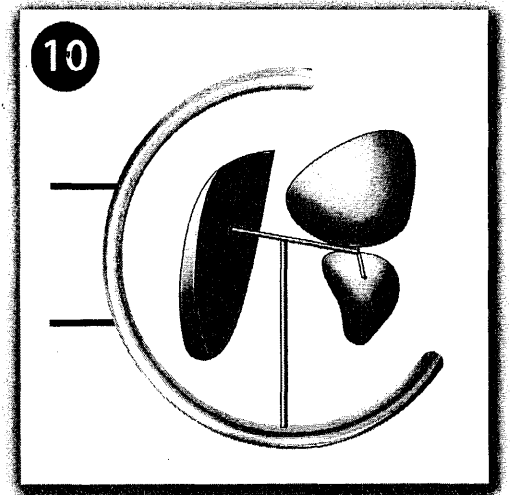
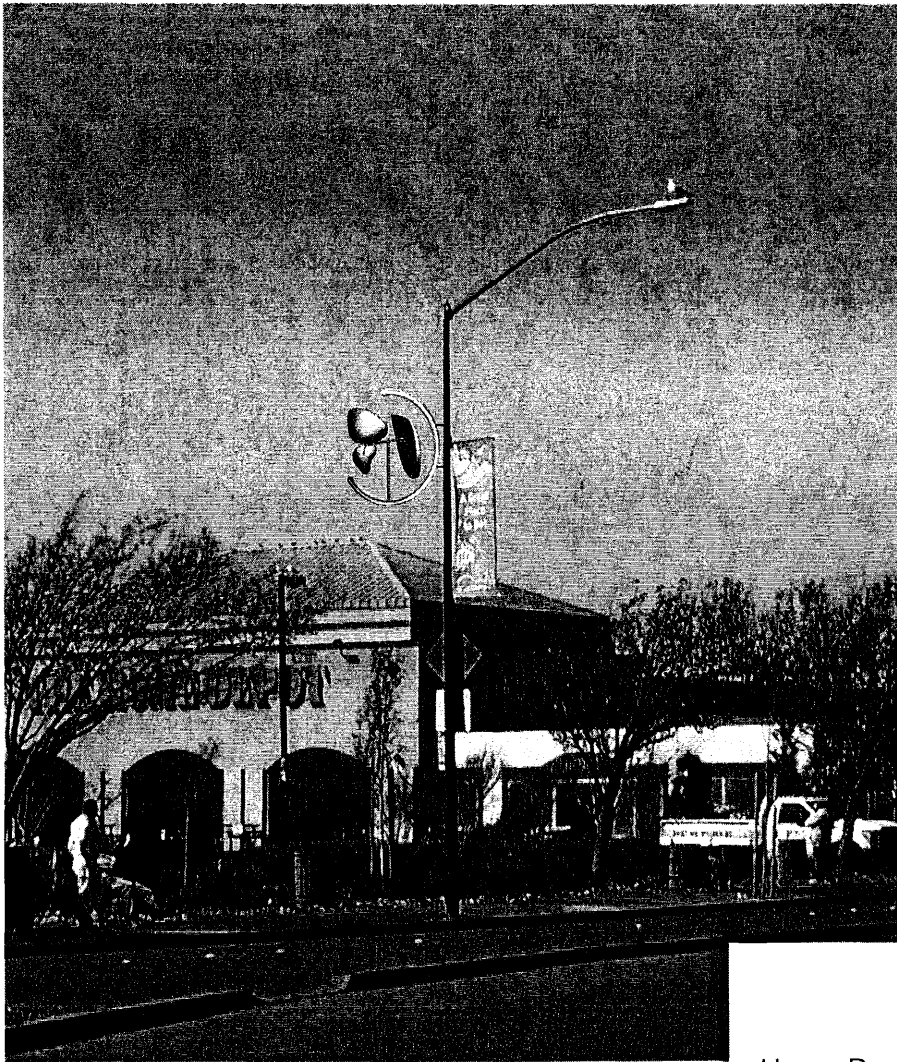
El Cerrito San Pablo Avenue Public Art Project

BART Del Norte at Hill Street Intersection
(East Sidewalk)



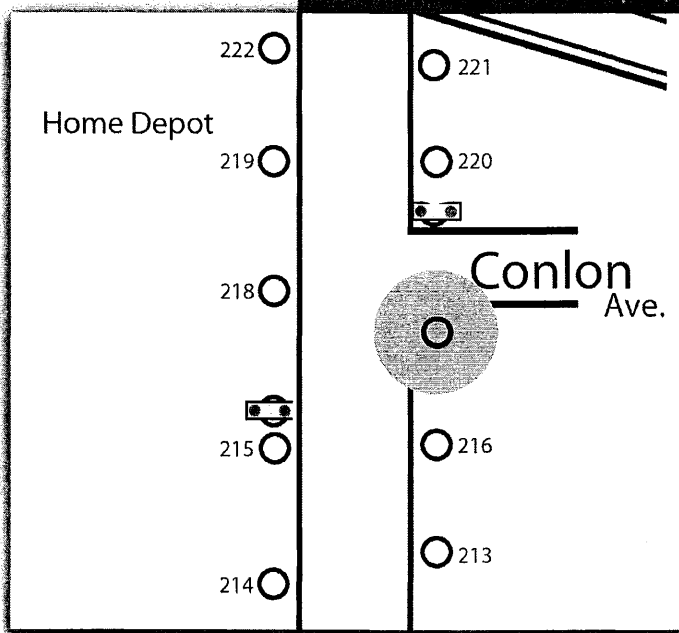
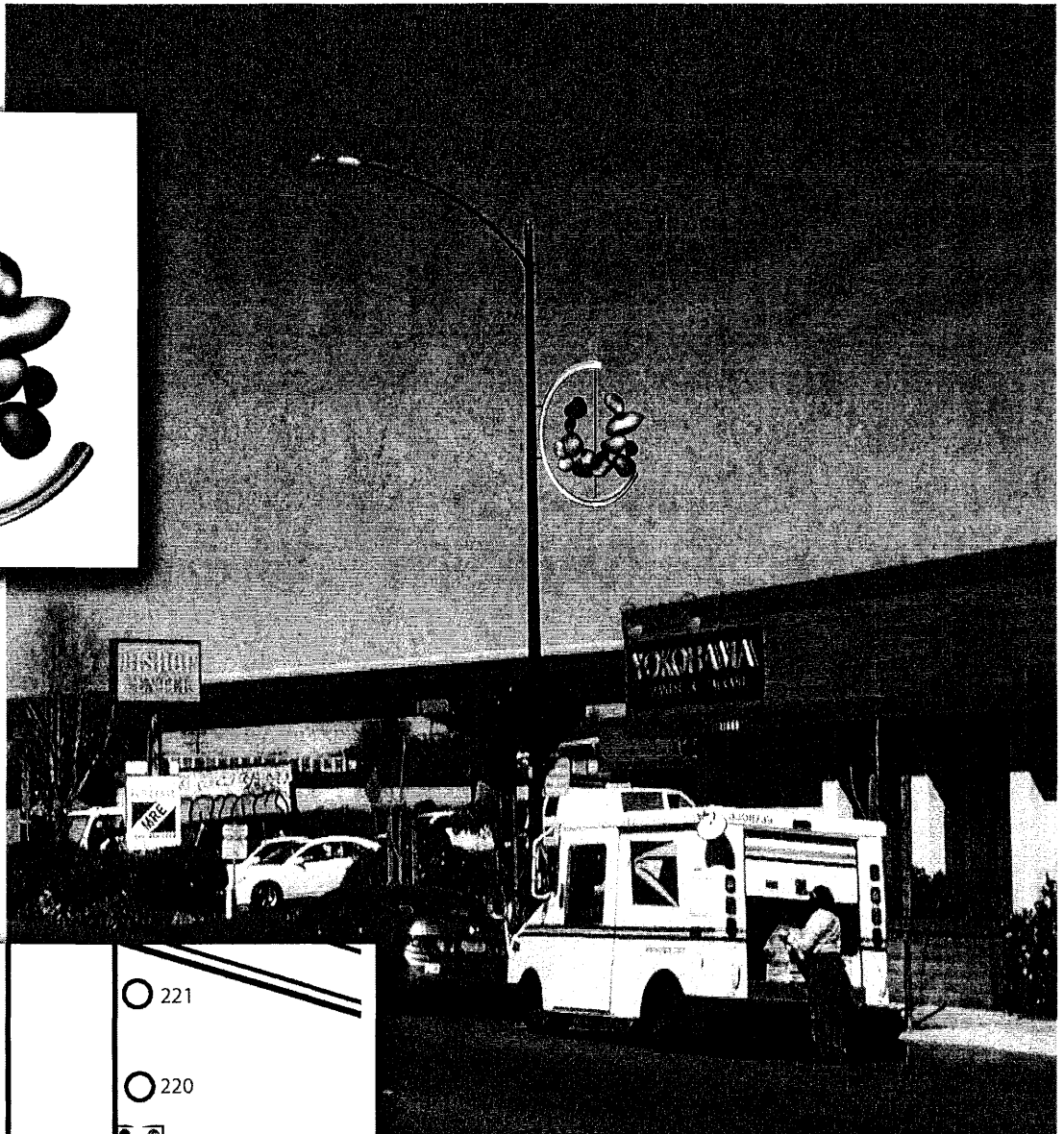
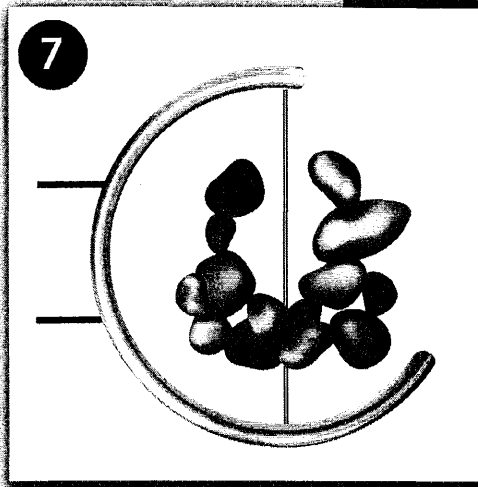
El Cerrito San Pablo Avenue Public Art Project

Conlon Ave.. Intersection
(West Sidewalk)

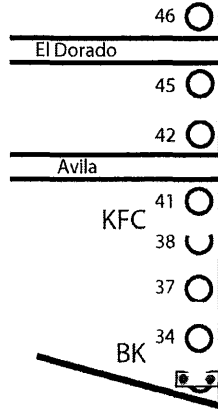


El Cerrito San Pablo Avenue Public Art Project

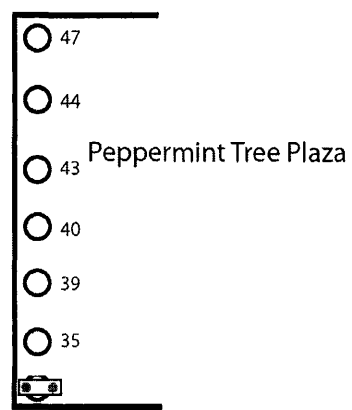
Conlon Ave.. Intersection
(East Sidewalk)



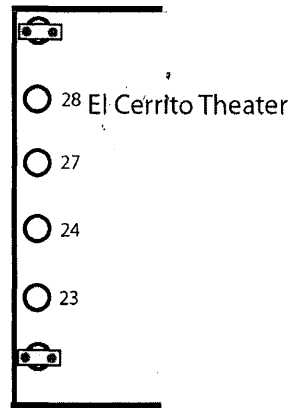
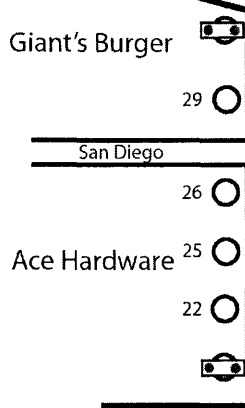
Lincoln



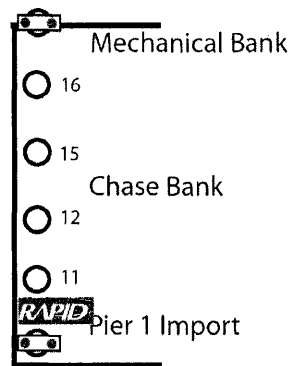
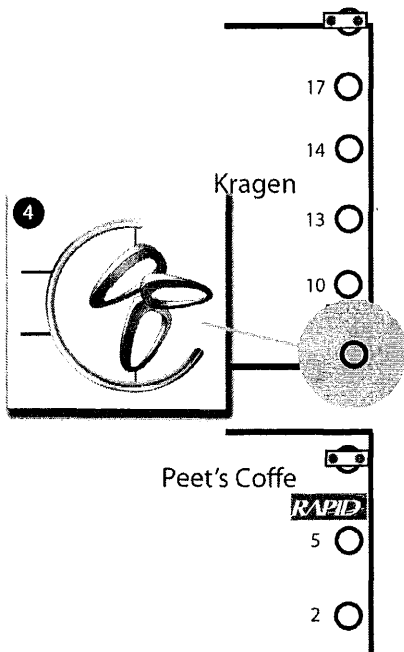
Big thick trees



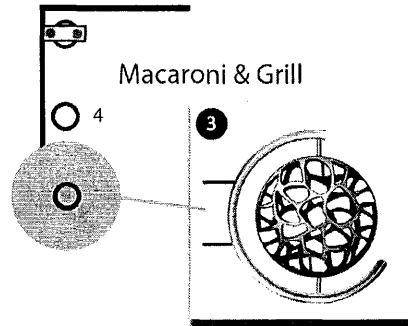
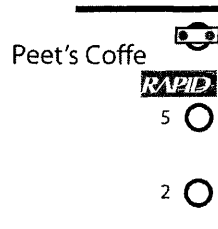
Central



Fairmount

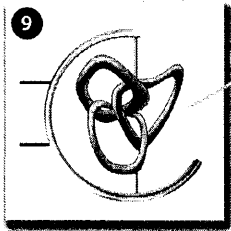


Carlson



81			
		Moeser	
	RAPID		
79			80
			77
77			76
	Plumas	Tall Trees	Jay Vee Center
6457			73
6447			72
	Sutter		69
6370		Waldo	
			68
6369			67
	Santa Cruz		66
6368			65
Ford			64
6367			B of A
6366			63
	Huntington		
6365			
Jack in the Box			
6364			
	Panama		
61			
	El Cerrito	Stockton	
Grocery Company			59
6363			58
	Sacramento		57
6362			56
Music Store		Tall Trees	55
6361			Guitar Center
	Fresno		54
6360			
6359			
	Columbia	Eureka	
6358			53
6357			52
	Van Fleet		51
6356			50
Car Dealers			49
6355			48
6354			
	San Jose	Lincoln	
6353			
46			

- 135
- Post Office 134
- Madison 131
- 130
- 127
- Jefferson 126
- Playland 123
- 122
- Alameda 119
- Midas 118
- 115
- Bayview 114



- 110
- 107
- 106

- Orchard 103
- 99

- Tehama
- 98
- 95
- 94
- Big O Tire 91

- 90

- Burlingame
- 87
- 85
- 83
- 81

Manila

Schmidt

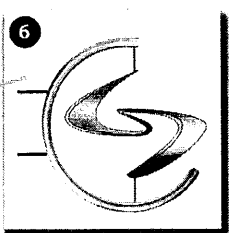
Tall Trees

Portola

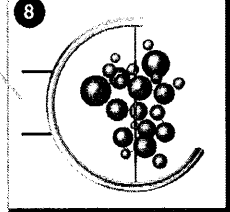
- 136
- 133
- Madison
- 132
- 129
- 128 Big 5
- 125
- 124
- 121
- 120
- 117
- 116 Fire Dept.



City Hall



- 108
- 105
- 104



- 100
- 97
- 96
- 93
- 92

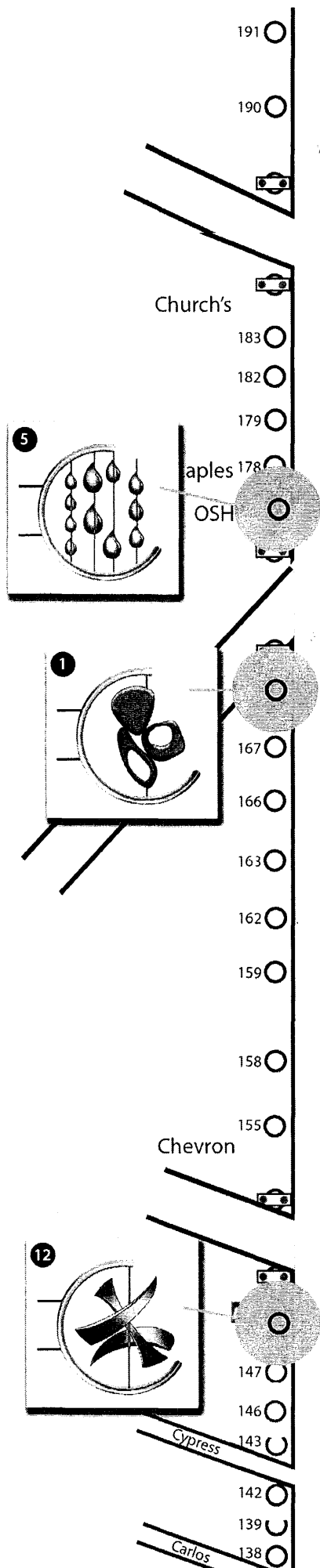
Marshall's

- 89
- Kragen
- 88
- 85
- 84

Light pole missing - Where is it?

Safeway





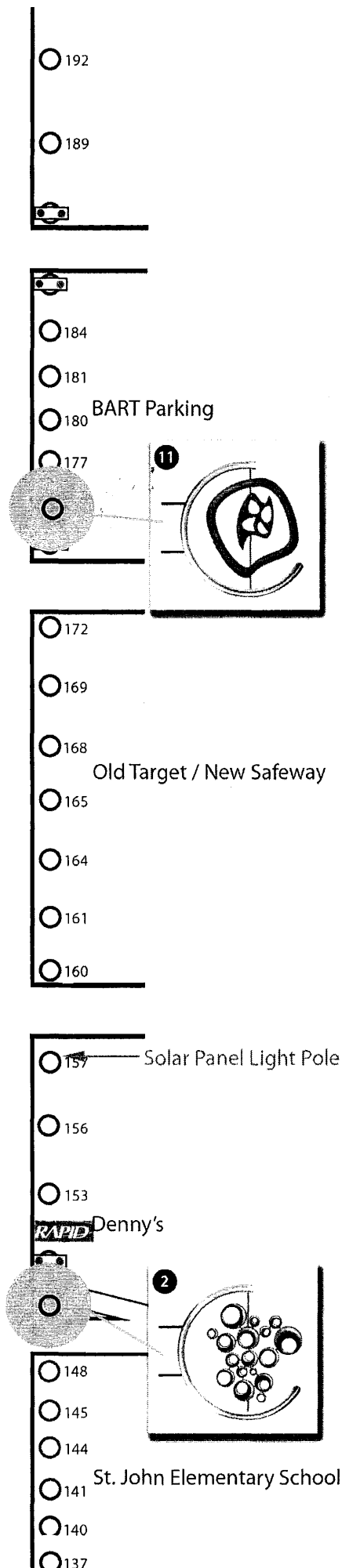
Cutting

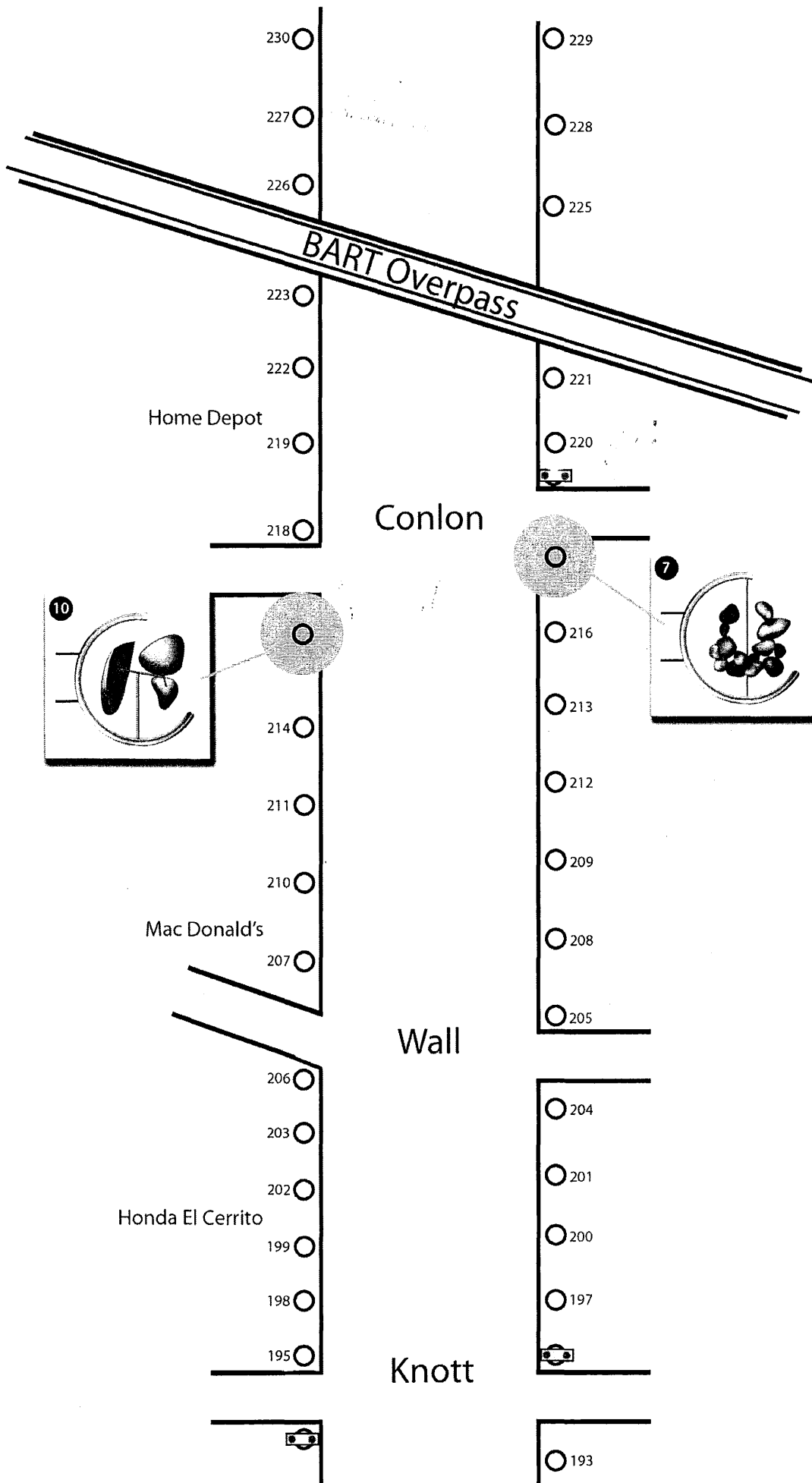
Hill

Blake

Potrero

Tall Trees





20'

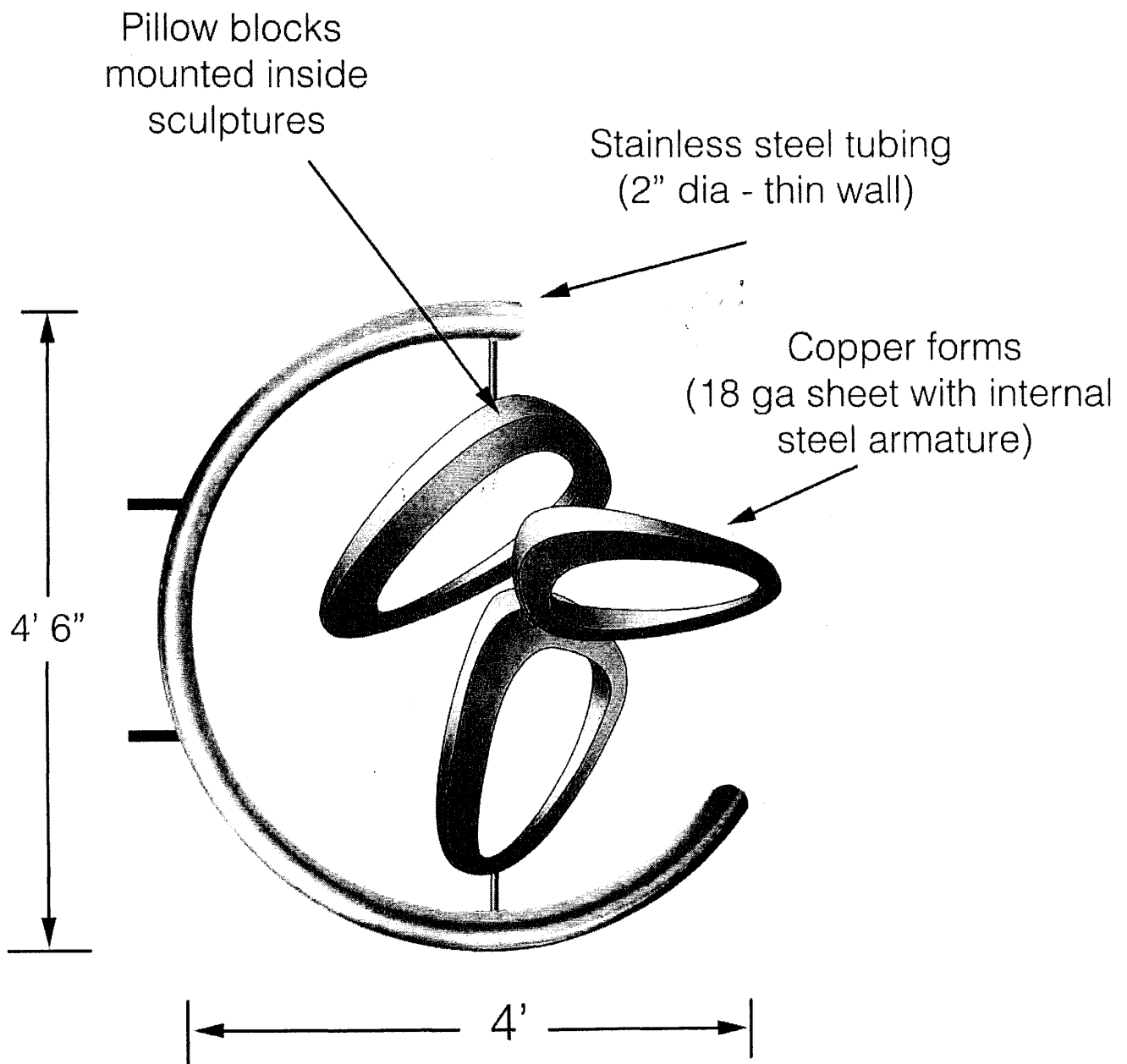
4'

4.5'



PAVILION

Pole Mounted Wind Sculptures - El Cerrito

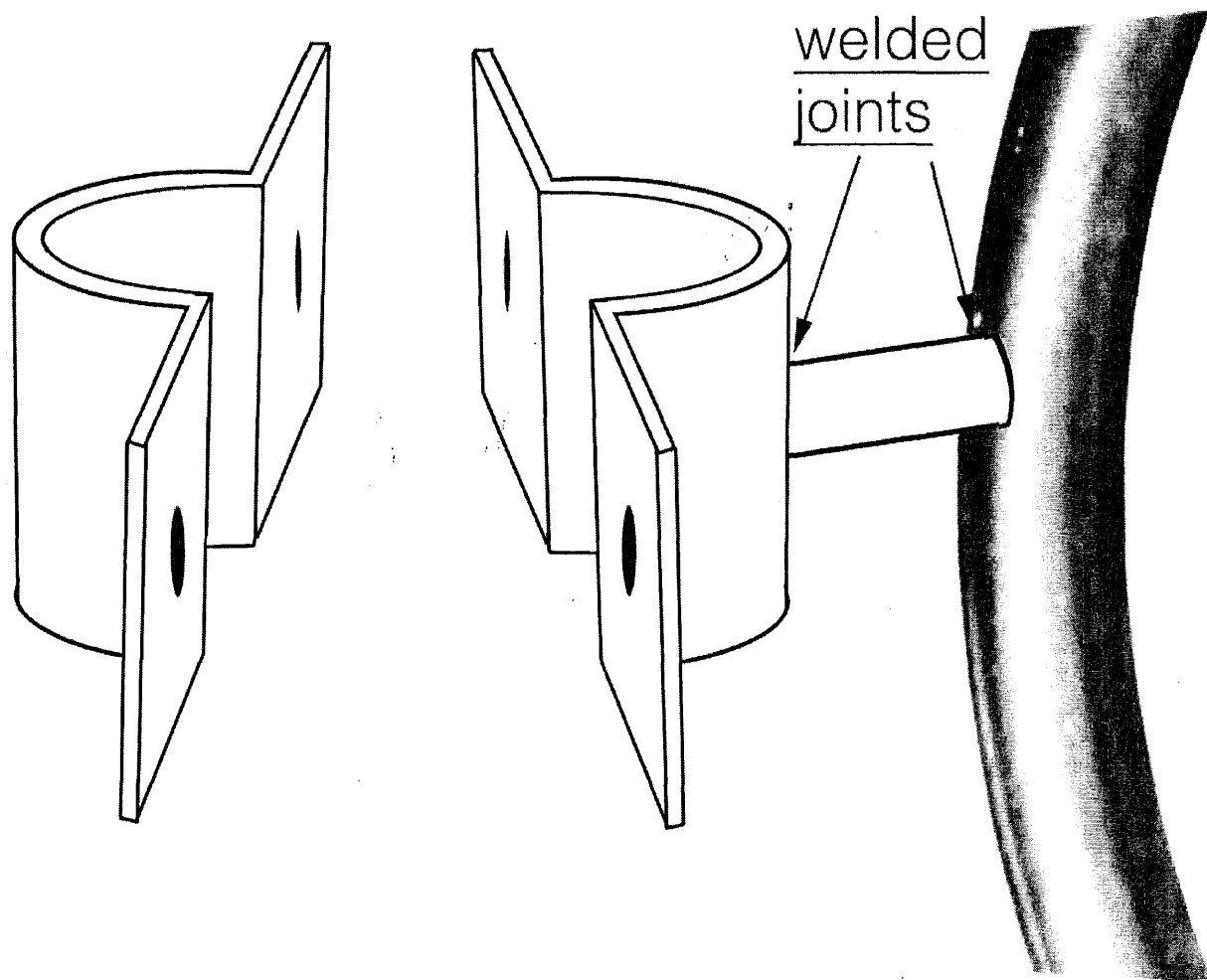


Weight:

Steel circle: 41 lbs

Inside sculptural form: 15 - 25lbs

Pole Clamps for Wind Sculptures - El Cerrito





MINUTES

SPECIAL JOINT EL CERRITO CITY COUNCIL – WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION MEETING

Tuesday, April 3, 2012 – 7:00 p.m.

City Council Chambers

Meeting Location

El Cerrito City Hall – City Council Chambers
10890 San Pablo Avenue, El Cerrito

Council Members	Board Members
Janet Abelson	Madeline Kronenberg
Rebecca Benassini	Antonio Medrano
Ann Cheng	Elaine R. Merriweather
Greg Lyman	Charles T. Ramsey
William C. Jones, III	Tony Thurmond

ROLL CALL

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

Absent: Boardmembers Kronenberg, Medrano, Merriweather, Thurmond and President Ramsey.

7:00 p.m.

CONVENE SPECIAL JOINT CITY COUNCIL – WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION MEETING

Mayor Jones convened the Special Joint City Council – West Contra Costa Unified School District Board of Education meeting at 7:04 p.m.

1. **PLEDGE OF ALLEGIANCE TO THE FLAG** was led by Councilmember Cheng.
2. **COMMENTS BY MAYOR JONES**

Mayor Jones welcomed the Board to City El Cerrito and noted that Board President Ramsey initiated the idea of convening a joint meeting as a way of sharing ideas and receiving presentations of mutual interest to the WCCUD and Board. Mayor Jones congratulated the Board and WCCUD staff on paying off the state debt.

3. **COMMENTS BY WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION PRESIDENT RAMSEY**

Board President Ramsey thanked everyone in attendance and stated that he is excited to be in El Cerrito and is looking forward to a robust discussion and hearing from residents.

4. ORAL COMMUNICATIONS FROM THE PUBLIC

Lynda Frank, El Cerrito, spoke in support of the Writer Coach Connection and the positive impact it has achieved in the school district. Ms. Frank noted a correlation between how the school district performs, test scores and property values.

Jean Womack, Richmond, spoke in support of the Writer Coach Connection program.

Al Miller, El Cerrito, thanked the City Council and Board of Education for convening a joint meeting. Mr. Miller spoke in support of the School Resource Officer program.

Janet Duckart, El Cerrito, spoke in support of the WCCUSD support of adult schools and senior programs and expressed concerns about future funding and the continuance of programs for older adult programs.

Robert Menzimer, Albany, described the background, success and benefits of the Writer Coach Connection program in El Cerrito and expressed concerns about continued funding and volunteerism.

Todd Groves, El Cerrito, spoke in support of the Writer Coach Connection and the need for additional funding.

Maureen Dixon, El Cerrito, spoke in support of the Writer Coach Connection, shared data and testimony regarding the program and described the benefits to students who are engaged in the program.

Karen Shebeck, Kensington, spoke in support of the WCCUSD Measure K parcel tax.

Kathie Weinstein, El Cerrito, expressed concerns about losing school resource officers and expressed her support for the senior exemption in the WCCUSD Measure K parcel tax. Ms. Weinstein also spoke in support of continuing the Writer Coach Connection and senior programs.

Jewel Bleckinger, Richmond, expressed her support for continued funding of senior programs and the importance of programs in the community for citizens of all ages.

Florence H. Brown, El Cerrito, expressed her support for senior programs and encouraged the School Board to maintain senior programs.

5. OVERVIEW OF WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT MEASURE K TAX PROPOSAL

Presenter: Bruce Harter, Ph.D, Superintendent, West Contra Costa Unified School District.

Action: Presentation heard and discussion held.

6. PRESENTATION AND DISCUSSION OF MATTERS OF MUTUAL INTEREST TO THE CITY OF EL CERRITO AND THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

A. Update on WCCUSD Bond/Facilities Program

Presenters: Bill Fay, Associate Superintendent for Operations and Magdy Abdalla, District Engineering Officer, West Contra Costa Unified School District.

Action: Presentation heard and discussion held.

B. Update on Campus Safety and School Resource Officer Program

Presenters: Sylvia Moir, Police Chief and School Resource Officers Jeff Albrandt, Clyde Chang, and Edwin Jacala. Wendell Greer, Associate Superintendent, Matt Burnham, Principal, Portola Middle School and David Luongo, Principal, El Cerrito High School

President Ramsey stated that safety is a priority, explained that funding for the programs comes out of the general fund and expressed his appreciation for the work and dedication of the School Resource Officers.

Action: Presentation heard and discussion held.

C. Overview of After-School Programs in El Cerrito

Presenter: Christopher Jones, Acting Recreation Director and Liz Torio, Educational Services Director, West Contra Costa Unified School District.

Action: Presentation heard and discussion held.

D. Comments and Questions from the City Council/School Board

Action: Discussion held.

SUPPLEMENTAL COMMUNICATIONS

Item No. 5 Overview of West Contra Costa Unified School District Measure K Tax Proposal

1. Powerpoint presentation, "29,215 Reasons to Support Measure K" – *Submitted by Bruce Harter, Ph.D., WCCUSD Superintendent.*

Item No. 6(A) Update on WCCUSD Bond/Facilities Program

2. Powerpoint presentation, "City of El Cerrito Bond Program Projects" – *Submitted by Bill Fay, WCCUSD.*

Item No. 6(B) Update on Campus Safety and School Resource Officer Program

3. Powerpoint presentation – *Submitted by Sylvia Moir, Chief of Police, El Cerrito.*

Item No. 6(C) Overview of After-School Programs in El Cerrito

4. Powerpoint presentation, "After School Programs: WCCUSD and El Cerrito" – *Submitted by Christopher Jones, Acting Recreation Director, El Cerrito.*

Other:

5. Writer Coach Connection in West Contra Costa County – *Submitted by Robert Menzimer.*

7. ADJOURNED JOINT CITY COUNCIL/WCCUSD BOARD OF EDUCATION MEETING at 9:25 p.m.

EL CERRITO CITY COUNCIL

MINUTES

SPECIAL CITY COUNCIL MEETING

Tuesday, April 3, 2012 – 8:30 p.m.

Meeting Location

El Cerrito City Hall
10890 San Pablo Avenue, El Cerrito

Bill Jones – Mayor

Mayor Pro Tem Greg Lyman
Councilmember Rebecca Benassini

Councilmember Ann Cheng
Councilmember Janet Abelson

8:30 p.m. CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Jones convened the Special City Council meeting at 9:35 p.m.

1. **PLEDGE OF ALLEGIANCE TO THE FLAG** – *Observed earlier.*
2. **COUNCIL / STAFF COMMUNICATIONS** – No comments.
3. **ORAL COMMUNICATIONS FROM THE PUBLIC**

Al Miller, El Cerrito, encouraged the City Council to consider having informational presentations on items that appear on the Consent Calendar. Mr. Miller suggested items 5D through 5I could have been on the action calendar for presentation as a way of educating the public and to also highlight the city's good work.

Laura Gonzalez, expressed her support for the American Cancer Society Relay for Life.

4. **PRESENTATIONS** – *None*
5. **ADOPTION OF THE CONSENT CALENDAR** – Item Nos. 5A through 5J

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

A. Minutes for Approval

Approve the following: 1) March 6, 2012 Special City Council, Regular City Council and Special City Council Closed Session meeting minutes; and 2) March 20, 2012 Special City Council and City Council Closed Session meeting minutes.

Action: Approved minutes.

B. Proclaiming April 2012 as Child Abuse Prevention Month

Approve a proclamation proclaiming the month of April 2012 as Child Abuse Prevention Month in the City of El Cerrito and calling upon all residents, community agencies, faith groups, medical facilities and businesses to increase their participation in efforts to support safe and strong families, thereby preventing child abuse and strengthening the communities in which we live.

Action: Approved proclamation.

C. Co-Sponsorship for the use of the Community Center Garden Room and Cerrito Vista Park by the American Cancer Society for Relay for Life

Adopt a resolution approving City co-sponsorship for American Cancer Society Relay For Life El Cerrito. Approval of co-sponsorship will make available the Community Center Garden Room for two hour meetings, once per month January to July 2012, and Cerrito Vista Park on July 21 and 22, 2012 and waive all fees associated with the use of these facilities. Available rooms or clubhouses will be used for the Relay's planning meetings in order to prevent conflicts with potential rentals. Cerrito Vista Park will be used for the Relay itself.

Action: Adopted Resolution No. 2012-19.

D. Annual Parcel Assessment for the National Pollutant Discharge Elimination System

Adopt a resolution establishing the annual NPDES assessment Equivalent Runoff Unit rate at the current rate of \$38.00 and direct the Contra Costa Flood Control & Water Conservation District to adopt Stormwater Utility Area levies based on this amount.

Action: Adopted Resolution No. 2012-20.

E. Curb Marking Modifications in front of Prospect Sierra Elementary School (2060 Tapscott Avenue)

Adopt a resolution authorizing the Public Works Director/City Engineer to modify white and yellow curb markings in front of Prospect Sierra Elementary School located at 2060 Tapscott Avenue as shown on Exhibit A to the Resolution.

Action: Adopted Resolution No. 2012-21.

F. Fiscal Year 2012-13 Landscape and Lighting Assessment District Report

Adopt a resolution directing NBS Local Government Solutions (NBS), the designated Engineer of Work for the Landscape and Lighting Assessment District No. 1988-1, to prepare and file the annual report for Fiscal Year 2012-13.

Action: Adopted Resolution No. 2012-22.

G. Ordinance Establishing the Measure A Swim Center Parcel Tax Rate for Fiscal Year 2012-13

Introduce by title, waive any further reading and approve an Ordinance establishing the Measure A (Swim Center) Parcel Tax rate for FY 2012-13. Staff recommends that the City adopt an Ordinance establishing the Measure A Parcel Tax Rate at the current level of \$38.61 per single-family residential unit, \$29.73 per multifamily residential unit, and \$270.66 per acre of non-residential property for FY 2012-13.

Action: Approved Ordinance No. 2012-2. *Second reading of the ordinance is scheduled on May 1, 2012.*

H. Quarterly Investment Report

Receive and file the City's December 31, 2011 Quarterly Investment Report.

Action: Received and filed.

I. Annual Progress Report on General Plan 2011

Receive and file the attached General Plan Annual Progress Report.

Action: Received and filed.

J. El Cerrito Wall of Fame Nominations

Receive nominations of two individuals for the El Cerrito Wall of Fame. *Mayor Jones' appointment of the City Council Subcommittee members will occur on April 17, 2012.*

Action: Received.

6. PUBLIC HEARINGS – None

7. POLICY MATTERS – None

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

A. Mayor Jones reported that the Design Review Board will be taking up the Chipotle design on April 4, 2012. The new Chipotle will be located at Carlson and San Pablo. The Oversight Board to the Successor Agency of the former El Cerrito Redevelopment Agency will be meeting for the first time on April 4, 2012 at City Hall.

B. Mayor Pro Tem Lyman reported that the West County Integrated Waste Management Authority met on April 2, 2012. The Authority distributed a request for interest to various potential recycling entities that would handle waste starting January 1, 2014. The Authority is continuing to move forward on determining who the operator for collection will be in January 2014.

C. Councilmember Abelson reported on her attendance at several League of California Cities Policy Committee meetings. She received a presentation on redevelopment. Legislators are tired of cutting so may look for new revenue sources. The Legislature is currently waiting for the May revise of the state budget. It was also reported that the revenue growth of the state is better however local revenues are not. Unfortunately, a structural deficit remains in the state budget.

There was also discussion on federal transportation legislation and comments stating that cities should go slow on disposing assets of redevelopment agencies. Councilmember Abelson also reported on her attendance as a member of the Community Services Policy Committee where she learned that fifteen parks were closed. This committee also talked a lot about civil disturbance readiness and local disturbance actions. The Administrative Services Policy Committee was informed about the Governmental Performance and Accountability Act Initiative which has gathered approximately 800,000 signatures. The Initiative is primarily an accountability measure for state government but will also impact local government. Committee members also received a presentation from a member of the City Attorney Department who discussed Fair Political Practices Commission (FPPC) gift regulations. The FPPC is attempting to make regulations

more understandable and user friendly. The FPPC will begin with gift regulations and Regulation 1090/contracts.

D. Councilmember Benassini reported on her attendance at the Parks and Recreation Commission. The Commission received a presentation from a WCCUSD official who reported on the progress of various projects in El Cerrito. There was considerable discussion regarding field use and scheduling. The Commission also received a presentation from fellow commissioner Robin Mitchell regarding efforts taken toward the installation of a community garden demonstration pilot project at Fairmont Park. The Arts and Culture Commission discussed and approved the placement of icons for the San Pablo Avenue Public Art Project. Additionally, Requests for Proposals have been issued for a functional public art project at the new Recycling Center which would include useful items such as shelving and gates. The RFP noted a budget of \$24,000. The Commission established a subcommittee to review the proposals and recommend a selection. The remainder of the meeting, consisted of goal setting and orienting new members.

E. Councilmember Cheng reported that the Human Relations Commission will receive a presentation from Police Chief Moir and a representative from the Restorative Justice Movement. Commissioners will also discuss top priorities for the coming year.

9. ADJOURNED SPECIAL CITY COUNCIL MEETING at 10:03 p.m. in memory of former El Cerrito Mayor James Doherty and Sonam Chodon.

CITY COUNCIL OF THE CITY OF EL CERRITO EARTH DAY PROCLAMATION

WHEREAS, the first Earth Day was proclaimed in 1970 in order to foster public awareness of the need to protect the environment and conserve resources; and

WHEREAS, the City of El Cerrito has celebrated Earth Day every year in keeping with this spirit of the initial Earth Day; and

WHEREAS, the annual celebration of Earth Day in the City of El Cerrito seeks to involve all of its citizens in improving their local environment and becoming more aware of their global environment; and

WHEREAS, in furtherance of this objective the City is planning a variety of activities in which residents and businesses will have an opportunity to donate their time and money including: cleaning up City parks, facilities, greenways, creeks, and schools; picking up litter along streets and in commercial areas; sharing a community lunch and celebrating becoming more "green."

NOW THEREFORE, the City Council of the City of El Cerrito hereby proclaims April 21, 2012 as EARTH DAY in the City of El Cerrito and encourages all residents and businesses to help make El Cerrito a greener, healthier, more sustainable place for all.

Dated: April 17, 2012

William C. Jones III, Mayor

EL CERRITO CITY COUNCIL PROCLAMATION

Commendation of Dr. Cynthia M. LeBlanc

WHEREAS, Cynthia M. LeBlanc, M.A., EdD., has been an active American Cancer Society volunteer at the local, state and national levels since 1987. She served locally as chair of the San Francisco Bay Area regional Council and as secretary, treasurer and chair of the California Division Board of Directors. Dr. LeBlanc was also instrumental in encouraging the inclusion of youth in the work of the Society and strategic planning addressing the impact of cancer in diverse communities; and

WHEREAS, Dr. LeBlanc possesses a Bachelor Degree in Psychology from Holy Names College, a Masters Degree in Education from San Francisco State University and a Doctorate Degree in Education, with a focus on Organization and Leadership, from the University of San Francisco; and

WHEREAS, after serving as a teacher, principal, central office administrator and superintendent, Dr. LeBlanc retired after 36 years of service as a public school educator in California and now serves as an education consultant; and

WHEREAS, Dr. LeBlanc currently serves as a member of the Compensation, Governance, Strategic Planning and Agenda Development Committees, and National Board Advisory Committee on Transformation. She also chairs the Advocacy Strategic Operations Advisory Group; and

WHEREAS, Dr. LeBlanc is also a Road to Recovery volunteer, Legislative Ambassador, and an ACS National Leadership Development Program coach and in addition to her work with the Society, Dr. LeBlanc is also a member of the Girls, Inc., West Contra Costa Board of Directors, the Leadership Team, Health Cabinet and Finance Committee at St. Columba Church, and a member of Black Women for Organized Political Action; and

WHEREAS, Dr. LeBlanc has represented the American Cancer Society at national rallies and meetings with members of Congress to make cancer a national priority, and was an active force on the Society's African American/Black and Diversity and Disparities teams, addressing the inequalities within cancer prevention and care, public policy, and health care access.

NOW THEREFORE, the City Council of the City of El Cerrito, does hereby recognize and commend Dr. LeBlanc on her appointment as Chair of the National American Cancer Society Board of Directors and on her designation as a St. George National Award recipient, the American Cancer Society's highest national honor, for her dedicated and outstanding volunteer work and significant contributions in working to achieve the American Cancer Society's mission to save lives.

Dated: April 17, 2012

William C. Jones III, Mayor

RESOLUTION 2012-XX

**RESOLUTION OF THE EL CERRITO CITY COUNCIL IN SUPPORT OF WEST
CONTRA COSTA UNIFIED SCHOOL DISTRICT MEASURE K**

WHEREAS, the West Contra Costa Unified School District provides quality educational programs and services to the El Cerrito community; and

WHEREAS, the State of California is not providing sufficient funds to provide for the continuing quality of these educational programs and services; and

WHEREAS, voters in the West Contra Costa Unified School District in November 2008 approved a parcel tax to support quality educational programs and services, and reduce the impact of reductions in funding by the State of California; and

WHEREAS, the West Contra Costa Unified School District has responsibly managed all revenues from the parcel tax, strictly allocating funding according to community priorities and consistently complying with all required financial accountability measures; and

WHEREAS, the West Contra Costa Unified School District conducted extensive community outreach and polling that indicates sufficient voter support exists to renew the parcel tax and extend it to generate an addition \$4 million for a term of five years, with all the same financial accountability measures and none of the revenue going to administrator salaries; and

WHEREAS, revenue from the parcel tax is imperative to avoid even greater budget cuts, maintain reduced class sizes for our youngest students; enhance core subjects including reading, writing math and science; retain qualified teachers, counselors, and custodial staff; prepare students for college and the workforce; support libraries, computer training and athletic programs; and

WHEREAS, the West Contra Costa Unified School District community, including parents, teachers, union members, and business owners all worked together to recommend placing the parcel tax renewal on the June Primary ballot; and

WHEREAS, the West Contra Costa Unified School District on February 15, 2012 unanimously approved a ballot measure to appear on the June 5, 2012 ballot that would renew and extend the existing parcel tax beginning in the 2012-13 fiscal year.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of El Cerrito does hereby encourage voters of El Cerrito to review the language and arguments concerning the parcel tax measure and thereafter vote "Yes" on June 5, 2012 because this parcel tax renewal/extension measure is not only beneficial, but is essential to the quality of life of El Cerrito residents.

* * * * *

Agenda Item No. 5(D)

I CERTIFY that at a regular meeting on April ____, 2012 the City Council of the City of El Cerrito passed this Resolution by the following vote:

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

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April ____, 2012.

Cheryl Morse, City Clerk

APPROVED:

William C. Jones III, Mayor

MEASURE K
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

To provide local funding the State cannot take away, preserve quality education including: reading, writing, math, science; maintaining reduced class sizes for the youngest children; retaining quality teachers; supporting libraries, improving campus safety; preparing students for college/workforce; shall West Contra Costa Unified School District renew its existing parcel tax for five years, increasing it by three cents/square foot of building area or three dollars/vacant parcel, with no funds for administrator salaries, exempting seniors and requiring citizen oversight?

**COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF
MEASURE K**

The Board of Directors of the West Contra Costa Unified School District has adopted a resolution proposing to increase and renew its current parcel tax (a qualified special tax). This ballot measure asks voters to decide whether, beginning on July 1, 2012, the District's existing parcel tax on parcels of taxable real property within the District should be increased, and levied through June 30, 2017, at the increased amounts.

The District currently levies an annual parcel tax of 7.2 cents per square foot of total building area on each parcel of taxable real property, or \$7.20 per unimproved parcel of taxable real property, within the District. The parcel tax is set to expire on June 30, 2014. If this measure is adopted, effective July 1, 2012, the existing parcel tax would be increased to 10.2 cents per square foot of total building area on each parcel of taxable real property, or \$10.20 per unimproved parcel of taxable real property, within the District. The parcel tax would expire on June 30, 2017.

A parcel of taxable real property is any unit of real property located in the District that receives a separate property tax bill from the Contra Costa County Treasurer-Tax Collector's Office. The total building area on each parcel would be obtained from the Contra Costa County Assessor's Office, or based on the records of the building department of the jurisdiction in which the property is located. The parcel tax would not be levied on parcels that are exempt from paying property taxes. The measure also provides that any person who is over the age of 65, or who, regardless of age, receives Supplemental Security Income for disability, may apply to the District for an exemption from the parcel tax.

The ballot measure states that the proceeds of the parcel tax will be used to "improve the quality of education in the District by supporting"

specified District programs. Proceeds from the parcel tax may be used only for the specific purposes set forth in the ballot measure and according to constitutional and statutory provisions.

State law requires the District's chief fiscal officer to file an annual report with the District's Governing Board that states the amount of funds received and expended in each year and the status of any projects required or authorized to be funded from the parcel tax proceeds. State law also requires the proceeds from the parcel tax to be deposited into a designated account. Parcel tax funds also will be the subject of an annual independent audit, and the District's Community Budget Advisory Committee will oversee the use of parcel tax proceeds.

Two-thirds of those voting on the ballot measure must approve the measure for it to pass.

A "yes" vote is a vote in favor of authorizing the parcel tax.

A "no" vote is a vote against authorizing the parcel tax.

ARGUMENT IN FAVOR OF MEASURE K

Protect Our School; Support Our Students, Yes on K

Vote YES on Measure K and give our schools local funding the State can never take away.

Spending on education gets slashed every year by state government. We can't rely on Sacramento politicians to adequately fund our schools. Recent drastic cuts have forced the district to lay off teachers, threatened class size-reduction plans, and hurt our ability to deliver core academics our students need—reading, writing, math, and science.

This measure guarantees a baseline of local revenue for our community schools. Regardless of the political and economic instability in our state capital, the funds generated from Measure K will stay in the community. By law, all the money must remain here to fund local schools.

Measure K will give us the local dollars we need to prepare our students for college by teaching core academics and helping them prepare for the 21st century workforce by providing technology instruction, vocational education and job-training programs. Our after-school programs help keep students away from gangs and drugs.

Measure K will allow the school district to:

- Maintain core academic programs of reading, writing, mathematics, and science;
- Attract and retain well-trained teachers;
- Support science labs and other teaching tools; and
- Maintain class-size reductions. Without this funding, class sizes could go to 30-38 students per class.

A citizen oversight committee will conduct independent audits and ensure that all Measure K funding is well managed. Seniors are exempt from Measure K. No money from this measure will ever be used for administrator salaries.

Please join community leaders in Hercules, Pinole, Richmond, El Sobrante, El Cerrito, Kensington, and San Pablo in voting YES on Measure K and provide the financial stability our schools need. For more information about Measure K go to www.ProtectWestCountySchools.com.

Edward M. Downer III
Chairman Emeritus

Carol Butcher
Principal – Stewart K-8

Jacqueline Rushing
Founder & CEO Young
Scholars Program

Janet Abelson
Council Member – City of El Cerrito

Eddie Russell
Sergeant, Richmond Police Dept.

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE K

The proponents state, "A citizen oversight committee will conduct independent audits and ensure that all Measure K funding is well managed." This is incorrect. The Community Budget Advisory Committee, charged to provide oversight for this measure, has no staff or funds to conduct an independent audit. This committee has never conducted an independent audit of parcel tax expenditures.

The prior November 2008 parcel tax measure provided for the Community Budget Advisory Committee to provide oversight. This committee did not amend their charter to perform this role until July 2011, over 2 ½ years after this measure passed!

There is no effective oversight of these expenditures by an independent citizens' oversight committee.

The Citizens' Bond Oversight Committee, charged to provide citizens' oversight to the District's \$1,300,000,000 bond construction program, is a dysfunctional, ineffective committee. The School Board recently rejected the legally required taxpayer's representative to this committee. Measure K increases your parcel tax by almost one-half (42%).

Do you think that the expenditure of your tax dollars by WCCUSD have effective citizens' oversight? You decide.

Then vote NO on Measure K

Anton Jungherr
Former Audit Subcommittee Co-Chair,
WCCUSD Citizens' Bond Oversight Committee

ARGUMENT AGAINST MEASURE K

WCCUSD has been double-dipping into your wallets for years and again they want more. In addition to State and Federal funds, the West Contra Costa Unified School District obtains more funding from your pockets. Look at your "Secured Property Tax Bill" – what you probably call your "property taxes" - WCCUSD Bonds from 1998, 2000, 2002, 2005, 2010, MRAD (termed "WCCUSD assessment") and (2008) Parcel Tax. You will still be seeing most of these through the year 2027 and beyond. Some of your money is still being paid out for repayment of bailout funds from the State from the 1990's.

In 2004, voters approved a 5-year parcel tax and in 2008 voters extended it to 2014. In 1994, voters approved the MRAD for a 5 year period but it continues today, more than 11 years after the stated sunset, solely by approval of the School Board.

California is still in fiscal crisis. Governmental agencies are vying for funding for water, streets, bridges, sewage, lighting, police and fire, and such. Education takes the lion's share of allocations and the WCCUSD appetite is voracious. Not only this election, but many to come, you will decide how much more and where your money will be spent.

Here's something new to consider. Contrary to popular belief, and according to California's Franchise Tax Board, parcel tax payments are **not** deductible against federal and state income taxes. The State has announced that beginning in 2012, they will enforce that non-deductibility.

Do you think your WCCUSD funds are getting to the classroom? Are the students, "the kids", getting a quality education or are we getting one of the poorest scoring districts for the largest dollar amounts? You decide.

Then vote NO on Measure K.

Susan L. Pricco
Homeowner

REBUTTAL TO ARGUMENT AGAINST MEASURE K

Renew Measure K, Protect the Quality of Our Local Schools

Vote **Yes on Measure K** to protect :

- Core academics including math, science, reading and writing;
- Attracting and retaining quality teachers;
- Preventing class size increases.

Measure K renews local educational funding that voters already approved twice (in 2004 and 2008). It maintains the **financial stability** our students deserve, regardless of the State's instability.

In May 2012, WCCUSD will complete payment on all debts and loans from the 1991 fiscal crisis, a twenty-year effort of budget-cutting and strong financial management. Yet, this effort to regain stability is threatened once again by current State budget woes.

The state's support for public education has been volatile and inconsistent. They are slashing billions of dollars from public school budgets with no end in sight. Renewing our local parcel tax school funding program will ensure that our students have a local safety net.

And, Measure K ensures accountability to the taxpayers:

- First, all Measure K **funding is required to stay in our community** to pay for our local schools and the state, by law, can never take it away.
- Second, no money will go toward administrators' salaries.
- Third, all Measure K money will be managed and accounted for by a citizens' oversight committee which will conduct annual audits.

Please join parents, teachers, business leaders, and labor by voting **Yes on K** so that our children can have the good schools they need to thrive and succeed.

Greg Santiago
Principal Hanna Ranch

Chuck Toombs
President, Kensington Police Protection
and Community Services District

Eric Zell
Businessperson/Director,
West Contra Costa Healthcare
District

Claudia Velez
Teacher Olinda Elementary

Sylvia J. Greenwood
Principal DeJean Middle

FULL TEXT OF MEASURE K

The following is the full ballot text of the proposition to be presented to the voters by the West Contra Costa Unified School District in the ballot pamphlet:

To provide local funding the State cannot take away, preserve quality education including:

- reading, writing, math, science,
- maintaining reduced class sizes for the youngest children,
- retaining quality teachers,
- supporting libraries,
- improving campus safety,
- preparing students for college/workforce;

shall West Contra Costa Unified School District renew its existing parcel tax for five years, increasing it by three cents/square foot of building area (to 10.2 cents/square foot) or three dollars/vacant parcel (to 10.2 dollars/vacant parcel), with no funds for administrator salaries, exempting seniors and requiring citizen oversight?

The purpose of the special tax is to improve the quality of education in the District by supporting the following programs:

- maintaining core academic programs like math, science, reading and writing,
- preparing students for college and the workforce,
- supporting science laboratories, materials and activities,

- attracting and retaining quality teachers and counselors,
- supporting libraries,
- maintaining reduced class sizes for the youngest children,
- improving technology and computer training for all students,
- reducing class sizes for middle school and high school students,
- improving safety in and around our campuses,
- supporting after-school programs to keep kids away from gangs and drugs,
- maintaining high school athletic programs,
- maintaining summer school programs to allow students to catch up,
- purchasing textbooks and other student materials and supplies,
- maintaining safe and clean schools.

An exemption shall be granted annually on any single family residential parcel or multi-family dwelling unit owned by one or more persons 65 years of age or older or persons who receive Supplemental Security Income for a disability, regardless of age, who occupies said parcel or unit as a principal residence, upon annual application to the District for exemption.

Pursuant to California Constitution Article XIII B and applicable laws, the appropriations limit for the District will be adjusted periodically by the aggregate sum collected by levy of this special tax.

Accountability

The proceeds of the special tax shall be applied only for the specific purposes identified above. The proceeds of the special tax shall be deposited into an account, which shall be kept separate and apart from other accounts of the District. No later than January 1 of each year while the tax is in effect, commencing January 1, 2013, the chief fiscal officer of the District shall prepare and file with the Board of Education a report detailing the amount of funds collected and expended during the prior fiscal year, and the status of any project or description of any programs authorized to be funded by this measure. Parcel Tax funds shall also be subject to an annual independent financial audit which shall be made public, including oversight by the Community Budget Advisory Committee and posting on the District's website.

Basis of Tax

The current parcel tax shall be increased to an annual tax of 10.2 cents per square foot of total building area on each parcel of taxable real property within the District or a tax of \$10.20 per unimproved parcel of taxable real property. The District shall provide the Contra Costa County Treasurer-Tax Collector a report indicating the parcel number and amount of tax for each parcel of taxable real property. The number of square feet of total building area on improved real property shall be obtained from the Contra Costa County Tax Assessor. If that information is missing from the tax assessor's records, the number of square feet of total building area shall be based upon the records of the building department for the applicable jurisdiction.

Definition of Parcel of Taxable Real Property

"Parcel of taxable real property" shall be defined as any unit of real property in the District that receives a separate tax bill for *ad valorem* property taxes from the Contra Costa County Treasurer-Tax Collector's Office. All property that is otherwise exempt from or on which are levied no *ad valorem* property taxes in any year shall also be exempt from the parcel tax in such year. Parcels owned and occupied by persons 65 years of age or older or persons receiving Supplemental Security Income for a disability regardless of age, may be exempt from the parcel tax, subject to annual application, as described above.

For purposes of this special tax, any such "Parcels" which are (i) contiguous, (ii) used solely for owner-occupied, single-family residential purposes, and (iii) held under identical ownership may, by annually submitting an application of the owners thereof by July 1 of any year to the Board of Education be treated as a single "parcel" for purposes of the levy of this education parcel tax.

Severability

The Board of Education hereby declares, and the voters by approving this measure concur, that every section and part of this measure has independent value, and the Board of Education and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this measure by the voters, should any part be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts hereof shall remain in full force and effect to the fullest extent allowed by law.

RESOLUTION 2012-XX

RESOLUTION OF THE EL CERRITO CITY COUNCIL IN RECOGNITION OF THE
"CHOOSE CIVILITY" INITIATIVE

WHEREAS, civility is a core value of a well functioning community and one of its defining components; and

WHEREAS, the civility level in a community underscores its general health and wellness and quality of life depends in great part on how community members treat each other; and

WHEREAS, concern for the common good and well-being of all citizens is one of the highest virtues of American democracy; and

WHEREAS, two-thirds of the public believe that American society is uncivil; and seventy-two percent of Americans think the problem has gotten worse in recent years; and

WHEREAS, the American people strongly believe that every citizen is responsible for improving such behavior; and

WHEREAS, in collaboration with organizations throughout the community, the Contra Costa County Office of Education is implementing the "Choose Civility" campaign to promote civil behavior.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of El Cerrito recognizes and supports the "Choose Civility" initiative and encourages others to participate in this campaign through activities that demonstrate to the public the importance of civility.

I CERTIFY that at a regular meeting on April 17, 2012 the City Council of the City of El Cerrito passed this Resolution by the following vote:

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

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April ___, 2012.

Cheryl Morse, City Clerk

APPROVED:

William C. Jones III, Mayor



Joseph A. Ovick, Ed.D., Superintendent of Schools

77 Santa Barbara Road • Pleasant Hill, CA 94523 • (925) 942-3388

January 5, 2012

The Honorable Bill Jones
Mayor, City of El Cerrito
10890 San Pablo Ave.
El Cerrito, CA 94530

Dear Mr. Jones:

Beginning this spring, I will be launching a new initiative for Contra Costa County entitled, "Choosing Civility." I am currently inviting the Board of Supervisors, city mayors and council members, PTAs, and the business community throughout Contra Costa County to participate in my initiative.

I arrived at the decision that this initiative is important and especially needed at this time when I realized that in today's world there are very few public figures that demonstrate civility, whether it be on television, the radio, or other forms of media. Civility is a core value of a well-functioning community, and quality of life depends on how people treat each other. The initiative is inspired by the work of Dr. Forni, the author of "Choosing Civility: The 25 Rules of Considerate Conduct." Dr. Forni is a professor of ethics at Johns Hopkins University. Through a broad-based collaborative effort, my goal is to transform Dr. Forni's concepts into a workable, meaningful plan that can be integrated into the culture of our schools, government, businesses, organizations, neighborhoods, and families throughout our greater Contra Costa County.

It is my hope that the cities throughout our county will place this matter on a future agenda to discuss civility and the need for adopting a resolution in support of my initiative. Attached please find a sample resolution that you may wish to consider adopting on the matter of civility. Also, if you would like me to present this matter personally to you and your city council, I would be happy to do so.

I can be reached at 925/942-3432 or by e-mail at jovick@cccoe.k12.ca.us to schedule a presentation.

I look forward to receiving a positive response to this initiative from all. Thank you for your consideration of my request.

Respectfully,

Joseph A. Ovick, Ed.D.
Superintendent of Schools
Contra Costa County



AGENDA BILL

Agenda Item No. 7(A)(1)

Date: April 17, 2012
To: El Cerrito City Council
From: Hilde Myall, Housing Program Manager
Subject: Ohlone Gardens Affordable Housing Project, 6431 and 6495 Portola Drive

ACTION REQUESTED

That the City Council, acting as housing successor, adopt a resolution:

1. Authorizing the execution of a Loan Amendment to the existing Loan Agreement with the Ohlone Gardens L.P. for the Ohlone Gardens Affordable Housing Project, 6431 and 6495 Portola Drive; and
2. Approving the proposed replacement plan for special needs units and supportive services.

BACKGROUND

The El Cerrito Redevelopment Agency Board approved Resolution No. 579 on March 2, 2009 and Resolution No. 586 on May 18, 2009 authorizing a permanent loan and associated documents with the Ohlone Gardens L.P. (the "Developer") for the Ohlone Gardens project, a 57-unit mixed-use affordable rental development for families and persons with special needs at 6495 and 6431 Portola Drive. The loan documents, including a loan agreement and a regulatory agreement, were executed on June 24, 2009 between the Agency and Ohlone Gardens L.P., a limited partnership with Resources for Community Development (RCD) and the Hatlen Center for the Blind (Hatlen) as co-general partners.

The Developer drew on loan proceeds in 2009 to acquire the subject site and for predevelopment expenses related to the project's application for entitlements. In June 2009, Ohlone Gardens L.P. received a financing commitment from the State Department of Housing and Community Development (HCD) for \$2.86 million in Proposition 1C Infill Infrastructure Grant funds. On August 19, 2009, the Developer received planning and environmental review approvals for the project pursuant to Planning Commission Resolution No. PC09-13. Since that time, Hatlen has been conducting a capital campaign to raise its \$2.8 million share of capital costs for the Ohlone Gardens project.

On January 17, 2012, as provided for under AB1x26, the Dissolution Act, the City Council adopted Resolution No. 2012-04 electing to retain the housing functions of the former Redevelopment Agency. On February 1, 2012, pursuant to the Dissolution Act, the El Cerrito Redevelopment Agency was dissolved. As an operation of law, as of February 1, 2012, all housing assets and obligations, including the Ohlone Gardens Loan Agreement, transferred from the Agency to the City as housing successor.

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On March 28, 2012, RCD and Hatlen revised the Ohlone Gardens L.P. partnership agreement to reflect Hatlen's withdrawal from the project and formally releasing Hatlen from any obligations under the partnership and the Ohlone Gardens project. In addition, the memorandum of agreement between RCD and Hatlen (MOU) was terminated.

The decision for Hatlen to withdraw from the project was reached through mutual discussion and agreement between RCD and Hatlen. Per the terms of the MOU, Hatlen had until January 31, 2011 to raise the necessary capital funds. Due to various factors, including the downturn in the economy, Hatlen did not meet the initial deadline. RCD and Hatlen mutually agreed to extend that timeline in the interests of trying to retain Hatlen's participation in the project.

As of January 2012, Hatlen had raised less than 50% of its capital campaign target. RCD and Hatlen explored how the project might proceed with only a portion of the Hatlen funds, but could not find a satisfactory solution. Hatlen decided it was in the best interests of their organization and the project to withdraw from the Ohlone Gardens project rather than continue to delay the project and strain Hatlen's limited resources with the capital campaign.

ANALYSIS

Staff is bringing this item to the City Council for consideration as the loan agreement must be amended to reflect Hatlen's withdrawal from the project, as well as approve the special needs unit plan and associated supportive services plan proposed by RCD to replace Hatlen's special needs program. Per the terms of the loan documents and Planning Commission approvals, there must be at least 10 special needs units in the project and the developer must provide adequate and appropriate supportive services for the residents of those special needs units. In the event of Hatlen's withdrawal from the project, the City has sole discretion in approving the replacement special needs unit program.

Summary of the Loan Amendment

The loan amendment deletes references to the Hatlen Center for the Blind as co-sponsor of the project, eliminates performance benchmarks related to the Hatlen capital campaign, and provides an updated predevelopment budget and development schedule, including revision of the deadlines for commencement and completion of construction to extend them to the timeframes allowed under the HCD Infill Infrastructure Grant Program guidelines. The predevelopment budget proposes a City building permit fee deferral. Such a proposal would require City Council consideration and action. Please note that City Council approval of the loan amendment does not imply approval of the proposed building permit fee deferral. The draft of the amended Loan Agreement as mutually agreed to by Ohlone Gardens L.P. and City staff is included with this report as Attachment 2 - Exhibit A.

Proposed Special Needs Program

RCD is proposing that the 10 special needs units at Ohlone Gardens once reserved for the Hatlen Center for the Blind's students will be occupied by five households with

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persons living with HIV/AIDS and five households with mental health consumers. The project is configured as a mix of one-, two-, and three-bedroom apartments, with special needs households occupying 1-bedroom units. Special need units will be restricted to households with incomes below 30% of Area Median Income. Maximum rents will be set at levels affordable to those earning 30% of Area Median Income, but as per regulation, residents will only pay 30 percent of their actual income in rent. The proposed replacement plan for the special needs units and associated supportive services is included as Attachments 3 and 4 to this report.

Special needs units will be supported by the Housing Opportunities for Persons With AIDS (HOPWA) program and the Mental Health Services Act (MHSA) housing program. HOPWA is a federal program that allocates funding to states and local governments for services and housing that serve low-income households living with HIV/AIDS. The MHSA Program is jointly administered by the California Department of Mental Health and the California Housing Finance Agency in conjunction with counties. It provides development and operating funding for supportive housing that serves households with a serious mental illness and who are at risk of homelessness.

RCD has submitted, or will be submitting in April, applications through Contra Costa County for both funding sources. Contra Costa County posted a section of RCD's application online on March 12th for a required public review period of 30 days, after which RCD is eligible to submit its application to the State. The MHSA application is for capital and services funding. The HOPWA program provides capital funding only, although HOPWA-unit residents are eligible for services offered by the Contra Costa AIDS Program.

The Resident Services Program (RSP) planned for Ohlone Gardens has two components. For the entire tenant population, including special needs units, RCD will provide a program that focuses on short-term assessment and case management with residents to provide information and referrals to outside agencies, as required. The part-time on-site Services Manager at Ohlone Gardens can link residents to a comprehensive, integrated network of local resources with the goal of assisting residents in maintaining their permanent affordable housing opportunity and creating healthy and stable lives. Using the onsite community room and services office, the Services Manager will also organize community events and programming. Programs that are planned for Ohlone Gardens include financial literacy training and computer technology access and training. Other programming that RCD typically provides at developments similar to Ohlone Gardens include afterschool activities, English as a Second Language (ESL) classes, summer lunch programs, workforce skills development, and building involvement with local civic organizations.

Additionally, RCD and its partner organizations will provide services specifically for the 10 special needs households. HOPWA-unit residents will have access to medical case management and supportive services provided by the Contra Costa AIDS Program, as well as access to housing advocacy and referral providers, such as Contra Costa Interfaith Housing and the Greater Richmond Interfaith Partnership. MHSA-unit residents will work with the Contra Costa Mental Health Administration (CCMHA) as

their primary service provider. CCMHA contracts with several nearby service providers, and services will include case management, mental health services, linkages to physical health services, employment/vocational services, referrals to substance abuse treatment, assistance in obtaining benefits, budget and financial training, daily living skills assistance, and crisis intervention.

If MHSA and/or HOPWA funds are not awarded and the special needs units and/or supportive services plan changes materially, staff will return to Council with alternative proposals.

Ground Floor Uses

In addition to property management and resident services space on the ground floor of the development, the entitled project includes approximately 4,650 square feet of commercial space that was intended as the offices and instructional space for the Hatlen Center for the Blind. Per the terms of the project's Planning Commission approvals and the existing Loan Agreement, the commercial space will be developed and used consistent with its commercial zoning use. RCD is working on identifying potential tenants for the space. In compliance with Redevelopment Law, none of the Agency's nor City's Low and Moderate Income Housing Fund monies will be used for the commercial improvements.

Feasibility and Schedule

With Hatlen's withdrawal, the project is now eligible for a greater range of funding programs, including federal HUD housing funds such as HOPWA. RCD is actively pursuing such resources, specifically HOPWA and MHSA funds, and is aiming for all financing to be committed in time for a competitive application to the State for a Low Income Housing Tax Credit award in July 2012. If successful in obtaining an award of tax credits this summer, construction on the Ohlone Gardens project would be anticipated to start in the Fall of 2012.

FISCAL CONSIDERATIONS

The loan amendment does not contain any revisions that would change the fiscal impact of the loan to the former Agency or the City as housing successor. The intent of this loan amendment is to reflect Hatlen's withdrawal from the project and to allow RCD, through the Ohlone Gardens L.P., to move forward with the project. The loan amendment does not alter the loan amount or cost recovery risk to the City.

As mentioned above, the withdrawal of Hatlen may improve the project's ability to compete for other sources of funds and, hence, may increase the financial viability of the project. The approval of the replacement plan for the special needs units and supportive services has no direct fiscal impact on the City.

Other than attorney fees to prepare the required amended loan documents, there is no cost for this transaction.

LEGAL CONSIDERATIONS

The Counsel to the City as housing successor has reviewed this report and the attachments.

Reviewed by:



Karen Pinkos
Assistant City Manager

Attachments:

1. A Resolution of The City of El Cerrito As Housing Successor to The El Cerrito Redevelopment Agency (the "City") Making Findings and Approving the Second Amendment to the Amended and Restated Predevelopment, Acquisition and Construction Loan Agreement Between the City and Ohlone Gardens, L.P. and Approving the Replacement Plan for the Special Needs Units and Supportive Services Plan
2. Exhibit A to Resolution 2012-XX – Proposed Form of 2nd Amendment to the Loan Agreement
3. Exhibit B to Resolution 2012-XX - Resources for Community Development's Proposal for the Special Needs Units
4. Exhibit C to Resolution 2012-XX - Supportive Services Plan

RESOLUTION NO. 2012-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AS HOUSING SUCCESSOR TO THE EL CERRITO REDEVELOPMENT AGENCY (THE "CITY") MAKING FINDINGS AND APPROVING THE SECOND AMENDMENT TO THE AMENDED AND RESTATED PREDEVELOPMENT, ACQUISITION AND CONSTRUCTION LOAN AGREEMENT BETWEEN THE CITY AND OHLONE GARDENS, L.P. AND APPROVING THE REPLACEMENT PLAN FOR THE SPECIAL NEEDS UNITS AND SUPPORTIVE SERVICES PLAN

WHEREAS, the El Cerrito Redevelopment Agency (the "Agency") encouraged redevelopment in specific portions of the El Cerrito Redevelopment Project Area in accordance with the goals and objectives of the City of El Cerrito Redevelopment Plan as amended;

WHEREAS, the Agency adopted Resolution No. 579 on March 2, 2009 and Resolution No.586 on May 18, 2009 making findings and approving a permanent loan (the "Loan") from the Low and Moderate Income Housing Fund to the Ohlone Gardens L.P. (the "Developer") for acquisition, predevelopment and construction expenses related to the acquisition of 6431 and 6495 Portola Drive and its development into a mixed-use residential development consisting of approximately 57 rental units affordable to very low- and low-income households and non-residential space for the Hatlen Center for the Blind education program (the "Development"); and

WHEREAS, the Agency provided the Loan for the purposes of increasing, improving and preserving the community's supply of low- and moderate-income housing pursuant to California Health and Safety Code §33334.2; and

WHEREAS, the Agency and the City previously determined that the project is exempt from the California Environmental Quality Act (CEQA) under Section 15332 –Infill Development; and

WHEREAS, the Developer has acquired 6495 and 6431 Portola Drive and obtained the necessary entitlements for construction of the Development; and

WHEREAS, the City adopted Resolution No. 2012-04 on January 17, 2012 electing to retain the housing assets and functions previously performed by the Agency in accordance with Section 34176 of the Redevelopment Law and becoming the housing successor to the El Cerrito Redevelopment Agency; and

WHEREAS, the Agency was dissolved effective February 1, 2012 pursuant to the State Budget bill ABX1 26 (the "Dissolution Act") and all housing assets, less the unencumbered housing balance, and obligations of the former Agency were transferred to the City as housing successor by operation of law; and

WHEREAS, the Hatlen Center for the Blind has withdrawn as cosponsor of the Development; and

Agenda Item No. 7(A)(1)

Attachment 1

WHEREAS, the City desires to amend the Loan to reflect the withdrawal of the Hatlen Center for the Blind from the Development and to make various technical amendments; and

WHEREAS, the proposed Second Amendment to the Amended And Restated Predevelopment, Acquisition And Construction Loan Agreement Between the City And Ohlone Gardens, L.P. (Loan Amendment Agreement) for the Development is consistent with the former Agency's Five Year Implementation Plan; and

WHEREAS, by the Agenda Bill accompanying this Resolution and incorporated herein by this reference, the City has been provided with additional information upon which the findings and actions set forth in this Resolution are based.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL CERRITO AS HOUSING SUCCESSOR TO THE EL CERRITO REDEVELOPMENT AGENCY AS FOLLOWS:

1. The City Council finds that the above recitals are accurate.
2. The City Council hereby authorizes the City Manager to prepare and execute a Loan Amendment Agreement, in substantially the form attached hereto as Exhibit A, and related documents and to take such other actions as are appropriate to effectuate the Loan Amendment.

BE IT FURTHER RESOLVED that the City Council hereby approves the Developer Proposal for Replacement of the Special Needs Units and Supportive Services Plan in substantially the form provided as Exhibits B and C to this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

I CERTIFY that at the regular meeting on April 17, 2012, 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 have hereunto set my hand and affixed the official Seal of said City, this ____ day of April, 2012.

Cheryl Morse, City Clerk

Approved:

William C. Jones III, Mayor

Second Amendment to Amended and Restated Predevelopment, Acquisition and Construction Loan Agreement between the El Cerrito Redevelopment Agency and Ohlone Gardens, L.P.

This Second Amendment to the Amended and Restated Predevelopment, Acquisition and Construction Loan Agreement is entered into between the City of El Cerrito as housing successor to the El Cerrito Redevelopment Agency (the "City") and Ohlone Gardens, L.P., a California limited partnership (the "Developer") as of this _____ day of _____, 2012.

RECITALS

- A. The El Cerrito Redevelopment Agency and the Developer have previously entered into that certain Amended and Restated Predevelopment, Acquisition and Construction Loan Agreement dated June 24, 2009 as amended by that certain First Amendment to Amended and Restated Predevelopment, Acquisition and Construction Loan Agreement dated March 7, 2011 (the "Loan Agreement").
- B. The Agency was dissolved effective February 1, 2012 pursuant to the provisions of AB1x 26 and in accordance with the provisions of AB1x 26, all of the Agency's housing assets and obligations transferred to the City as the housing successor to the Agency, including the Loan Agreement.
- C. The Developer has notified the City that the Developer's Co-sponsor and co-general partner Hatlen Center for the Blind has withdrawn from the partnership and is no longer a Co-sponsor of the Development.
- D. The City and the Developer now desire to amend the Loan Agreement in order to make those changes that are necessary to reflect the changes in the Developer entity and to make certain other changes related to the schedule for development as more fully set forth herein.

NOW, THEREFORE, in consideration of the recitals hereof and the mutual promises and covenants set forth in this Agreement, the Parties agree as follows:

- 1. Developer. Section 1.1. (m) of the Loan Agreement is hereby deleted, and all references to the Co-Sponsor or HCB in the Loan Agreement are hereby deleted.

Section 1.1(q) is hereby amended in its entirety to read as follows:

"Developer" shall mean Ohlone Gardens, L.P., a California limited partnership whose general partner is RCD Housing LLC, a California limited liability company, and initial limited partner is Resources for Community Development, a California nonprofit public benefit corporation.

- 2. Subordination. Section 2.6(i) is hereby amended in its entirety to read as follows:

(i) In the event there is a foreclosure of the Property, the Regulatory Agreement shall be revived according to its original terms if, during the original Regulatory Agreement term, the owner of record before the foreclosure, or deed in lieu of foreclosure, or any entity that includes the former owner or those with whom the former owner has or had family or business ties, RCD or any of their affiliates or subsidiaries, obtains an ownership interest in the Development or Property.

3. Section 2.6(j) is deleted in its entirety.

4. Disbursement. Section 2.7(b) is hereby amended in its entirety to read as follows:

(b) Predevelopment Component. Upon satisfaction of conditions in Section 2.7(a) above, the City shall from time to time disburse the Predevelopment Component (or so much thereof as is required) for cost items and in amounts consistent with updated Predevelopment, Acquisition and Development Budget as shown in Exhibit B; provided that the City shall not be obligated to disburse any amount in excess of One Hundred Thousand (\$100,000) of the Predevelopment Component previously disbursed to RCD pursuant to the Original Loan Agreement until (i) the Developer has submitted to the City an updated Financing Proposal for the Development consistent with the requirements of Section 3.2 of the Loan Agreement, and the City has approved such Financing Proposal in accordance with Section 3.2 below; and (ii) the City has received sufficient funds from the Redevelopment Property Tax Trust Fund pursuant to an approved Recognized Obligations Payment Schedule that includes the Loan Agreement as an Enforceable Obligation, which approval the City agrees to use its diligent, good-faith efforts to obtain.

5. Repayment. Section 2.8(d) is hereby amended in its entirety to read as follows:

(d) Forgiveness. Notwithstanding anything to the contrary in the Loan Documents, if the Developer determines that the Development is not financially feasible, the Developer shall so inform the City in writing and shall provide the City with the Developer's basis for the determination of financial infeasibility. If the City concurs with the Developer on the determination of financial infeasibility and if the City and the Developer are unable to mutually agree upon an alternative method of financing the Development, including changes to the scope of the Development that would allow the Development to proceed, the City may (i) require the Developer to transfer the Property to the City, in which event the Loan shall be forgiven and the Developer shall be released from Developer's obligation to repay the Loan, or (ii) allow the Developer to sell the Property on terms and conditions to be agreed upon by the City and the Developer, in which event payment to the City of sales proceeds up to the amount of the outstanding Loan funds minus only the reasonable costs of sale, which payment to the City shall be considered satisfaction of the Loan, and upon such payment the Developer shall be released from Developer's obligations to repay the Loan. In the event there are any tenants occupying the Property at the time the City requires transfer of the Property to the

City, the Developer shall be responsible for terminating such tenancies and removing the tenants, including the payment of relocation benefits if such benefits are owed. Developer shall execute any documents reasonably requested by the City including a grant deed in order to effectuate the transfer of the Property. Additionally, in the event of a transfer of the Property to the City, at the City's election, the Assignment Agreement shall be effective and Developer shall provide to the City all plans, permits and other documents relevant to the development of the Property, provided, however, in the event the City requests to effectuate the Assignment Agreement pursuant to this Section 2.8, the City shall compensate the Developer for the Developer's third party costs incurred by the Developer for such plans as evidenced by invoices provided by the Developer to the City.

6. Financing Proposal. Developer shall deliver to the City an updated Financing Proposal consistent with the requirements of Section 3.2 of the Loan Agreement within the time set forth in the updated Schedule of Predevelopment Tasks attached to this Second Amendment as Exhibit C.
7. Financing Plan. Subsection 4.3(b) is hereby deleted in its entirety.
8. Reports. Subsection 4.6 is hereby amended in its entirety to read as follows:

Section 4.6 Reports. Upon reasonable notice, as from time to time requested by the Agency, the Developer shall make oral or written progress reports advising the City on progress made and next steps to be taken by the Developer in the performance of the development activities.
9. Commencement of Construction. Section 5.1 of the Loan Agreement is hereby amended in its entirety to read as follows:

Developer shall cause the commencement of construction of the Development no later than the date required by the conditions of the award of tax credits for the Development, and in no event later than February 1, 2016.
10. Completion of Construction. Section 5.2 of the Loan Agreement is hereby amended in its entirety to read as follows:

Developer shall diligently prosecute construction of the Development to completion, and shall cause the completion of construction and the receipt of a final certificate of occupancy for the Development no later than the date required by the conditions of the award of tax credits for the Development, and in no event later than February 1, 2018, subject to automatic adjustment in the event the date for commencement of construction is extended beyond the date indicated in Section 5.1.

11. Supportive Services Plan. Section 5.5 of the Loan Agreement is hereby amended in its entirety to read as follows:

Section 5.5 Supportive Services Plan. The Developer shall, within ninety (90) days of the date of this Second Amendment, submit to the City for its approval a supportive services plan with a designated special needs population targeted for such services.

12. Transfers. Section 7.9 of the Loan Agreement is hereby amended in its entirety to read as follows:

Section 7.9 Transfers.

(a) Prohibited Transfers. Except as expressly permitted by this Agreement, the Developer shall not cause or permit a Transfer without the prior written approval of the City, which, the City may grant or deny in its sole discretion. For purposes of this Agreement, a "Transfer" shall not include Developer's transfer of its right, title, and interest in this Agreement or the Development to a limited partnership of which the general partner is affiliated with Developer or Developer's limited partner, a limited liability company of which the manager is affiliated with Developer or Developer's limited partner, or a nonprofit public benefit corporation affiliated with Developer or Developer's limited partner.

(b) Notwithstanding anything to the contrary in the Loan Documents, the Developer shall not obtain any financing, including, but not limited to the Approved Financing, which would be secured against the Property unless and until the Developer has provided the City with an updated Financing Proposal in accordance with Section 3.2 and the City has approved such financing proposal in accordance with Section 3.2.

13. Notices. The Developer's address for notices is amended as follows:

Ohlone Gardens, L.P.
c/o Resources for Community Development
2200 Oxford Street
Berkeley, CA 94704
Attn: Executive Director

14. Budget and Schedule of Predevelopment Tasks. Exhibit B, Predevelopment, Acquisition and Construction Budget is hereby amended and replaced as set forth in Exhibit B attached hereto. Exhibit C, Schedule of Predevelopment Tasks is hereby amended and replaced as set forth in Exhibit C attached hereto and to the extent that any task set forth in the updated Schedule of Predevelopment Tasks is not noted as complete, Developer shall be required to complete such tasks in accordance with the updated Schedule, regardless of whether the Agency or the City has previously approved a submission related to such Tasks.

15. Effect of Amendment. Unless otherwise amended pursuant to this Second Amendment, the provisions of the Loan Agreement shall remain in full force and effect. In the event of a conflict between this Second Amendment and the Loan Agreement, this Second Amendment shall control. All references in the Loan Agreement to the Agency shall be deemed to refer to the City acting as the housing successor to the El Cerrito Redevelopment Agency effective as of February 1, 2012, provided, however, the City shall not be responsible for any act, inaction or omission of the Agency under the Loan Agreement or related documents that occurred prior to February 1, 2012.

WHEREFORE, this Second Amendment has been entered into by the undersigned as of the date first above written.

DEVELOPER:

OHLONE GARDENS, L.P.,
a California limited partnership

By: RCD Housing LLC, a
California limited liability
company, its managing co-general partner

By: 112 Alves Lane, Inc.,
a California nonprofit public
benefit corporation,
its member/manager

By: _____

Name: _____

Its: _____

CITY:

CITY OF EL CERRITO,
A municipal corporation, acting as the
housing successor to the El Cerrito Redevelopment Agency

By: _____

Name: Scott Hanin _____

Its: City Manager _____

EXHIBIT B

PREDEVELOPMENT, ACQUISITION AND CONSTRUCTION BUDGET

Ohlone Gardens - Portola Drive, El Cerrito
Preliminary Sources by Uses - Predevelopment Focus

Development Sources	Amount	Predevelopment	Construction	Permanent
1st Mortgage	1,500,000			1,500,000
Contra Costa MHSA	562,430		562,430	
Contra Costa HOPWA	500,000		500,000	
City of El Cerrito	3,500,000	3,500,000		
9% Tax Credit Equity	15,022,062		1,567,205	13,454,857
1C Infill Infrastructure	2,860,000		2,860,000	
AHP	560,000		560,000	
GP Equity / Deferred Developer Fee	500,000			500,000
Construction Loan (interim source)	14,927,927		14,927,927	(14,927,927)
Total	24,504,492	3,500,000	20,977,562	526,930

Summary Predevelopment Draw Schedule		
Source	Purpose	Amount
1: City Loan	Site Acquisition	3,023,500
1: City Loan	Planning Application, Carrying Costs	147,800
2: City Loan	Predevelopment, TCAC Application expenses	328,700
City Loan Subtotal		3,500,000
3: Bridge Fee Deferral	Bridge for few months pre construction	(610,000)
Predevelopment Subtotal		4,045,000

*Note: Building/Impact fee deferral is proposed and subject to approval of the respective public agency collecting the fee, including City Council.

* Total includes original predevelopment loan funds (\$100,000)

	Project	Predevelopment	Predevelopment	Predevelopment	Predevelopment	Construction	Permanent
Development Costs	Total	Subtotal	City-paid expenses	LP-incurred expenses to be reimbursed	Expenses to be incurred prior to TCAC application	Building/Impact Fee Deferral	Subtotal
Predevelopment							
Phase I	8,800	8,800	4,500	-	4,300		
Phase II	16,000	16,000	16,000				
Traffic/Acoustical Analysis	9,505	9,505		9,505			
Appraisal	9,000	9,000		7,000	2,000		
Acquisition							
6431 Portola Acq	1,750,000	1,750,000	1,750,000				
6495 Portola Acq	1,150,000	1,150,000	1,150,000				
Title, Recording, Legal, City Transfer	23,000	23,000	23,000				
Demolition	65,000	-	-			65,000	
Remediation	50,000	-	-			50,000	
Design Costs							
A&E	836,750	168,750	65,000	16,750	150,000	670,000	
Soils/Geotechnical	30,000	30,000		10,000	20,000		
Construction							
Hard Cost	14,144,142	-	-			14,144,142	
Hard Cost Contingency	1,429,914	-	-			1,429,914	
Permits & Fees	632,400	632,400	15,000		7,400	610,000	
Utility Hookups	684,000	-	-			684,000	
Builder's Risk Insurance	125,000	-	-			125,000	
Construction Testing	30,000	-	-			30,000	
Survey	15,000	15,000			15,000		
Construction Management	65,000	10,000			10,000	55,000	
Furnishings including Computer Lab	125,000	-	-			125,000	
Construction Financing							
Construction Loan Fee	111,959	-	-			111,959	
Construction Lender Costs	30,000	-	-			30,000	
Construction Interest	797,711	-	-			797,711	
Title & Recording	25,000	-	-			25,000	
Owner Legal	30,000	-	-			30,000	
Permanent Financing							
Perm Loan Fee	7,492	-	-				7,492
Title and Recording	10,000	-	-				10,000
Perm Lender Costs	25,000	-	-				25,000
Legal	10,000	-	-				10,000
Carrying Costs							
Predev Loan Costs	85,875	85,875			85,875		
Insurance	5,000	-	-				5,000
Property Taxes	147,045	94,545		82,045	12,500	52,500	
Security-Construction Period	125,000	-	-			125,000	
Syndication Costs							
Acctng.- Audit/Tax Returns/Cost Cert.	17,000	-	-			5,000	12,000
Investor Legal	20,000	-	-			20,000	
Owner Legal	20,000	5,000		5,000			15,000
Consultant	57,500	10,000		10,000		45,000	2,500
TCAC Fees	28,526	2,000			2,000	26,526	
Soft Costs							
Marketing /Rentup	65,000	-	-			65,000	
Market Study	11,500	11,500		7,500	4,000		
Soft Cost Contingency	125,500	15,625			15,625	22,500	87,375
Developer Fee	1,400,000	-	-			250,000	1,150,000
Reserves							
Operating Reserve	134,400	-	-				134,400
MHSA Fee	16,473	-	-			16,473	
Services Reserve	-	-	-				
Total Development Cost	24,504,492	4,045,000	3,023,500	147,800	328,700	610,000	1,458,767

EXHIBIT C
SCHEDULE OF PREDEVELOPMENT TASKS

Task	Deadline	Status
2008		
Community Meeting	Dec 2008	Complete
2009		
Financing Proposal	April 2009	Submitted
Conceptual Property Plan	April 2009	Submitted
Conceptual Property Plan Review	April 2009	Complete
Land Use Approvals	Dec 2009	Complete
Decision on Binding Commitment Definition	Aug 2009	Complete
2010		
1C Infill – Financing Commitment	Jan 2010	Complete
2011		
2012		
Hatlen Center exit from LP	March 2012	
City Council Approval of Revised Loan Agreement	April 2012	
Approval of revised Predevelopment Budget and Supportive Services Plan	April 2012	
Submit MHSA, HOPWA, AHP applications	April 2012	
Tax Credit Application submission	July 2012	
Tax Credit Allocation received	September 2012	
2014		
Construction Commencement	March 2013	
Marketing Plan	November 2013	
Construction Completion	June 2014	

Overview of Proposed Special Needs Units at Ohlone Gardens April 2012

I. Overview

Resources for Community Development (RCD) is proposing that the 10 special needs units at Ohlone Gardens once reserved for the Hatlen Center for the Blind's students will be occupied by five (5) households with persons living with HIV/AIDS and five (5) households with mental health consumers. The project is configured as a mix of one-, two-, and three-bedroom apartments, with special needs households occupying 1-bedroom units. Special need units will be restricted to households with incomes below 30% of Area Median Income. Maximum rents will be set at levels affordable to those earning 30% of Area Median Income, but as per regulation, residents will only pay 30 percent of their actual income in rent.

II. Special Needs Programs

Special needs units will be supported by the Housing Opportunities for Persons With AIDS (HOPWA) program and the Mental Health Services Act (MHSA) housing program. HOPWA is a federal program that allocates funding to states and local governments for services and housing that serve low-income households living with HIV/AIDS. Ohlone Gardens is applying for HOPWA funding from the Contra Costa County Department of Conservation and Development. MHSA is jointly administered by the California Department of Mental Health and the California Housing Finance Agency in conjunction with counties. It provides development and operating funding for supportive housing that serves households with a serious mental illness and who are at risk of homelessness. RCD intends to submit its MHSA application in mid-April. Contra Costa County posted a section of RCD's application online on March 12th for a public review period of 30 days, after which RCD is eligible to submit its application to the State.

III. Services

The Resident Services Program (RSP) planned for Ohlone Gardens has two components. For the entire tenant population, including special needs units, RCD will provide a program that focuses on short-term assessment and case management with residents to provide information and referrals to outside agencies, as required. The part-time on-site Services Manager at Ohlone Gardens can link residents to a comprehensive, integrated network of local resources with the goal of assisting residents in maintaining their permanent affordable housing opportunity and creating healthy and stable lives. Using the onsite community room and services office, the Services Manager will also organize community events and programming. Programs that are planned for Ohlone Gardens include financial literacy training and computer technology access and training. Other programming that RCD typically provides at developments similar to Ohlone Gardens include afterschool activities, ESL classes, summer lunch programs, workforce skills development, and building involvement with local civic organizations.

Additionally, RCD and its partner organizations will provide services specifically for the 10 special needs households. HOPWA-unit residents will have access to medical case management and supportive services provided by the Contra Costa AIDS Program, as well as access to housing advocacy and referral providers, such as Contra Costa Interfaith Housing and the Greater Richmond Interfaith Partnership. MHSA-unit residents will work with the Contra Costa Mental Health Administration (CCMHA) as their primary service provider. CCMHA contracts with several nearby service providers, and services will include case management, mental health services, linkages to physical health services, employment/vocational services, referrals to substance abuse treatment, assistance in obtaining benefits, budget and financial training, daily living skills assistance, and crisis intervention.

IV. RCD's Experience

RCD is one of the few developers in the Bay Area with the depth of experience and ability to develop housing to meet the complete spectrum of housing needs, from moderate income home ownership opportunities to permanent family and senior affordable rental housing or shared transitional housing serving extremely low income people with special needs. Over 40% of RCD's portfolio is special needs housing. RCD also provides the most Shelter Plus Care units and housing units for people living with AIDS/HIV in Alameda County. RCD currently operates 17 developments with HOPWA units and three developments with MHSA units. Two more RCD developments with MHSA units are in construction or predevelopment.

From award-winning North Oakland craftsman-style single family homes to modern green senior apartments in Walnut Creek and LEED Platinum apartments for homeless veterans and their families in Alameda to shared housing for people living with AIDS/HIV in Southern Alameda County, RCD has stepped up to meet and exceed the needs and expectations of our local government partners and our communities. A large part of the RCD's capacity to serve disparate income levels comes from our deep understanding of the requirements of different types of financing sources from CalHFA first time homebuyer down payment assistance to HUD SHP. This capacity includes the myriad complexities of reporting and compliance administered through RCD's Asset Management department.

A key to the success of its residents is RCD's well-regarded Resident Services program. RCD offers services at nearly all of our completed developments. The goal of these support services is to assist tenants in maintaining and enhancing self-sufficiency within a caring community. RCD's Resident Services Empowerment Program staff has productive working relationships with local community-based service providers in fulfilling this goal. These service providers cooperate with RCD to provide tenants with case management, counseling, job training and placement, health services, tenant leadership development, and tenant association organizing, as well as recreational and social activities. RCD staff also brings a number of community development programs to residents, including: tenant empowerment workshops that educate tenants in meeting facilitation, public speaking, and community building techniques; arts and gardens programs with hands-on involvement by tenants at project sites; and employment and financial management programs.



Ohlone Gardens Services Plan

Revised April 2012

I.

Resources for Community Development (RCD) is proposing to develop Ohlone Gardens, an exciting mixed use project on El Cerrito's Portola Drive consisting of a ground floor commercial space for a community-serving tenant and 46 affordable rental apartments for low income families and 10 units for special needs households supported by MHSA and HOPWA financing. RCD has long been an industry leader in sustainable design and affordable housing for the disabled, and Ohlone Gardens will be developed based on the successful practices we have established through our history of focusing on special needs housing. The project is configured as a mix of one-, two-, and three-bedroom apartments, with over 30% of the units as three-bedrooms in order to serve those families most impacted by the shortage of quality affordable housing in El Cerrito and the Bay Area overall. Rents will be set at levels affordable to those earning between 30% and 50% of Area Median Income, so that the property will serve households with incomes between approximately \$10,000 and \$50,000 annually.

II. Resident Population

Based on comparable developments in RCD's portfolio, it is anticipated that the tenant profile will include households that are families ranging in size from 1 to 7 persons, as well as households that are made up of adults who have a mental illness or are living with HIV/AIDS.

III. Site Amenities

Located at 6431-95 Portola Drive in El Cerrito, the site is extremely well-suited for special needs households, as well as the overall community of new residents. The site is located on the Ohlone Greenway just one block from San Pablo Avenue, and offers pedestrian access to local and regional transit via BART and San Pablo bus lines, including a rapid bus line stop within 0.1 miles. Household shopping is available in the immediate vicinity of the project at CVS, Marshall's and numerous other retailers.

Shared community spaces for the apartment residents, including the onsite manager and services offices and computer lab, are located in the ground floor lobby. The apartments are located on the second through fourth floors of the building with the units facing onto an

interior courtyard with outdoor seating and playful landscape elements. Additional shared amenities, including laundry facilities and a large community room, face onto this courtyard as well.

IV. Service Delivery

The Resident Services Program (RSP) planned for Ohlone Gardens has two components. Resources for Community Development will provide a community driven, service enriched model that is voluntary, on-site and promotes resident empowerment and self-sufficiency. The program focuses on short-term assessment and case management with residents to provide information and referrals to outside agencies, as required. The on-site Services Manager can link residents to a comprehensive, integrated network of local resources with the goal of assisting residents in maintaining their permanent affordable housing opportunity and creating healthy and stable lives. This program is described in more detail under the following section.

Additionally, RCD and its partner organizations will provide services to approximately 10 special needs households. Details on this program are provided under the Special Needs section of the Plan.

A. Key Program Elements

Support services also empower residents and build community by offering on-site educational presentations, activities, programs, and workshops. Community building activities such as monthly community meetings and social gatherings are offered in order to bring residents together and build a sense of community and address topics that are identified by the residents as of interest to them. In addition to providing opportunities for growth and empowerment, services programming also gives residents, staff, and property management an opportunity to engage with each other which ultimately will increase the level of communication and trust.

Programming will include, but is not limited to, the following activities:

- **Voluntary Services:** These are consistent with the principles of service-enriched housing. Residents self-refer or are referred by Property Management to the RCD Services Manager.
- **Monthly Property Management, RCD Asset Management and Services Meetings:** Meetings will occur with an emphasis on service interventions for house rule and lease violations. RCD Services Manager will work with all tenants on housing retention issues to insure that they remain in their permanent housing setting.
- **Financial Literacy Workshops:** RCD Services staff has developed a two part educational workshop series on how to deal with debt. The first part of the series is titled

"Understanding Money & Credit", which includes instruction on the basics of financial literacy, including but not limited to, how to access and read a credit report, budgeting, and healthy approaches to money management. The second part of the series is entitled "Building a Better Credit Record" and underscores financial planning and decision-making as it relates to financial health. The full workshop curriculum is attached as Appendix A.

- **Service Coordination: An RCD Resident Services Manager (RSM) will provide** service coordination to individuals, families and elderly residents by assessing the individual needs of each resident and linking them to the appropriate providers. The RSM will facilitate (as needed) Community Meetings, Youth Programming, Tenant Councils & social activities within the resident community, implement educational programs, assist residents in building informal support networks, and develop a quarterly newsletter to keep residents informed of upcoming programming. For a more detailed description of the roles and responsibilities of the RCD Resident Services Manager, please see the job description attached as Appendix B.

1. Special Needs Units

Ohlone Gardens will include 10 units of housing for special needs households, to be supported by MHSA and HOPWA funding.

4. Support Services for Special Needs Households

Ohlone Gardens is a multi-family affordable housing site that utilizes an "integrated" model of housing. Different household sizes, varying incomes and persons with and without disabilities will live in a communal setting. Two specific special needs groups will be housed and served at Ohlone Gardens: people that have been diagnosed with HIV/AIDS and people diagnosed with severe mental illness and have been formerly homeless. There will be five (5) MHSA units and five (5) HOPWA units set-aside at Ohlone Gardens.

A. HOPWA Resident Needs

The HIV/AIDS target population is in need of safe, stable housing where there is a commitment and focus on housing retention accompanied by a package of services tailored to the individual needs of a household. RCD's services staff, through our Resident Services Program (RSP), provides all of our residents with service coordination, linkages to outside agency services and community-building activities with the focus of bringing our residents together. The RCD Services Manager has strong relationships with other community-based service providers, which will benefit all Ohlone Gardens' residents, including those living in the HOPWA units.

The goal of the HOPWA services programming at Ohlone Gardens will be to support the ability of residents to live independently, maximize their self-sufficiency and retain their housing

opportunity. Participation in services is not a condition of tenancy; yet, many very low-income persons with physical disabilities and those living with HIV/AIDS rely on supportive services and entitlement programs to meet their basic needs. When issues arise with an individual's benefits, counseling and advocacy services are extremely helpful in ensuring that needed benefits are not interrupted and/or discontinued.

Additionally, access to quality, on-going medical care that includes in-home health care and attendant services ensures quality of life. Medical case management services as well as direct access to medical care and assistance with prescriptions are all services that ensure the medical needs of our HOPWA residents are met. Assistance with mental health issues ranging from psychological case management to counseling and peer support as well as substance abuse counseling are also services that can meet key needs among this disabled population.

B. Service Delivery System for HOPWA Unit Residents

The RCD Services Manager can informally assess individual needs and will refer residents to off-site, community based services as required and appropriate. RCD has built up strong working relationships with HIV/AIDS service providers in the area for many years. Agencies such as Anka Behavioral Services, Inc. and CCIH are working with HOPWA residents across our housing portfolio in Contra Costa County. RCD has an on-staff medical case manager for HOPWA unit residents in Alameda County, who can advise on services at Ohlone Gardens. These strong connections will be beneficial as the RCD Services Manager refers our HOPWA residents to the specialized services they might require.

C. Services Partnerships Specifically for the HOPWA Unit Residents

The partnerships that have been established for this project include:

- **GRIP (Greater Richmond Interfaith Partnership)** – RCD has secured a letter of support from GRIP, which provides housing advocacy, referral services and connections to medical case management and supportive services in the West County area. Founded in 1971, GRIP operates several housing and service programs that residents at Ohlone Gardens will have access to.
- **Contra Costa AIDS Program**- RCD has secured a letter of support from the Contra Costa AIDS Program, which has been administered through the Contra Costa Public Health agency since the early 1990s. This program provides health and social services for people living with HIV/AIDS and uses a medical case management model of care. It estimates that it will budget \$2,000 to \$3,000 per person per year for services accessed by Ohlone Gardens residents.
- **CCIH (Contra Costa Interfaith Housing)** – RCD has secured a letter of support from CCIH for Ohlone Gardens. RCD partners with CCIH for service provision at two East County developments with special needs units- Bella Monte Apartments in Bay Point and Los Medanos Village in Pittsburg. Its services include afterschool programs, mental health, and case management.

Letters of support from these organizations are attached as Appendix C.

D. MHSA Resident Needs

The service goals of the project for the MHSA tenants include assessing the ongoing service needs of each tenant, assisting tenants to maintain housing, supporting stability and recovery, and providing a full complement of wraparound services. Services will include case management, mental health services, linkage to substance abuse services and physical health services, vocational counseling and support, life skills training, benefits advocacy, recreational and social activities, peer support, information and referral and other services as appropriate.

Mental health service delivery will be overseen by the Contra Costa Mental Health Administration (CCMHA) in coordination with Full Service Partnership providers. This will be enhanced by the presence of an on-site Ohlone Gardens Resident Service Coordinator at the development. The Service Coordinator will be available to all tenants and will provide coordination, information and referral to other appropriate community services, as well as notifying CCMHA and/or the FSP provider when tenant needs requires support and assistance.

E. Service Delivery System for MHSA Units

There will be two levels of service provision at Ohlone Gardens for the MHSA tenants. An RCD Services Manager who will be responsible for overall service coordination to all households will be on-site and serve the 5 MHSA-unit residents. In addition, the Contra Costa Mental Health Administration (CCMHA) has been identified as the primary Service Provider contact for the 5 MHSA units. CCMHA will identify a staff person to coordinate connecting MHSA eligible tenants with an appropriate Full Service Partnership (FSP) or other service provider and effective service provision. On-site service coordination will be provided by the project sponsor, RCD who will employ a part-time Service Coordinator at the building.

Assessment of Services Needs

Assessment and individualized service plan development is an ongoing process. Assessment information is used to develop individual housing and service plans for tenants who are actively participating in services on an ongoing basis. Developed jointly by the consumer and the CCMHA designated Personal Services Coordinator (PSC), the housing and service plans outline personal goals, which may include stabilization of psychiatric symptoms or substance use problems, health related issues, independent living objectives, and other needs. CCMHA staff and contracted providers will work with tenants to link them to on-site as well as off-site and community based services. The emphasis for most housing and service plans is to identify those issues that have previously interfered with the maintenance of housing and to work with the tenants to alleviate those issues or address them in a manner that does not place the tenant at risk for losing his/her housing. The PSC encourages the participant to evaluate the progress, as well as to establish ongoing usefulness of the goals and to support/review any new goals or individual service objectives. The plans are reviewed at least once on a quarterly basis.

The assessment process is based on a strength based approach that promotes resiliency and recovery. This approach assumes that people have knowledge that is important in defining their situations and that consumers can take an active role in the assessment process. Service providers help consumers to identify the positive resources available to them rather than focusing on "what's wrong".

Description of Services

The designated CCMHA staff person will work with each MHSA eligible tenant to ensure that they are connected with appropriate and desired FSP or other Providers. Contra Costa County currently contracts with several agencies to provide services to MHSA consumers. It is anticipated that more than one FSP or other Provider will provide services to the tenants residing in the five MHSA units, and therefore the responsibility for ensuring that each tenant is receiving the necessary support services will reside with CCMHA.

CCMHA will provide a dedicated staff person who will be a single point of contact for the property manager, provide orientation and application support, periodically meet with consumer and provider, and be the ongoing contact between providers and the CCMHA. CCMHA will contract with a designated adult provider of mental health services to ensure that 24 hour on-call support is available to address urgent situations that arise outside of regular business hours.

Some or all of the individuals that move into the MHSA units may already have existing service provider connections. For those that do not have these connections, they will be offered supportive services during the MHSA housing certification process. In addition, dedicated clinical staff will offer CCMHA services to individuals that move into MHSA units immediately after they have been selected to move into the building. The CCMHA dedicated staff person will be primarily responsible for coordinating the timely certification of MHSA tenants, ensuring that appropriate service providers are linked to MHSA tenants, and coordinating the provision of supportive services offered by CCMHA during certification. For interested individuals, CCMHA will coordinate an initial assessment and then link MHSA tenants with appropriate and desired services. The needs, goals, and interests of MHSA tenants will vary since the MHSA units will be open to a range of tenants that meet MHSA Housing Program eligibility criteria.

The CCMHA identified Service Provider will serve MHSA eligible tenants with a comprehensive set of services which may include the following depending on individual needs:

- Case Management provided by the Personal Service Coordinators, including individual counseling, support with an Individual Service Plan, and linkage to community supports as the primary tasks.
- Mental health services including ongoing assessment, medication management, symptom management, and psychological support.
- Linkages to physical health services including prevention programs.

- Employment/vocational services including referrals to supported employment activities through vocational rehabilitation services.
- Referrals to substance abuse services including one-on-one and group substance abuse treatment, integrated with mental health treatment along with linkages to appropriate outpatient and residential treatment programs when appropriate.
- Budget and financial training.
- Assistance in obtaining and maintaining benefits/entitlements such as SSI, Medi-cal, food stamps and other benefits for which consumers may be eligible.
- Daily living skills assistance such as hands-on training in apartment living, how to be a good tenant and neighbor, assistance with shopping and help managing outstanding financial and/or legal difficulties that could threaten their housing situation.
- Crisis intervention and conflict resolution/mediation as needed.

On-site Service Coordination

An on-site Service Coordinator from RCD will be available to all residents and will provide coordination, information and referral to other appropriate community services, as well as notifying CCMHA and/or the designated service provider when a tenant's needs may require service and support. The Service Coordinator will work closely with CCMHA and other service provider agencies to ensure that services are coordinated for each individual tenant. For consumers who are enrolled in an FSP, the Service Coordinator will maintain regular communication with each tenant's designated FSP Personal Services Coordinator in order to ensure coordination of services and to make the PSC aware of relevant issues that arise on-site.

The RCD Resident Services Coordinator follows a community driven, service enriched model that offers voluntary resident services with a focus on housing retention. RCD Services staff has a long history of collaborating with many service agencies in the East Bay to ensure that our residents receive the community supports they may require. Regular communication and meetings with the RCD-contracted John Stewart Property Manager ensures that rent issues and resident behavioral problems are dealt with in a timely fashion and residents retain their permanent housing opportunity.

The RCD Services Manager also empowers residents and builds community by offering on-site educational presentations and programming. Community building activities such as monthly community meetings and social gatherings are offered in order to bring residents together and build a sense of community and address topics that are identified by the residents as of interest to them. In addition to providing opportunities for growth and empowerment, services programming also gives residents, staff, and property management an opportunity to engage with each other which ultimately will increase the level of communication and trust.

All of the community-building activities & programming will be offered by the Resident Services Coordinator at Ohlone Gardens to every resident including those who live in the MHSA units.

Strategies and Assistance in Maintaining Housing and Supporting Stability and Recovery

The support services plan has been designed to help tenants to successfully maintain their housing, build community and aide each tenant to set and achieve personal goals to move him/her forward in a recovery plan. Full Service Partnership (FSP) and CCMHA staff members will work with tenants to identify what they believe helps them feel healthy, successful and part of a community. Staff will be available to assist tenants in all activities of daily living and will work side by side with tenants to ensure they are able to make best use of their units, and access needed services on-site and off. Each tenant will have a unique plan specific to his/her needs, desires and goals. The goal of on-and off-site services is that they be appropriate and accessible to all MHSA tenants. Services will be provided in a way that allows tenants to maintain their dignity and be self-sufficient in their housing while receiving high quality support.

MHSA tenants will be linked with ongoing wellness, recovery, and resiliency efforts, as well as programs offered off-site. Peer-based program components will also be a crucial element of the service design at Ohlone Gardens so that residents may support one another as they work toward wellness and recovery. This will include consumer/peer-led support groups, classes, and activities. MHSA tenants will also have access to the Contra Costa Mental Health Consumer Centers.

Service Principles

Services provided through the CCMHA network will abide by the following principles:

- Services are voluntary and individual tenants cannot be mandated to participate in services as a condition of their tenancy obligations. However, tenants who are unable to meet their tenancy obligations may need to access and utilize services to maintain their housing.
- With consumer permission, support service providers will provide contact information to housing developers and/or property managers for individual tenants that they work with in a particular development. Service provider(s) commit to responding to requests for support from property managers/ developers on behalf of MHSA Housing Program tenants in a timely manner. At a minimum service provider staff will follow-up with a phone response to the property manager or developer. Property Managers will have access to a designated adult mental health services provider's 24-hour on call system for urgent non-crisis matters.
- Service providers will offer wraparound, intensive, integrated, personalized, strength-based services to tenants and will work to ensure that tenants receive the supports they need to maintain their housing, promote their health, and pursue their personal goals.
- Services will be provided primarily in the community and in consumer's homes rather than in the off-site services office to help support personal development and learning during day-to-day life activities.

- The concepts of independence, dignity, and self-determination are fundamental to this project. The Ohlone Gardens site environment, program design, staff, and services will assist residents to achieve their highest level of functioning and independence.
- Housing stability is of primary concern and the services will emphasize assisting those who have not in the past been able to acquire and maintain housing to remain stable in their community. This project is designed to provide the necessary support so that these households will be able to overcome the barriers contributing to their homelessness.

Tenant Engagement

Service provider staff will develop a variety of service options and opportunities to interest and engage tenants, many of whom have had difficulty getting and maintaining services in the past; even losing services due to missed appointments, recurring crises, relapse, acute mental health symptoms, etc. In their transition from homelessness to housing stability, these tenants may be slow to trust staff. Recognizing the challenges of this transition, the types and frequency of the intervention will be directed by where the tenant is in his/her recovery. One-to-one engagement may begin simply with help with the move into the building or with needed food or clothes. The initial task for the team is to demonstrate the availability, nature, usefulness (from the tenant perspective), and reliability of the services offered. From there a long term trusting relationship can be developed to support the tenant to achieve their goals and maintain housing.

Cultural and linguistic Competence

All collaborators on this project make efforts to recruit staff members who are culturally and linguistically competent. Tenants are involved in service and event planning to support a high level of cultural and ethnic sensitivity and appropriateness in service delivery. Staff are encouraged to attend training sessions as needed to maintain and improve efficacy in this area. CCMHA recognizes that the diversity of the tenant population may include those who do not speak English. CCMHA will refer consumers to linguistically competent services providers as needed to ensure that tenants can receive adequate services. CCMHA will also utilize County contracted translation services as needed to facilitate communication between property management and non-English speaking MSHA tenants when necessary.

Communication

The CCMHA designated staff person will function as the primary point person for service coordination. The RCD Service Coordinator, Owner's Property Management, and the CCMHA designated staff person will communicate initially via monthly meetings or phone conferences. The frequency of the meetings may decrease over time if deemed appropriate by all parties. These meetings will be organized by the Owner's Property Management. Topics covered at the meeting will follow a standard agenda that includes program updates, tenant-specific issues, and coordination of response to work toward maintenance of housing stability and a positive community environment for all tenants. CCMHA will be responsible for coordinating

communication with other CCMHA providers as needed and procuring tenant consent to exchange information.

In addition to this monthly meeting, the following communication forums will occur:

- At least twice each year, the RCD Service Coordinator, Owner's Property Management, and the CCMHA dedicated project staff person shall meet at a mutually convenient time to discuss the Project. CCMHA shall organize these semiannual meetings. Examples of topics to be covered at the semi-annual meetings include but are not limited to: discussion of safety issues and policy related to the Project; discussion of funding and staffing issues related to the Project; updates to policies and procedures related to coordination related to the Project; review of this MOU between the Parties; services update on MHSA-Eligible Households and Service Participation; Owner update on financial status of Project.
- Owner's Property Management and the Service Coordinator will attend tenant-specific meetings, as needed, with CCMHA provider staff in an effort to assist tenants with maintaining their housing and to work cooperatively with tenants to meet their needs.

All communication between the parties will adhere to resident confidentiality protocols. Communication between the on-site service coordinator, property management staff and service providers regarding specific resident issues would occur only with the written consent of the resident or as otherwise allowed by the established agency confidentiality policies.

Appendix A

Financial Literacy Workshop Curriculum

**Financial Literacy
Course Overview**

Series 1 "Understanding Money and Credit"

- 1. Understanding Money**
- 2. Credit Report Review**
- 3. Choosing and Using Credit**
- 4. Having a practical approach to healthy money management?**

Series 2 "Building a Better Credit Record"

- 1. Building a Better Credit Record**

Part 1: Understanding Money

I. Open discussion about money

- a. Give one word to describe current money situation
- b. Earliest memory about money
- c. Lead a discussion about powerful influence of money messages:
 1. "you can't take it with you"
 2. "Money is the root of all evil"
 3. "Save a penny for a rainy day"
 4. "You've got to spend money to make money"

II. What is a practical approach to healthy money management?

- a. being realistic about your expenses & and your income
- b. have a spending plan and know where your money is going
- c. determine financial goals are for short, mid, and long range
- d. ask yourself if this is a need or a want before making a purchase
- e. understanding credit

III. Tracking Personal Expenses

- a. Pass out Budget worksheet/Spending Plan
- b. Net vs. Gross Income
- c. All Income Sources
- d. Job – part/full time
- e. Child support
- f. Retirement accounts
- g. Alimony
- h. Other income sources

IV. Expenses

- a. Fixed
- b. Flexible
- c. Periodic

V. Filling out Budgeting Form

- a. Budget Amount
- b. Actual Amount
- c. Difference

VI. Shortage/Surplus

- a. Shortage – increase income, decrease expenses or a combination of both
- b. Surplus – savings, setting up financial goals

Part 2: Credit Report Review

I. Initiate discussion of credit reports by asking several questions:

- a. Have you ever seen your credit report?
- b. Why is it important to review your credit report?
 - 1. Your credit report has information that affects whether you can get a loan, get an apartment, purchase a car and in some cases can affect whether you get a job or not.
- c. How often should you review your credit report? Why?
 - 1. You should look check your credit report at least once a year, unless you have been a victim of identity theft.
- d. How many credit reports are there and is it important to get all of them?
 - 1. There are three major credit reporting agencies, Equifax, TransUnion, and Experian. When you review your reports you should get all three of them, this is important so that you know who is reporting what on you. Your credit reports my not have all the same information, by looking at all three of you reports this insure you know what is being reported by your creditors.

II. Credit Report Information (delivered in Q&A Format):

- a. How do I order my free report?
 - 1. As a consumer you are entitle to receive all three credit reports for free once a year or every once every 12 months. You can visit www.annualcreditreport.com if you have a computer you can get your report right away. You can call 1.877.322.8228, or you can use this form by filling out the last page of this brochure and mailing it to the address on the back.
- b. How long does it take to receive my report?
 - 1. If you order your report using the internet and you have a computer you can print your report right away. If you choose to call or mail in this form to order your report it can take up to 3 weeks before you receive it in the mail.
- c. What if I get my report and it is incorrect? How do I dispute incorrect information?
 - 1. You have a right as a consumer to dispute anything on your report that you believe is incorrect. (Blue book has information how to dispute items and a sample dispute letter)
- d. How long does negative information stay on your credit report?
 - 1. Most accurate negative information stays on your report for 7 years and bankruptcy information for 10 years.

III. Who to contact for more information.

- a. Janice King, RCD Director of Resident Services
- b. Credit counseling agency at 1.866.889.9347

Part 3: Choosing and Using Credit Cards

I. Terms to Know

- a. Annual Percentage Rate: APR is a measure of the cost of credit. It also must be disclosed before you become obligated. Review the back of the credit application for terms.
 - 1. Fixed
 - 2. Adjustable
 - 3. Periodic
- b. "Grace period" a free period lets you avoid finance charges by paying your balance in full before the due date.
- c. Annual Fees. Most issuers charge annual membership or participation fees.
- d. Transaction Fees and Other Charges. Additional cost on cash advance, late fee's and over limit fees

II. Credit Terms Vary – Problems to avoid

III. Other Costs and Features

- a. When shopping for a card, think about how you plan to use it. If you had a credit card how do you plan on using it.

Part 4: Practical Approach to Money Management

I. What is a practical approach to healthy money management?

1. being realistic about your expenses & and your income
2. have a spending plan and know where your money is going
3. determine what your financial goals are for short, mid, and long range
4. ask yourself if this is a need or a want before making a purchase
5. understanding credit

II. How important is it to have good credit? Good credit is important because it can affect several areas of your life i.e.,

1. Credit approval
2. Employment
3. To issue a professional license
4. For legitimate business need

III. You can receive your credit reports for free once every 12 months, here's how.

1. www.annualcreditreport.com
2. 1-866-653-4261
3. Annual Credit Report Request Service –Po Box 105281 Atlanta, GA 30348-5281

IV. Is it important to review all three of your credit reports from the three major credit reporting agencies.

1. Exquifax
2. TransUnion
3. Experian

V. What is a credit score/FICO?

1. Statistical formula used to evaluate credit information
2. Range 350 – 850
3. Payment history (35%)
4. Amount owed (30%)

5. Length of credit history (15%)
6. New credit (10%)
7. Types of credit in use (10%)

Credit Report *IQ test*

Name _____

True & False

1. My credit report contains information on where I attended college, how much money I make, my children's names, and my last place of employment.
True or False
2. Consumer reporting agencies make decisions about how much money an individual can borrow. *True or False*
3. To maintain a good credit history I need to pay my bills on time. *True or False*
4. The 3 C's creditors consider when extending credit are capacity, character and collateral. *True or False*
5. The only time that a creditor reports to a consumer reporting agency is when I apply for credit. *True or False*
6. Anyone who has a permissible purpose can obtain a copy of my credit report.
True or False
7. Most information, including negative status, may stay on my credit report for up to 10 years. *True or False*
8. If I can't make my payments on time, I should buy an answering machine and screen my calls. *True or False*
9. It is my responsibility to make sure my credit report is accurate and up to date.
True or False

10. If there is incorrect information on my credit report, I need to hire an attorney to fix it. ~~True or False~~

Part 1: Building a Better Credit Record

I. Introductions. After reviewing your budget and pulling your credit report you should be ready to look at ways of improving your credit report.

II. Pertinent questions to improve your credit scores

- a. What are some of the ways we improve our credit?
- b. Make sure all the information on your credit report is accurate
- c. When can you dispute items on your report?
- d. How do you dispute incorrect information on your credit report?

III. Sample Dispute Letter

IV. Accurate Negative Information

V. Adding Accounts to Your File

VI. Dealing with Debt

- a. Self-Help – Start with budgeting
- b. Contacting Your Creditors – tell them about your situation try and workout a payment plan
- c. Dealing with Debt Collectors- what is a Collection Agency?
- d. Credit Counseling agency- Explain who they are MMI 866.889.9347
- e. Auto and Home Loans- Secured loans
- f. Debt Consolidation
- g. Bankruptcy- chapter 7 or 13

VII. Avoid Scams

- a. Ads Promising Debt Relief May Really Be Offering Bankruptcy
- b. Advance-fee Loan Scams

VIII. Credit Repair Scams

- a. The warning signs

IX. Identity Theft

- a. How Identity Thieves Get Your Information
- b. How Identity Thieves Use Your Information
- c. Protect Yourself
- d. How to Tell If You're A Victim of Identity Theft
- e. What To Do If Your Identity's Been Stolen

Appendix B

RCD Resident Services Manager Job Description



Resident Services Manager Job Description

Founded in 1984, Resources for Community Development (RCD) is a regional nonprofit housing developer working throughout Alameda, Contra Costa and Solano Counties. It is our mission to create and preserve affordable housing for people with the fewest options, building communities and enriching lives. RCD's portfolio consists of over 1700 affordable housing units throughout the east bay.

The Resident Services Manager (RSM), under the supervision of the Director of Resident Services (DRS), manages the supportive services programming at assigned RCD sites.

Major Responsibilities:

- Provide service coordination to individuals, families and elderly residents who have a wide range of needs by assessing these needs and linking them to appropriate providers.
- Work with Property Management personnel to problem-solve tenant issues
- Facilitate Community Meetings, Youth Programming, Tenant Councils & social activities within the resident community.
- Implement educational programs and assist residents in building informal support networks
- Create an annual Services Resource Directory for all residents, along with a quarterly RCD Resident Newsletter
- Assist the Director of Resident Services in developing Supportive Services Plans
- Maintain a collaborative connection and working relationship with Case Managers from other service agencies

Qualifications:

- Two (2) or more years experience in providing direct service or case management to elders, at-risk youth and families who may have histories of physical, mental health, developmental disabilities and/or substance abuse issues and homelessness.
- Management experience with volunteers, interns and service contractors
- Community organizing and facilitating community building activities
- Facilitating resident training in areas such as job skills development, financial management and computer instruction
- Experience with program development & analysis
- Bi-lingual in Spanish/English
- Bachelor's degree in related field; Master's degree preferred

Please submit your resume and a cover letter via email to Recruiting@rcdev.org with a compensation history. Please do not call or contact RCD directly. Compensation: DOE

Appendix C

Letters of Support

GARDEN PARK APARTMENTS
A PROJECT OF
CONTRA COSTA INTERFAITH HOUSING

2 April 2012

Janice King
Director of Resident Services
Resources for Community Development
2220 Oxford St., Berkeley, CA 94704

Dear Janice,

Contra Costa Interfaith Housing supports Resources for Community Development's services programming at Ohlone Gardens, which is located at 6431 and 6495 Portola Drive, El Cerrito, California.

Ohlone Gardens consists of 57 units of one, two and three bedroom apartments that will be made fully affordable to low income households earning between 30 and 50 percent of Area Median income. This type of housing is greatly needed in our community and attached support services are critical for the wellbeing of the residents.

Ohlone Gardens will include five (5) HOPWA-funded units. We provide housing advocacy in Contra Costa County and would welcome the addition of these units.

Regards,

Sara Marsh
Director of Support Services
925-677-7267

2387 LISA LANE, ATTN: OFFICE
PLEASANT HILL, CA 94523
TELEPHONE: (925) 677-7267 FAX: (925) 677-7444



March 28, 2012

Board of Directors

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Hope Lutheran Church

Bruce Olson
Chevron Richmond Refinery

William E. Dobson
Richmond Loan Development

Nicky Davis
Bank of The West

Rev. Mary Louise Huntz
All Souls Episcopal Berkeley

Rev. Philip Lawson-Emeritus
Easter Hill United Methodist

Helen Nichols
N. Richmond Missionary Baptist

Patsy Severson
Mira Vista United Church of
Christ

Maria Trujillo
West Contra Costa USC

Nicole Williams
St. John Missionary Baptist

Janice King
Director of Resident Services
Resources for Community Development
2220 Oxford St., Berkeley, CA 94704

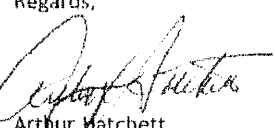
Dear Janice,

GRIP supports Resources for Community Development's services programming at Ohlone Gardens, which is located at 6431 and 6495 Portola Drive, El Cerrito, California.

Ohlone Gardens consists of 57 units of one, two and three bedroom apartments that will be made fully affordable to low income households earning between 30 and 50 percent of Area Median income.

Ohlone Gardens will include five (5) HOPWA-funded units. GRIP will provide housing referrals, connection to medical case management and supportive services to all HOPWA-assisted households living at Ohlone Gardens.

Regards,


Arthur Hatchett
Executive Director

WILLIAM B. WALKER, M.D.
HEALTH SERVICES DIRECTOR

WENDEL BRUNNER, M.D.
PUBLIC HEALTH DIRECTOR



CONTRA COSTA
PUBLIC HEALTH

HIV/AIDS AND STD PROGRAM
597 Center Avenue, Suite 200
Martinez, California
94553-4675
PH 925 313-6771
FAX 925 313-6798

Janice King
Director of Resident Services
Resources for Community Development
2220 Oxford St., Berkeley, CA 94704

March 28, 2012

Dear Janice,

The Contra Costa AIDS Program supports Resources for Community Development's services programming at Ohlone Gardens, located at 6431 and 6495 Portola Drive, El Cerrito, California. We understand Ohlone Gardens will have 57 units - including 5 HOPWA funded units - of one, two and three bedroom apartments that will be made fully affordable to low income households earning between 30 and 50 percent of Area Median income.

The AIDS Program has provided health and social service support for individuals with HIV since the early 1990s. We use a medical case management model of care to support HIV positive individuals to live healthier lives, and offer an array of other services that are provided either directly by our program or through referrals to community agencies under contract with our program. Additional services available to eligible individuals include: access to HIV Early Intervention medical care services, enrollment in the AIDS Drug Assistance Program; HIV substance abuse and/or mental health counseling and referrals; home-based attendant care, as needed; limited Emergency Financial Assistance; food and medical transportation assistance; non-criminal legal support services; support groups, HIV counseling, testing, information and referrals, partner counseling and referral services, STD testing and treatment, and prevention with positives services.

We feel that having additional HOPWA units will be a benefit for Contra Costa County, and we are happy to work with your program to ensure that our HIV support services are available free of charge to eligible residents. The AIDS Program commits to making any and all support services available for a minimum of one year. While it is difficult to place a value on actual service cost, we anticipate the minimum value for an individual enrolled in our medical case management services to be approximately \$2,000 per person per year. Additional services that may be accessed based on need and availability would likely average out to about \$1,000 per year for a total of approximately \$3,000 per year per individual served.

Please do not hesitate to contact me for additional information. We look forward to hearing your project has been funded and to working with you to ensure affordable housing for people with HIV.

Sincerely,

Christine Leivermann, MPH
AIDS Program Director



Contra Costa Community Substance Abuse Services Contra Costa Emergency Medical Services Contra Costa Environmental Health Contra Costa Health Plan
Contra Costa Hazardous Materials Programs Contra Costa Mental Health Contra Costa Public Health Contra Costa Regional Medical Center Contra Costa Health



AGENDA BILL

Agenda Item No. 7(A)(2)

Date: April 17, 2012
To: Honorable Mayor and Members of the El Cerrito City Council
From: Cheryl Morse, City Clerk
Subject: Wall of Fame Subcommittee Appointment

ACTION REQUESTED

Confirm Mayor Jones appointment of two Councilmembers' to the Wall of Fame Subcommittee for the purpose of reviewing nominations and making a recommendation regarding appointment to the City Council.

BACKGROUND

Information pertaining to the Wall of Fame was advertised in the citywide newsletter and publicized in local newspapers. The deadline for submission of nomination forms was March 15, 2012. As a result, the City Council received nominations for Jane Bartke and Amy Shinsako. Completed nomination forms were transmitted to the City Council for review on April 3, 2012.

Resolution No. 2008-77 establishes guidelines and policy for nomination and selection of Wall of Fame inductees. Section 1(A) states that the subcommittee shall consist of two members of the City Council to be appointed by the Mayor on an ad-hoc basis for the purpose of reviewing nominations for the El Cerrito Wall of Fame and make recommendations regarding appointment to the City Council.

FINANCIAL CONSIDERATIONS

There is no fiscal impact associated with this action.

Reviewed by:

Karen Pinkos
Assistant City Manager

Attachments:

1. Resolution No. 2008-77
2. Nominations of Jane Bartke
3. Nomination of Amy Shinsako

RESOLUTION 2008-77

RESOLUTION OF THE EL CERRITO CITY COUNCIL CONFIRMING THE GUIDELINES AND POLICY FOR NOMINATION AND SELECTION OF WALL OF FAME INDUCTEES, ESTABLISHING A PROCESS FOR NOMINATION AND SELECTION OF APPOINTMENTS TO THE WALL OF FAME AND ESTABLISHING AN ANNUAL WALL OF FAME EVENT

WHEREAS, at its meeting of September 15, 2008 the City Council appointed Councilmembers Letitia Moore and Jan Bridges to an El Cerrito Wall of Fame City Council Subcommittee; and

WHEREAS, on September 19, 2008 the Wall of Fame City Council Subcommittee met and prepared recommendations for Council consideration regarding the process for nomination and selection of appointments to the Wall of Fame; an Annual Wall of Fame Event; Guidelines for Nomination and Selection of Inductees to the Wall of Fame; and consideration of Miriam Wilkins; and

WHEREAS, the City Council considered and discussed the Wall of Fame Subcommittee recommendation at its meeting of October 20, 2008; and

WHEREAS, the City Council adopted the Wall of Fame Subcommittee's recommendations by unanimous vote with the provision that future Wall of Fame Subcommittees be appointed by the Mayor on an ad-hoc basis.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby establishes the following components of the Wall of Fame Program:

Section 1: PROCESS FOR NOMINATION AND SELECTION OF APPOINTMENTS TO THE WALL OF FAME

A. Future Wall of Fame City Council Subcommittees (Wall of Fame Subcommittee) shall consist of two members of the City Council who will be appointed on an ad-hoc basis by the Mayor for the purpose of reviewing nomination(s) for the Wall of Fame and will make recommendations regarding appointment to the City Council.

B. An annual application deadline of March 15th is established for nominations to the Wall of Fame.

C. Each year, once the application deadline passes, the City Clerk will provide copies of all nomination packages, if any, received that year by the application deadline to the Wall of Fame Subcommittee.

D. The City Clerk will determine when an application is complete. Only complete applications will be passed on to the Wall of Fame Subcommittee for review.

E. Each year, and ad-hoc Wall of Fame Subcommittee shall review the nominations, if any, and provide a written recommendation concerning each nomination to the City Council for consideration on or before May 15th.

F. All persons identified in the nomination papers shall be notified prior to the City Council Meeting of the Subcommittee recommendation(s) and the date and time of the City Council Meeting to consider the recommendation(s).

G. Each year in July, at the City Council meeting scheduled on the third Monday in July, the City Council shall consider the recommendation(s), if any, of the Wall of Fame Subcommittee and induct nominee(s), if any, to the Wall of Fame.

Section 2: ANNUAL WALL OF FAME EVENT

A. Each year the City Newsletter will feature an article showcasing the El Cerrito Wall of Fame which will highlight one of the people inducted into the El Cerrito Wall of Fame and provide a complete list of all persons on the Wall of Fame (living and deceased) and briefly describe why each was inducted in to the Wall of Fame, and announce any new inductee(s) to the Wall of Fame who were appointed at the July City Council Meeting and provide a brief description of that persons achievements and contributions.

B. New inductees to the Wall of Fame shall be invited to and recognized at the Annual Volunteer Recognition Dinner.

Section 3: GUIDELINES/POLICY FOR NOMINATION AND SELECTION OF INDUCTEES TO WALL OF FAME

The purpose and policy for nomination and selection of inductees shall remain as follows:

A. PURPOSE: To reaffirm the City Council's commitment to recognizing citizens of El Cerrito for outstanding community contributions by portrayal on the "Wall of Fame" and to advise employees and the public of the guidelines for Council selection.

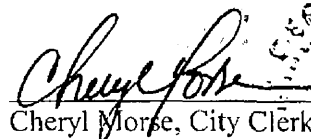
B. POLICY: It is the policy of the City of El Cerrito to recognize citizens of El Cerrito who have made substantial contributions to the community over a long period of time through their work on special projects. The persons selected by the City Council shall have their photograph, preferably in the setting of the activity for which they are being recognized, placed on the Wall of Fame located at City Hall. The guidelines for selection are:

1. The Honoree must be a resident of the City of El Cerrito.
2. The work for which an individual is recognized must be an ongoing activity in El Cerrito for at least ten (10) consecutive years, but may be an annual event.
3. The event or activity must be available to potentially benefit all El Cerrito residents.
4. The event or activity must be non-profit in nature.
5. City board, commission or committee service is not in itself grounds for selection. Members may, however, qualify for this award if they have been active in an ongoing activity for the benefit of El Cerrito in addition to serving on a board, commission or committee.
6. Recipients of this honor should have been recognized for their efforts by a citizen group or an organization in El Cerrito, West County, regionally, statewide or nationally.

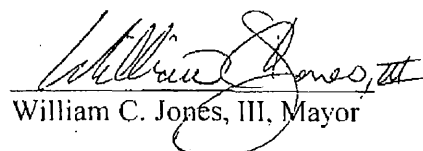
I CERTIFY that at a regular meeting on November 3, 2008 the City Council of the City of El Cerrito passed this Resolution by the following vote:

AYES: Councilmembers Abelson, Bridges, Moore, Potter and Mayor Jones
NOES: None
ABSENT: None
ABSTAIN: None

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on November 5, 2008.


Cheryl Morse, City Clerk

APPROVED:


William C. Jones, III, Mayor

RECEIVED

FEB 14 2012

City of El Cerrito
City Clerk

**CITY OF EL CERRITO
WALL OF FAME NOMINATION**

Name and Address of Nominee:

JANE BARTKE

Date:

FEBRUARY 11, 2012

Note: The nominee must be a resident of the City of El Cerrito.

Describe the activities for which recognition is sought. Indicate whether each activity is non-profit if it is not inherently obvious.

PLEASE SEE ATTACHED

How long has the nominee been actively engaged in carrying out this activity(s)?

PLEASE SEE ATTACHED

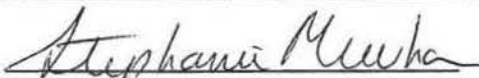
How does the activity(s) benefit or potentially benefit residents of El Cerrito?

PLEASE SEE ATTACHED

Please list the names and addresses of any groups or organizations that recognized the person's activities on behalf of the community. Please state how recognition was given and when.

PLEASE SEE ATTACHED

Submitted by:


Signature

SOROPTOMISTS INTERNATIONAL OF EL CERRITO

Name of individual or organization: BY STEPHANIE MEWHA

Address:

Phone number:

NOMINATION OF
JANE A. BARTKE
TO THE
EL CERRITO WALL OF FAME

Currently:

Shadi Holiday Display, A Twelve Year Commitment – The Christmas display built by the hand of Sundar Shadi has been a much-loved tradition in El Cerrito for over 60 years. But it would have foundered were it not for the efforts of Jane Bartke. In 1997 Sundar failed to put up his wonderful folk art, as he was then 97 years old. By 2000 he was in a care home and some of his folk art pieces had been given away. His Trustee determined to sell the display pieces, in the event money was needed for his care. Verna (better known as Vera) one of Sundar's three daughters, thought that was wrong, and negotiations started to preserve the display. After more than a year the Trustee agreed, with several conditions.

- When a non-profit was required to receive the display, Jane studied and created one.
- When the display had to be appraised, she saw that it got done.
- When the Trust needed to move the entire collection within three days, Jane arranged a storage place (former El Cerrito Mill & Lumber), and arranged for trucks and volunteers to do the moving.
- When several of the pieces needed restoration, Jane arranged volunteers and materials, and a work place.
- When it was time to re-erect the display in 2001 and the Shadi property was unavailable, Jane negotiated and signed a lease on PG&E property on Moeser Lane. There was no electricity on the site so Jane arranged for the loan of two generators. There was no security so Jane got an RV parked on Moeser and volunteers to stay all night.

She got volunteers to erect the display, and to take it down to storage.

She solicited funds to pay for repairs and for the insurance required by PG&E.

She saw to the purchase of two cargo containers, and construction of shelves in them.

Jane has chaired this effort for almost twelve years, during which time electricity has been brought to the site, security cameras are available, low-power lights have been purchased and a collapsible shed has been built. Three camels, some human figures, the star and the angel have been re-built and a campfire installed.

During each holiday season over 5,000 people, young and old, have enjoyed the magic of Sundar's figures. Much credit must go to all the volunteers who have worked on the repairs, the erection and storage of the display, to those who have donated money and to those who have helped with restoration.

But none of it would have happened without Jane's vision, dedication and hard work.

Formerly:

NWPC (National Women's Political Caucus), Contra Costa County Chapter – Jane was an active member for several years, served on the Board, and as President. Under her leadership, membership grew by over 20%.

Mayor & City Council of the City of El Cerrito - Jane had been active in city affairs and local elections, and determined to be a candidate herself in 1991. She was the top vote-getter, and was re-elected in 1995. She was chosen as Mayor by her fellow Council members in 1993 and 1997. She is most proud of her efforts which succeeded in getting the El Cerrito Plaza re-built with private money, using no public funds.

Redevelopment Agency of El Cerrito – Jane served three terms as Chairwoman of this local agency.

Contra Costa Mayors Conference – Jane represented El Cerrito at all conference meetings during her terms as Mayor, Mayor Pro Tem and Immediate Past Mayor and actively took part in conference business. She was elected Chairwoman of the conference, at a time when she was not a Mayor, the first to accomplish that astounding feat. She is the only El Cerritan to have been elected as Chair of the Conference in the past 30 years.

League of California Cities – Jane was active in League business, and served as Chair of a state-wide standing committee, the committee which, for example, decided on the division of cigarette tax funds among counties and each city.

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West Contra Costa Transportation Advisory Committee – Board of Directors, Vice Chair and Delegate to **Contra Costa Transportation Authority**. Worked on the San Pablo Avenue Corridor project, the San Pablo Dam Road Corridor plan, the 2000 update to the West County Action Plan, the West County train station selection process, Highway 4, and the Carquinez Bridge and Benicia Bridge construction projects, and served on four additional sub-committees.

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YWCA of West County – formerly President and on Board of Directors for 5 years.

El Cerrito Women's Club – A former active member for 10 years.

Soroptimists, Twelve Years of Leadership – The local chapter of the international organization dedicated to the betterment of women, world-wide. Jane is on its Board for the 12th year, and has served as its President for 5 terms to 2011.

During her tenure this club accomplished the following:

- Raised funds to give an annual scholarship to an El Cerrito High graduating Senior;
- Contributed to the betterment of women in impoverished countries;
- Started the speaker series, continuing this month, of accomplished women;
- Gave an annual Women's Opportunity Award to a woman who is the main support for her family and has returned to school after a four-year break;
- Reading to primary schoolchildren in a local school monthly;
- Honor a teen-age girl for her volunteer work in the community;
- Paid annually for a young girl to attend Girls State sponsored by the American Legion;
- Annual recognition of a woman in the community who is "Making a Difference for Women" either locally or overseas.

El Cerrito Community Foundation. This is the non-profit agency that Jane created to receive the holiday display of Sundar Shadi. Jane continues to serve as its Chairwoman. It is a California public benefit corporation, for which Jane was successful in acquiring tax exempt status under IRC 501(c)(3).

This corporation has grown into an umbrella for several community efforts, including the El Cerrito Historical Society, Senior Centers, Friends of Cerrito Theatre (formerly), El Cerrito Trail Trekkers, West County Forum, and El Cerrito Soroptimists.

Rosie the Riveter Trust – When the National Park Service established the Rosie the Riveter/World War II Home Front National Historic Park in western Contra Costa County there were no federal funds to purchase historic buildings and lands. Volunteers therefore stepped up and formed this Trust to raise money for use by the park. Jane is its Chairwoman, and works on Trust business virtually every day. She recently participated in three full days of mediation and got a settlement on law suits with a contractor and with an architecture firm.

She is currently planning an annual banquet, the fifth that she has chaired, which has proven to be the largest fund-raiser for the Trust.

Alpha Delta Kappa – Honorary teachers' sorority. Jane has been a member of the West County chapter for more than 40 years, regularly attends and hosts functions, and is a Past President.

P.E.O. – A philanthropic educational organization that promotes higher education for women by sponsoring scholarships. Jane has been an active member and frequent host for several years.

West County Forum – An active member and participant since its formation.

Junior Women's Club of El Cerrito – Former member 10 years, Board of Directors, officer and President. . Jane was instrumental in founding the El Cerrito Art Show.

El Cerrito Jaycettes – Former active member 5 years, officer and President.

Jane is a long-time El Cerrito resident. She is a graduate of St. Mary's College at Notre Dame in South Bend, Indiana and has a Masters degree in Public Administration from California State University East Bay.

She is married to Rich, and they have two daughters, who were raised in El Cerrito from birth. Both daughters are classroom teachers for West Contra Costa Unified School District, and each has been awarded "Teacher of the Year" by the Ed Fund. Both girls are married and each has two children, of whom three are working their way through college and one is in high school.

Jane is an educator who taught from 1960 until retirement in 2000. After retirement she worked part-time as a substitute Counselor, administrator and teacher. She holds a California life-time teaching credential for all grades K to 12, and has experience in many of them. She served the District as a "lead teacher", as a Mentor Teacher, and briefly as an elementary school Principal.

As an educator, Jane received many awards; among the most cherished:

- Ed Fund, for "Teacher of the Year".
- California Outstanding Educator Award, from Johns Hopkins University.
- Outstanding Educator, from California State University.
- Institute for Academic Excellence.
- Mentor Teacher, from State Superintendent of Public Instruction.
- Adams Middle School PTA.
- West Contra Costa Unified School District.

For her community service Jane received the following awards, among others:

- Circle of 100, Congressional Recognition 2008.
- Woman of Distinction from Soroptimists.
- Women's History Celebration "Woman of the Year" from El Cerrito.
- ABAG "for 7 years of exemplary service".
- El Cerrito Chamber of Commerce "For giving unselfishly of her time".
- West Contra Costa Transportation Advisory Committee.
- Contra Costa Transit Authority.
- El Cerrito's Citizen of the Year, from Junior Women's Club and Jaycettes.

RECEIVED

MAR 15 2012

City of El Cerrito
City Clerk

**CITY OF EL CERRITO
WALL OF FAME NOMINATION**

Name and Address of Nominee:

Jane Bartke

Date:

3/14/2012

Note: The nominee must be a resident of the City of El Cerrito.

Describe the activities for which recognition is sought. Indicate whether each activity is non-profit if it is not inherently obvious.

Jane Bartke created the El Cerrito Community Foundation, a non-profit agency to receive the holiday display properties of Sundar Shadi. Jane has been its chairman since its organization.

The Foundation is a California public benefit corporation with tax exempt status under IRC 501(c)(3)

How long has the nominee been actively engaged in carrying out this activity(s)?

Mr. Shadi's family sought Jane's aid in preserving the display properties in 2000.

How does the activity(s) benefit or potentially benefit residents of El Cerrito?

This corporation has grown into an umbrella for several community groups. El Cerrito Historical Society, Senior Centers, Friends of E.C. Theatre, E.C. Trail Trekkers, West County Forum & E.C. Soroptimists.

Please list the names and addresses of any groups or organizations that recognized the person's activities on behalf of the community. Please state how recognition was given and when.

Circle of 100, Congressional Recognition 2008
Woman of Distinction from Soroptimist International of E.C.
Women's History Celebration "Woman of the Year" from El Cerrito
El Cerrito's Citizen of the Year, from Junior Women's Club & Jaycettes

Submitted by:

Marie Pike

Signature

Name of individual or organization:

Marie Pike

Address:

Phone number:

Attached Summary

NOMINATION OF
JANE A. BARTKE
TO THE
EL CERRITO WALL OF FAME

Currently:

Shadi Holiday Display, A Twelve Year Commitment – The Christmas display built by the hand of Sundar Shadi has been a much-loved tradition in El Cerrito for over 60 years. But it would have foundered were it not for the efforts of Jane Bartke. In 1997 Sundar failed to put up his wonderful folk art, as he was then 97 years old. By 2000 he was in a care home and some of his folk art pieces had been given away. His Trustee determined to sell the display pieces, in the event money was needed for his care. Verna (better known as Vera) one of Sundar's three daughters, thought that was wrong, and negotiations started to preserve the display. After more than a year the Trustee agreed, with several conditions.

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During her tenure this club accomplished the following:

- Raised funds to give an annual scholarship to an El Cerrito High graduating Senior;
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- El Cerrito Chamber of Commerce "For giving unselfishly of her time".
- West Contra Costa Transportation Advisory Committee.
- Contra Costa Transit Authority.
- El Cerrito's Citizen of the Year, from Junior Women's Club and Jaycettes.

RECEIVED

MAR 14 2012

City of El Cerrito
City Clerk

**CITY OF EL CERRITO
WALL OF FAME NOMINATION**

Name and Address of Nominee:

Amy Shinsako

Date: 3/13/2012

Note: The nominee must be a resident of the City of El Cerrito.

Describe the activities for which recognition is sought. Indicate whether each activity is non-profit if it is not inherently obvious.

Sakura Kai Senior Center - Amy is board member and regular volunteer and leader/teacher of food committee for 30 years. Her father was an original board member since 1973. She and her mother active since
teacher

Harding Elementary - retired after 20 years and volunteered daily as a reading teacher for the last seven years. Her work here has had successes we cannot even begin to count.

How long has the nominee been actively engaged in carrying out this activity(s)?

Sakura Kai Center 30 yrs. + Harding School 27 years

How does the activity(s) benefit or potentially benefit residents of El Cerrito?

Sakura Kai Sr. Center has thrived under the leadership of Amy
Countless (hundreds) of children respect this beloved first grade teacher. After retiring she returned to tutor hundreds more in reading. No child is left behind at Harding.

Please list the names and addresses of any groups or organizations that recognized the person's activities on behalf of the community. Please state how recognition was given and when.

JSEI Berkeley Organization recognizes her contribution as a board member. They provide care and assistance to seniors + families.
Daryma No Gakko, first Japanese cultural program for K-6 credits Amy as a founding member 1978. This summer program is still going strong.

Submitted by: Alva G. Tamura

Signature

Name of individual or organization: Alva Tamura / Harding School

Address: _____

Phone number: _____



AGENDA BILL

Agenda Item No. 7(B)

Date: April 17, 2012

To: City Council of the City of El Cerrito acting as
Successor Agency to the El Cerrito Redevelopment Agency

From: Lori Treviño, Economic Development Manager
Mary Dodge, Administrative Services Director

Subject: Authorization to Submit Draft Second Recognized Obligations Payment
Schedule and Approval of Successor Agency FY12-13 Administrative
Budget

ACTION REQUESTED

Adopt two Successor Agency resolutions reviewing and authorizing submittal of the draft Second Recognized Obligations Payment Schedule required under AB1x26, and approving the Successor Agency's Administrative Budget for Fiscal Year 2012-13.

REDEVELOPMENT AGENCY SUSPENSION

On July 1, 2011, activities of the El Cerrito Redevelopment Agency ("RDA") were suspended pursuant to AB1x26. On August 15, 2011, the City of El Cerrito ("City") elected to serve as the Successor Agency to the El Cerrito Redevelopment Agency ("SA"). At the same time, the RDA adopted an Enforceable Obligations Payment Schedule ("EOPS") for those payments due during its suspension.

While in suspension during the CRA v. Matosantos litigation, the RDA received its usual tax increment payment on December 16, 2011, rather than property tax revenue a month later subject to the distribution process outlined in AB1x26. The EOPS was amended January 17, 2012, reflecting payments due on the RDA's obligations due prior to its dissolution. The RDA transferred its assets and liabilities to a SA fiduciary fund, including sufficient cash to pay obligations due prior to the next scheduled revenue payment from the County. The EOPS was also intended to serve as the basis for the first Recognized Obligations Payment Schedule ("ROPS") to be considered by the SA no later than March 1, 2012.

DISSOLUTION ACTIONS

On February 21, 2012, the SA reviewed and authorized submittal of the draft first ROPS, which included the following:

- Tax Allocation Bond Payments
- Valente Note
- Cooperation Agreement with the El Cerrito Municipal Services Corporation
- Cooperation Agreement with the City of El Cerrito
- ERAF and SERAF Loan Payments
- Undisbursed Loan Commitments
- Administrative Allowance

Agenda Item No. 7(B)

The City Council ratified the appointments of Mayor Jones and staff member Hilde Myall to the Oversight Board ("OB"). Other members of the OB, with their appointing entities are as follows:

- Whitney Dotson, East Bay Regional Parks District
- Mark Friedman, Contra Costa Community College District
- Hale Kronenberg, Contra Costa County
- Sandi Potter, County Superintendent of Schools
- Kristine Solseng, Contra Costa County

The OB held its first meeting on April 4, 2012. It elected Mayor Jones as its Chair and Mark Friedman as its Vice Chair. It approved its rules, procedures and meeting schedule; a FY11-12 administrative budget for the SA that staff had prepared; and the draft first ROPS that the SA had reviewed and authorized. A copy of the background presentation provided to the OB is Attachment 1 to this Report. The approved first ROPS was submitted to the Department of Finance ("DOF") on April 5, 2012, prior to the requested submittal date of April 15, 2012.

The County Auditor-Controller ("CAC") provided notice to all SAs in the County that any funds that the legislation intended to cover payments on the first ROPS were distributed as tax increment to the RDA on December 16, 2011 and no additional payments will be made on May 15, 2012. However, the CAC also noted that funds to cover the second ROPS (covering July 1 to December 31, 2012) would be distributed on June 15, 2012 and that funds could be advanced prior to the date if needed to cover expenses on the first ROPS. The CAC also contacted all SAs to initiate the independent audit of the former RDA required under AB1x26. Due to the timing issues created by the delay in dissolution, the audit will not be completed prior to submittal of the first two ROPS. Regardless, the DOF and the CAC have said that payments of obligations will be made prior to their certification by the independent auditor, though the DOF still retains the ability to require reconsideration of an item on a ROPS by the OB prior to the audit and certification of obligations.

SECOND RECOGNIZED OBLIGATIONS PAYMENT SCHEDULE

Beginning in FY12-13, the SA will prepare a ROPS for each six-month period. When the SA reviewed and authorized the first ROPS, a draft of the second ROPS was included for informational purposes. The DOF has requested submittal of the second ROPS by May 11, 2012. The second ROPS is Exhibit A to the attached proposed SA resolution reviewing and authorizing submittal of the second ROPS.

SUCCESSOR AGENCY ADMINISTRATIVE BUDGET

A proposed SA FY12-13 Administrative Budget is Exhibit A to the attached proposed SA resolution for its approval. Regardless of the SA's actual administrative expenses, the SA is entitled to an administrative allowance of \$250,000 annually. However, should there be insufficient funds available for obligations payable in any ROPS period, the administrative allowance for that ROPS period will be the first item to be reduced.

LEGAL CONSIDERATIONS

The preparation of the ROPS fulfills the requirements of the SA under AB1x26 regarding the ROPS. As noted above, the ROPS will not be final until it is certified by the external auditor hired by the County Auditor-Controller and approved by the Oversight Board. The ROPS is not final until three days after the Oversight Board approval, during which time the Department of Finance can request to review any items on the ROPS.

Reviewed by:



Karen Pinkos

Assistant City Manager

Attachments:

1. Background Presentation to the Oversight Board, April 4, 2012
2. Successor Agency Resolution 2012-XX, reviewing and authorizing submittal of the second draft Recognized Obligation Payment Schedule Required under AB1x26
3. Successor Agency Resolution 2012-XX, approving the Successor Agency Annual Budget for FY12-13

Background on Dissolution of the El Cerrito Redevelopment Agency Pursuant to AB1x26

Oversight Board of the Successor Agency
to the El Cerrito Redevelopment Agency
Special Meeting, April 4, 2012

Background

- Historical and Legislative Overview
 - Former El Cerrito Redevelopment Agency
 - Dissolution Legislation
 - Role and Actions Required of the Oversight Board
- Financial Overview
 - Assets and Liabilities transferred to the City or the Successor Agency
 - Successor Agency Obligations as of February 1, 2012
 - Successor Agency Administrative Budget
 - Fiscal Benefit of Approving Economic Development Obligations - Financial Projections
 - First Year Cash Flow Issues
- Items for Consideration
 - Oversight Board Rules; Procedures; Date, Time and Location for Meetings
 - Successor Agency Administrative Budget
 - First Recognized Obligation Payment Schedule (ROPS)

Former El Cerrito Redevelopment Agency Facts and Project Area Map

Acres	368
Date Adopted	November 28, 1977
Plan Effectiveness Date	December 28, 1977
Base Year	FY 1977/78
Base Year Assessed Value	\$92,946,392
Time Limits	
Incurring Debt	Repealed
Eminent Domain ^a	November 6, 2018
Project Activities	November 28, 2020
Tax Increment Receipt	November 28, 2025
Financial Limits	
Tax Increment Cap	\$250,000,000
Outstanding Indebtedness Limit	\$80,000,000

- Cumulative Tax Increment Collected Through FY10/11: Approximately \$70M
- FY11/12 Assessed Value: \$573M (Prior to Expected \$15M Correction)
- FY11/12 Incremental Assessed Value: Approximately \$480M (\$495M with Correction)



April 4, 2012

El Cerrito Redevelopment Agency

Goals and Objectives

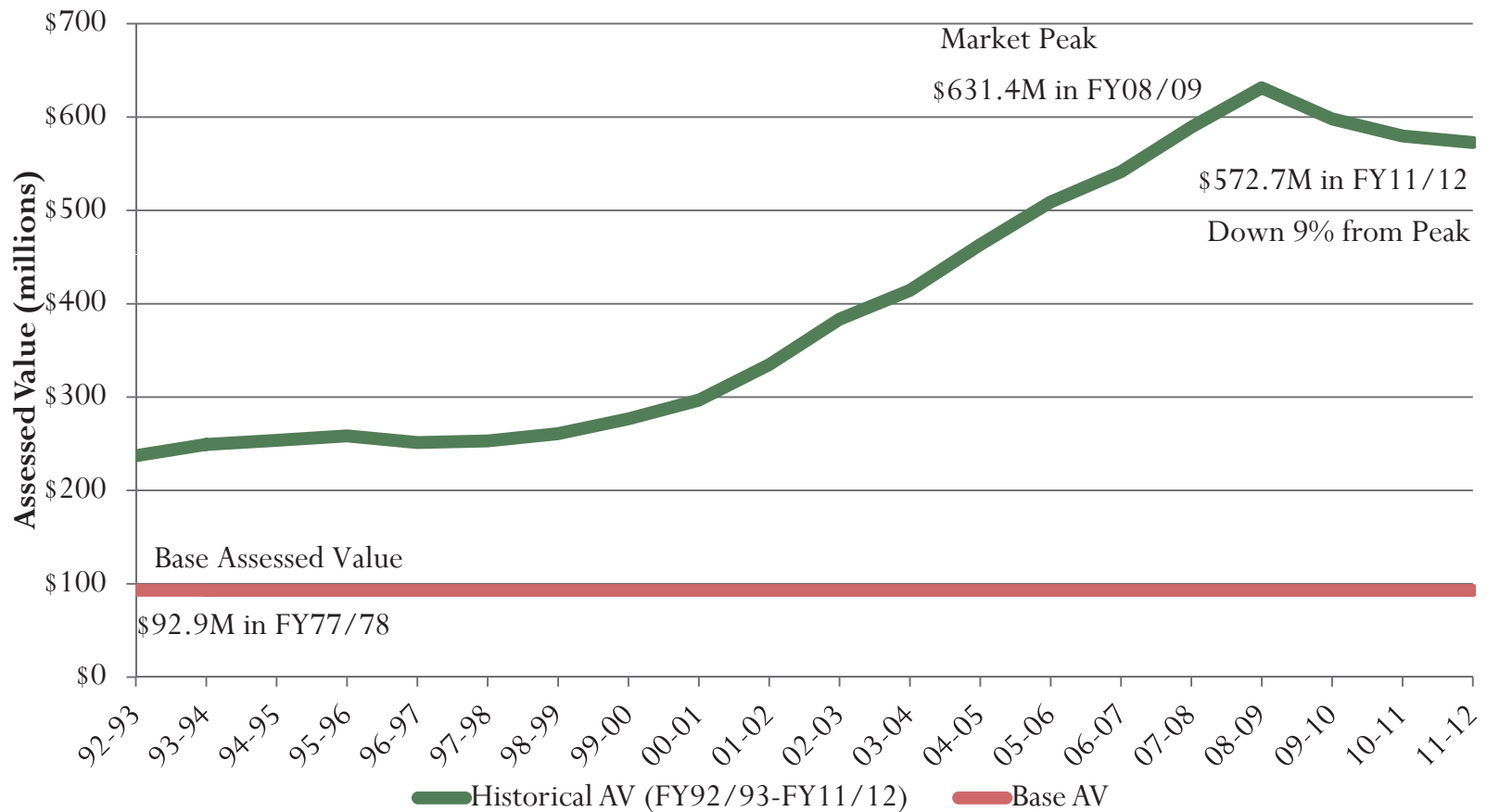
- Facilitate commercial and residential transit-oriented development at El Cerrito's two BART stations
- Strengthen the City's economic base by increasing opportunities to purchase local goods, services, and entertainment
- Improve El Cerrito's image and strengthen the sense of community, while enhancing property values
- Ensure a wide range of quality housing choices in El Cerrito, including mixed-use and affordable housing developments
- Improve the physical and natural environment and maintain the City's long-term infrastructure investment

El Cerrito Redevelopment Agency

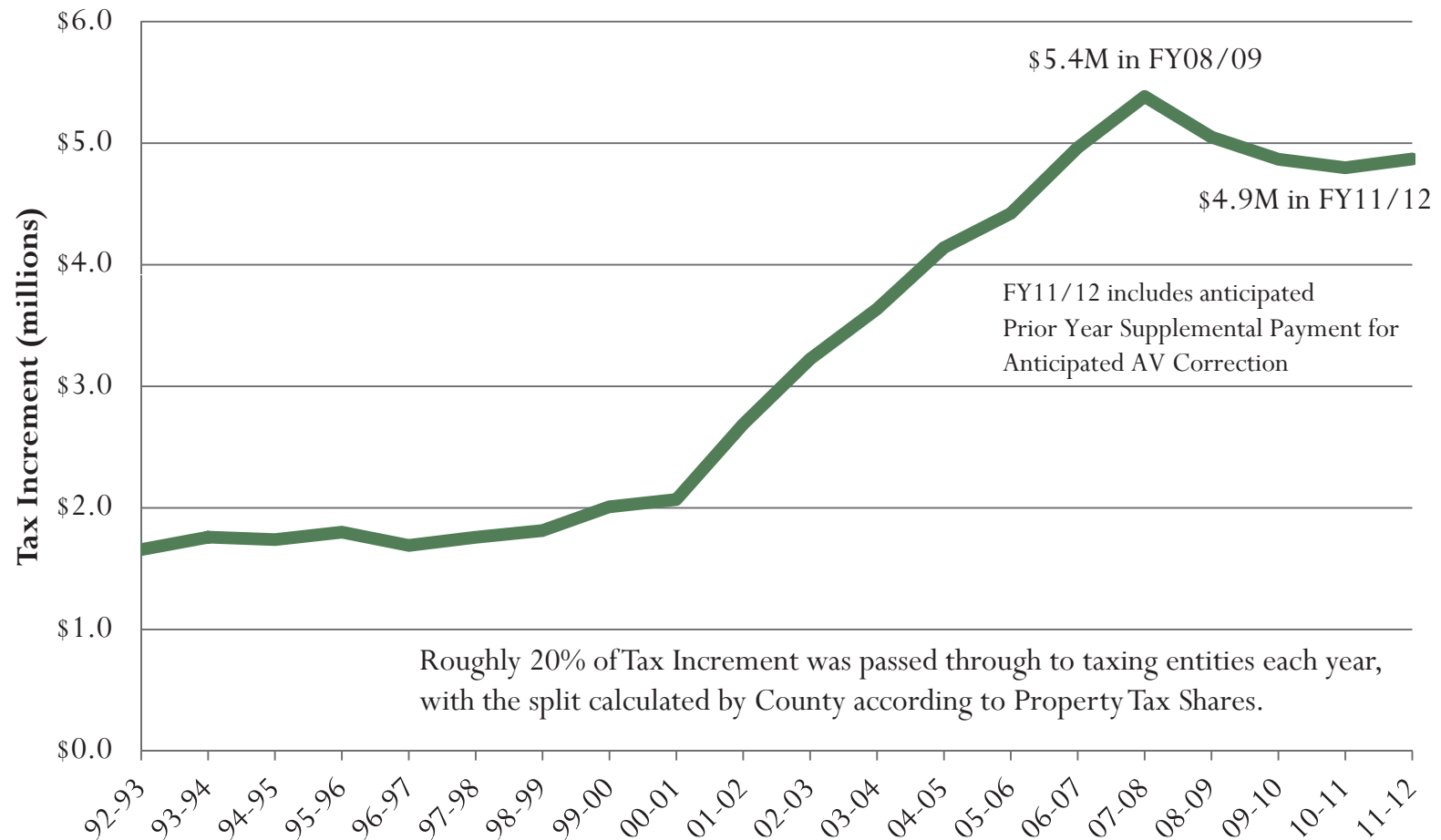
Recent Projects and Programs

- Public Improvements
 - San Pablo Avenue Streetscape
 - Civic Center Plaza
 - Library
- Economic Development
 - Business Recruitment and Retention
 - URM Abatement (Technical Assistance to Nearly 30 Businesses)
 - Video Equipment Loan Program (Over 50 Businesses)
 - Funded Implementation of Economic Development Projects and Programs by EC Municipal Services Corp.
 - Commercial Loan Program (Elevation 66)
 - Program and Project Staff
 - Grant Program (First Grant to Fire Department for Regional Radio System)
- Encouraging Infill Development
 - Cerrito Theater
 - Mayfair Acquisition
 - San Pablo Avenue Specific Plan and Del Norte TOD Strategy
 - Target Option Negotiation
 - Sale of Properties with Obligations to EC Municipal Services Corp.
- Affordable Housing
 - Loan to Resources for Community Development for Property Acquisition
 - Acquisition of Tradeway Site, Developer Solicitation, predevelopment loan and exclusive negotiating agreement
 - Sale of Tradeway Property with Development Obligations to City of El Cerrito

Project Area Assessed Value FY1992/93 to FY2011/12



Tax Increment FY1992/93 – FY2011/12

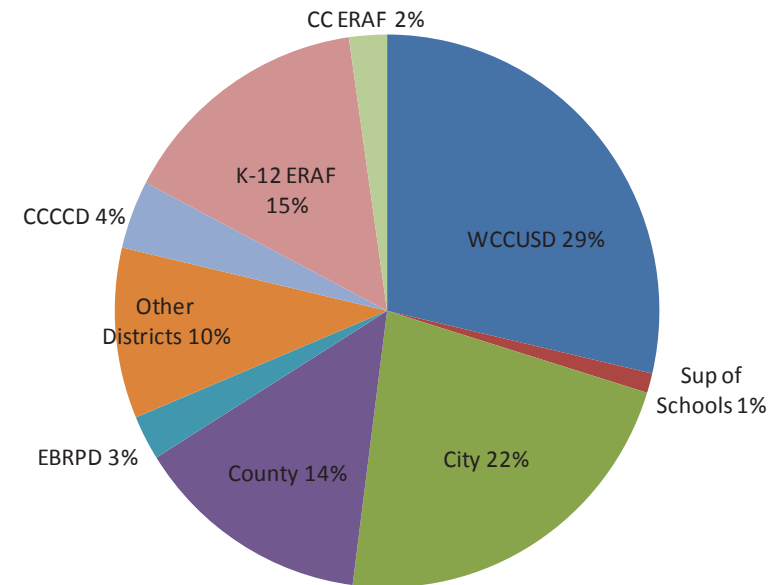


Taxing Entities Serving Redevelopment Project Area*

- Education
 - Contra Costa County Superintendant of Schools (1)
 - West Contra Costa Unified School District
 - Contra Costa Community College District (1)
 - ERAF
- City of El Cerrito (2)
- Contra Costa County (2)
- Special Districts
 - East Bay Regional Park District (1)
 - Contra Costa Water Agency
 - Mosquito Abatement District
 - Stege Sanitary District
 - West Contra Costa Hospital District
 - East Bay Municipal Utility District
 - AC Transit
 - Bay Area Rapid Transit District
 - Bay Area Air Quality Management District

* Number in parentheses is the entity's number of appointments to the Oversight Board.

**Property Tax Shares Applicable
to Pass-Through Payments**



Continued Goal: Revitalization Through Economic Development and Affordable Housing

Funding Obligations for Economic Development & Housing Programs

- Policies
 - Priority Development Area
 - Adoption of New Zoning Based on San Pablo Avenue Specific Plan
 - Del Norte TOD Parking and Feasibility Strategy
 - Del Norte BART Area Master Planning
- El Cerrito Plaza Area
 - Tenant Recruitment
 - Developer/Property Owner Facilitation
- Midtown
 - URM Abatement
 - Senior Housing/Mixed-Use Project Adjacent to City Hall
 - Multi-family/Special Needs Project on Portola Drive
- Del Norte
 - Master Development in Partnership with Property Owners and BART
- Economic Development Programs
- Maintaining Existing Affordable Housing Stock

Summary of AB1x26

- Effect on public agencies
 - Dissolves redevelopment agency
 - Transfers assets and liabilities to a successor agency
 - Creates oversight boards for successor agencies
- Impact on existing projects and finances
 - Allows projects to proceed and be funded if there is a financial commitment
 - Invalidates property conveyances to and contracts with public agencies (occurring after Jan. 1, 2011)
- Requires successor agencies to use tax revenue, proceeds, and encumbered reserves to pay:
 1. County Auditor-Controller administration costs
 2. Enforceable obligations (including both debt service and contractual obligations)
 3. Administrative cost allowance to the successor agency
- Remaining funds distributed to the taxing entities serving the project area

Legislative Provisions Related to Oversight Boards

- Representatives of city, county, community college district, county board of education, largest special district
- Unpaid position, serves at pleasure of appointing entity
- Subject to the Brown Act, Public Records Act, and Political Reform Act of 1974
- Personal immunity, but not legal counsel provided
- Actions subject to review by Department of Finance
- Fiduciary duty to holders of enforceable obligations and taxing entities
- One county-wide Oversight Board starting in 2016

Oversight Board Required Actions

Direct and/or approve actions of the Successor Agency to:

- Approve Successor Agency Administrative Budget
- Establish of new repayment schedules or refunding of debt
- Set aside needed reserves
- Merge of project areas
- Continue acceptance of financial assistance
- Make payments or perform obligations on recognized obligation payment schedules
- Dispose of property and assets
- Terminate unenforceable obligations or renegotiate contracts
- Transfer housing functions

Process

- Successor Agency: prepares Recognized Obligations Payment Schedule (ROPS) with debt payments and contractual obligations by month
- County Auditor-Controller: uses independent auditor to certify obligations on ROPS are valid
- Oversight Board: approves payment and performance of obligations on ROPS **(Department of Finance has requested action by April 15)**
- Department of Finance: allowed three days to request review of any oversight board actions (actions are not effective for three-day period)
- Department of Finance: has ten days to approve the oversight board action being reviewed or return it to the oversight board
- County Auditor-Controller: disburses funds in January and June each year
- Successor Agency: makes debt payments and ensures performance of contractual obligations

Actions Already Taken for Dissolution: City Elected to Assume Housing Functions

- Assets (as of February 1)
 - Agency's encumbered housing funds transferred to new City Housing Fund
 - Receivables for loans to Agency to pay prior funding takeaways by the State
 - Loan portfolio of affordable housing projects
 - Idaho Apartments
 - El Cerrito Royale and St. John's Land Partnership
 - Land acquisition for Ohlone Gardens Project by Resources for Community Development
 - Tradeway property (conveyed prior to dissolution legislation)
- Contractual and Statutory Obligations
 - Loan commitments to Ohlone Gardens and Eden Housing
 - Exclusive Negotiating Agreement with Eden Housing for Tradeway property
 - Monitoring existing housing projects for compliance with affordability restrictions

AB1x26 provides no additional funding. If Housing obligations on ROPS are not approved, current and future will be eliminated.

Actions Already Taken for Dissolution: City Elected to Serve as Successor Agency

- Assets as of February 1
 - Funds remaining in Redevelopment Capital Fund
 - Real property (remnants of right-of-way from prior projects)
 - Performance Deeds of Trust by EC Municipal Services Corp. to redevelop or operate properties conveyed
 - Eastshore Triangle
 - Mayfair Block
 - Civic Center Parcel
 - Cerrito Theater
 - McMorgan Owner Participation Agreement- Right to approve tenants (currently occupied by OSH)
 - Loan receivables for Video Equipment Program (Portion of balance forgiven annually)

February 1: Enforceable Obligations and Liabilities Transferred to Successor Agency

- Debt Payments

- Tax Allocation Bonds
- Valente Note (secured by third-party deed of trust)
- Payments to Housing Fund for loans to fund Educational Revenue Augmentation Fund (ERAF) 2005-06 and Supplemental ERAF 2009-10

- Commitment to County for \$5.1M facilities funding – enforceability is unclear

- Successor Agency Administrative Allowance

- Contracts

- Coop Agmt with City for El Cerrito Redev Project Area (Housing)
- Coop Agmt with EC MSC for El Cerrito Redev Project Area (Ec Dev)

- Project Commitments

- Ohlone Gardens Loan Agreement
- Eden Housing Loan Agreement
- Project Related Costs
- Affordable housing monitoring

April 4, 2012

ROPS February-June 2012

Obligation (Payee)	Description	Total Obligation	Feb	Mar	Apr	May	June	Total ROPS
1997A Bonds (Union Bank)	Redev Projs	4,662,048					470,868	\$470,868
1998B Bonds (Union Bank)	L&M Hsg Projs	1,071,038					195,200	\$192,200
2004A Bonds (Union Bank)	Infrastructure Projs	13,636,426					213,114	\$213,114
2004B Bonds (Union Bank)	Redev Projs	481,045					481,045	\$481,045
2004B Bonds (Union Bank)	L&M Hsg Projs	5,419,513					171,533	\$171,533
Promissory Note (Valente)	Land acquisition	3,746,801		288,215				\$288,215
Coop Agreement (EC Mun Svcs Corp)	Redev Plan Impl. (Ec Dev)	105,199,000						\$0
Coop Agreement (City of El Cerrito)	Redev Plan Impl. (Hsg)	50,499,000						\$0
2009-10 SERAF Loan (L&M Hsg Fund)	Advance for SERAF payment	1,327,655				331,914		\$331,914
2005-06 ERAF Loan (L&M Hsg Fund)	Advance for ERAF payment	335,436				83,859		\$83,859
Ohlone Gardens Loan Agmt	Loan commitment	471,152				471,152		\$471,152
Eden Housing Loan Agmt	Loan commitment	310,000				310,000		\$310,000
Administrative Budget (City as Successor Agency)	Administrative Allowance	3,500,000	50,000	50,000	50,000	50,000	50,000	\$250,000
Total		\$190,659,113	\$50,000	\$338,215	\$50,000	\$1,246,925	\$1,581,759	\$3,266,899

Draft ROPS July-December 2012

Obligation (Payee)	Description	Jul	Aug	Sep	Oct	Nov	Dec	Total ROPS
1997A Bonds (Union Bank)	Redev Projs						\$77,125	\$77,125
1998B Bonds (Union Bank)	L&M Hsg Projs						\$16,013	\$16,013
2004A Bonds (Union Bank)	Infrastructure Projs						\$213,114	\$213,114
2004B Bonds (Union Bank)	Redev Projs							\$0
2004B Bonds (Union Bank)	L&M Hsg Projs						\$99,888	\$99,888
Promissory Note (Valente)	Land acquisition							
Coop Agreement (EC Mun Svcs Corp)	Redev Plan Impl. (Ec Dev)	\$643,000						\$643,000
Coop Agreement (City of El Cerrito)	Redev Plan Impl. (Hsg)	\$229,000						\$229,000
2009-10 SERAF Loan (L&M Hsg Fund)	Advance for SERAF payment						\$165,957	\$165,957
2005-06 ERAF Loan (L&M Hsg Fund)	Advance for ERAF payment						\$41,930	\$41,930
Ohlone Gardens Loan Agmt	Loan commitment							\$0
Eden Housing Loan Agmt	Loan commitment							\$0
Administrative Budget (City as Successor Agency)	Administrative Allowance	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000		\$125,000
Total		\$897,000	\$25,000	\$25,000	\$25,000	\$25,000	\$614,025	\$1,611,025

Timing Issues for First and Second ROPS Created by Stay on AB1x26

Required Action	Timing
County Auditor-Controller to certify obligations	Delayed by Supreme Court Stay to June 30, after first and second ROPS
Successor Agency to authorize first ROPS (Feb-Jun 2012)	Completed February 21 (delayed by Stay)
Oversight Board to approve first ROPS	Due by April 15 (delayed by Stay)
County to disburse funds for first ROPS	Due on May 15 (however, no funds will be disbursed as they were disbursed in December, during Stay and used for expenses due prior to May 15)
Successor Agency to consider second ROPS (Jul-Dec 2012)	Due by May 1 (Scheduled for April 17, initial draft of second ROPS to be adjusted for June payments on first ROPS)
Oversight Board will approve second ROPS	Due by May 11
County to disburse funds for second ROPS	Due on June 1

Successor Agency

Administrative Budget FY2011-12

Entity/Activity	Successor Agency	Oversight Board
<i>Staffing Functions (Total Compensation plus Overhead for Indirect Costs)</i>		
City Management	\$ 51,674	\$ 33,910
Finance	\$ 60,532	\$ 29,335
Risk Management	\$ 4,126	\$ 2,063
Economic Development	\$ 37,014	\$ 18,507
City Clerk	\$ 13,674	\$ 8,204
Information Systems	\$ 4,536	\$ 2,268
Legal Services	\$ 60,000	
Financial & Audit Services	\$ 15,000	
Bond-related Costs	\$ 7,500	
Supplies	\$ 1,500	\$ 500
Postage	\$ 100	\$ 100
Copies	\$ 500	\$ 500
Website	\$ 2,000	\$ 500
Advertising/Legal Notices	\$ 1,500	\$ 1,500
Property Management	\$ 1,000	
Total	\$ 260,656	\$ 97,387
Combined Total		\$ 358,043
Funding Source		
Redev Property Tax Trust Fund		\$ 250,000
Unfunded		\$ 108,043

- Start-up costs are high
 - Setting up a new agency requires numerous one-time actions
 - Legislation provides very little and sometimes conflicting direction
 - Learning curve

Fiscal Impact of Oversight Boards Decisions

Through the ability to approve a successor agency's contractual obligations for projects, an oversight board influences the short- and long-term fiscal impact on taxing entities and the economic development of the community. Oversight boards can:

- Support new development, increasing tax base and resulting in greater property tax revenue to taxing entities over time
- Limit enforceable obligations, making property tax revenue available to taxing entities now, but also constraining its growth

Note that any increased revenue from successor agencies to school districts would replace revenue from the State General Fund, freeing it up for other State obligations, potentially resulting in no fiscal benefit for education, regardless of oversight board actions.

Tax Allocation Bonds

Issue	Balance	Purpose	Payment (to be moved to second ROPS)
1997 A	\$4,662,048	Refinancing of 1991 Bonds (Projects in the Del Norte Area)	\$470,868
1998 B	\$1,071,038	Refinancing of 1993 Bonds (Del Norte Place Project)	\$195,200
2004 A	\$13,636,426	Public Improvements (Tax-Exempt)	\$213,114
2004 B	\$481,045	Economic Development & Affordable Housing Projects (Taxable)	\$481,045

Note: Payments due July 1, but funds to be delivered to Trustee June 15 and therefore can be moved to second ROPS

Valente Promissory Note

- Principal Balance: \$2.3M
- Payment of \$288,215 was made on March 5, 2012
- Purpose: Land at 11600 San Pablo Avenue—Property is a key catalyst for revitalization of the Del Norte BART area with transit-oriented development
- Purchased in March 2009 for \$3.3M with a \$2.7M seller carry back note
- Note is secured by a third-party deed of trust on the property, now owned by the El Cerrito Municipal Services Corporation
- Current value of the property is less than balance due on the note

ERAF and SERAF Loans

- Combined Balance Remaining: \$1,663,091
- Combined Payment due in May: \$415,773
- Purpose: Housing Fund loans to pay prior State takeaways — 2005-06 Educational Revenue Augmentation Fund (ERAF) and 2009-10 Supplemental ERAF
- Statute requires repayment in full by June 2015 for use on affordable housing

Undisbursed Loan Commitments

- Contracts with affordable housing developers for housing projects already underway
 - Eden Housing
 - Remaining commitment: \$310,000
 - Senior Housing/Mixed-Use Project Adjacent to City Hall
 - Property subject to transfer through future disposition and development agreement
 - Resources for Community Development
 - Remaining commitment: \$471,152
 - Multi-family/Special Needs Project on Portola Drive
 - RCD owns property and has project entitlements

Successor Agency Administrative Allowance

- Minimum administrative cost allowance of \$250,000 annually
- Separate obligation to prepare a budget for approval by the Oversight Board, regardless of funding sources

Cooperation Agreement with the City of El Cerrito (Housing)

- Balance: \$50M (equals the contract value)
- Annual payments thru 2025 are based on previously projected tax increment available and project needs
- No payment request for first ROPS
- Ongoing housing activities can be funded through Coop Agreement
- Should this agreement be invalidated under AB1x26, specific project commitments are also listed on the ROPS

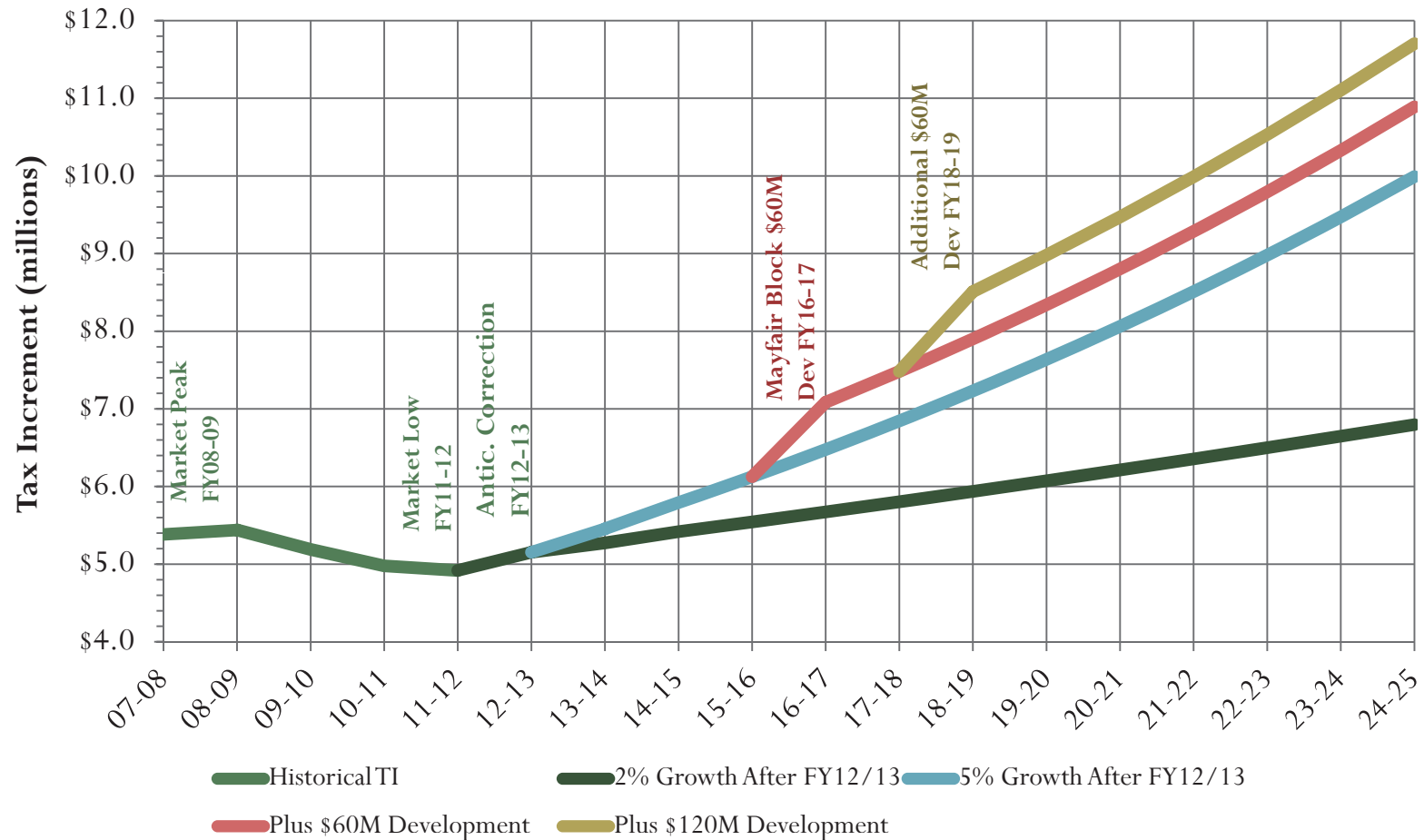
Cooperation Agreement with Municipal Services Corp (Ec Dev)

- MSC is a separate nonprofit, public benefit corporation
- Balance: \$105M (equals the contract value)
- Annual payments thru 2025 are based on previously projected tax increment available and project needs
- No payment request for first ROPS
- Projects to be funded include economic development activities, development of MSC-owned land, coordination with City and other taxing entities (transit agencies) on sustainable transit-oriented development efforts
- Cooperation Agreement is key to increasing the property tax base, benefiting all taxing entities in the long term

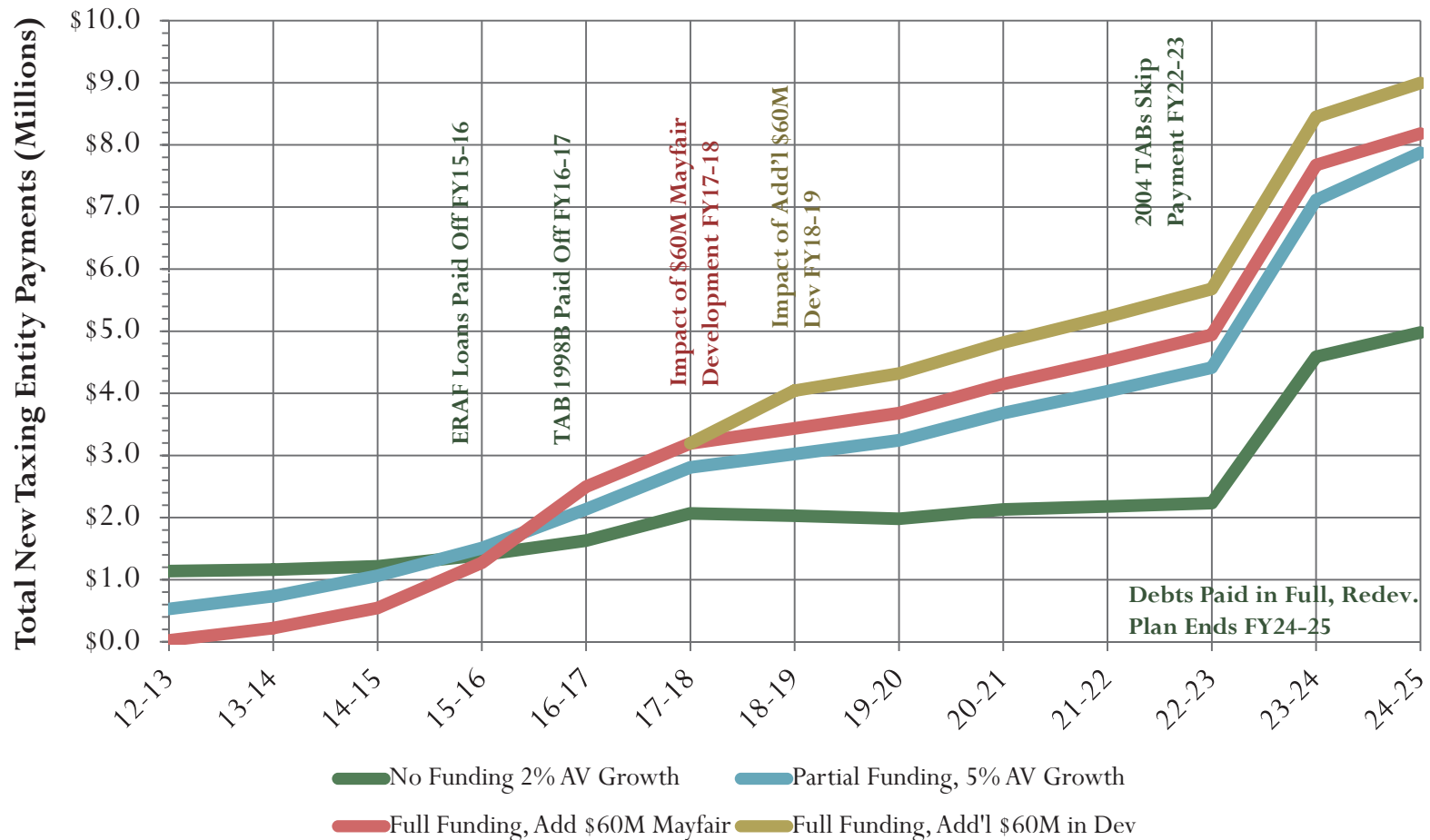
Maximize Future Revenue Through Economic Development and Increased Tax Base

- Funding the Coop Agmts and/or project obligations will create community and fiscal benefit for all taxing entities
- MSC Focus
 - Funding and staffing for economic development programs (important to fiscal impact, but less direct)
 - Investment in development of vacant land it owns and facilitating development of other land (key to having a significant impact on the tax base)
 - Example: One 180-unit project could be valued at \$60M and fit on the Mayfair Block
- Creation of affordable housing has an indirect fiscal impact but is crucial to equitable and sustainable revitalization of San Pablo Avenue by increasing residential density and quality development

Projected Tax Increment Thru FY24-25 Under Various Growth Scenarios



Potential Annual New Revenue to Taxing Entities Under Growth Scenarios



Note: due to AB1x26 cash flow timing for first ROPS, no taxing entity payments are anticipated for FY11-12.

April 4, 2012

First Year Cash Flow Issue

- Legislation does not work with common redevelopment agency funding cycles, particularly for large and irregular debt service payments (AB1585 recently approved by Assembly and Senate addresses this problem, not signed by governor as of March 29)
- Supreme Court Stay on AB1x26 complicated and compressed the timing of payments for the first and second ROPS
- County notification of no additional May 15 payment after ROPS' authorization
- Staff will work with County Auditor-Controller to deal with cash flow issue
- Debt Service Payments can be funded from second ROPS payment on June 1
- Successor Agency will authorize second ROPS on April 17, adjusted for cash flow
- Oversight Board approval of second ROPS needed before May 11 (need to schedule a meeting and then will be on a twice-yearly schedule)

Consideration of Resolutions

- Establishing Rules; Procedures; Date, Time and Location for Meetings of the Oversight Board
- Approving the Successor Agency Administrative Budget
- Approving the first Recognized Obligation Payment Schedule

SUCCESSOR AGENCY RESOLUTION 2012-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO ACTING AS SUCCESSOR AGENCY TO THE EL CERRITO REDEVELOPMENT AGENCY AUTHORIZING SUBMITTAL OF THE SECOND DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE AS REQUIRED UNDER AB1X26

WHEREAS, pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.; the "Redevelopment Law"), the City Council (the "City Council") of the City of El Cerrito (the "City") adopted the Redevelopment Plan for the City of El Cerrito Redevelopment Project Area by Ordinance No. 77-17, adopted on November 28, 1977, as amended by Ordinance No. 80-13, adopted on December 15, 1980; as amended by Ordinance No. 89-5, adopted on July 10, 1989; as amended by Ordinance No. 94-4, adopted on July 25, 1994; as amended by Ordinance No. 2004-3, adopted March 1, 2004; as amended by Ordinance No. 2005-01, adopted March 21, 2005; and as further amended by Ordinance No. 2006-10, adopted November 6, 2006 (collectively, the "Redevelopment Plan"); and

WHEREAS, the El Cerrito Redevelopment Agency (the "Agency") was responsible for implementation of the Redevelopment Plan; and

WHEREAS, as part of the 2011-12 State budget bill, AB1x26 (the "Dissolution Act") was enacted significantly modifying the Redevelopment Law to require the dissolution of redevelopment agencies throughout California and the establishment of successor agencies to wind down the former redevelopment agencies' affairs; and

WHEREAS, on August 15, 2011, pursuant to the Dissolution Act, the City elected to serve as the Successor Agency to the El Cerrito Redevelopment Agency (the "Successor"), should it be dissolved; and

WHEREAS, on December 29, 2011, the California Supreme Court ruled that the Dissolution Act is constitutional, resulting in the dissolution of all California redevelopment agencies on February 1, 2012; and

WHEREAS, pursuant to the Dissolution Act, upon dissolution, the Agency transferred as a matter of law all remaining liabilities, debts and obligations to the Successor; and

WHEREAS, pursuant to the Dissolution Act, upon dissolution the Agency transferred all unencumbered funds and assets to the Successor as a matter of law, for disposition and/or use by the Successor to retire Agency debt and pay for Agency obligations; and

WHEREAS, the Successor is not a component unit of the City of El Cerrito and the City is not liable for the obligations of the Successor; and

WHEREAS, the City's role as the Successor is limited to taking actions necessary to facilitate completion and/or payment of the Successor's recognized obligations and therefore the City established a Fiduciary Fund to receive the Successor's assets and liabilities; and

WHEREAS, the Successor reviewed and authorized submittal of an initial draft of its first Recognized Obligations Payment Schedule (the "ROPS") on February 21, 2012; and

WHEREAS, the County Auditor-Controller (the "Controller") has established a Redevelopment Property Tax Trust Fund (the "RPTTF") from which the Controller will disburse funds to the Successor for payment of its obligations on an approved ROPS; and

WHEREAS, the Oversight Board to the Successor Agency to the El Cerrito Redevelopment Agency (the "Oversight Board") was formed on April 4, 2012 and approved the initial draft of the first ROPS, which is under review by the California Department of Finance (the "DOF") prior to disbursement by the Controller of any funds in the RPTTF intended for payment of the obligations on the first ROPS; and

WHEREAS, the Dissolution Act requires the Successor to prepare a draft ROPS for each successive six-month period, which is now necessary for payments due between July 1 and December 31, 2012; and

WHEREAS, the DOF has requested that the second ROPS be considered by the Oversight Board and submitted to the DOF and Controller no later than May 11, 2012, so that the necessary review may be completed in time to disburse funds for the obligations on the second ROPS on June 15, 2012; and

WHEREAS, the City Council, acting in its role as Successor, has reviewed the draft ROPS for the period July 1 through December 31, 2012 that was prepared pursuant to the Dissolution Act, which is Exhibit A to this Resolution, for submittal to the Oversight Board, the Controller and the DOF.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of El Cerrito acting as Successor Agency to the El Cerrito Redevelopment Agency hereby finds the above recitals to be true and accurate.

BE IT FURTHER RESOLVED that the City Council of the City of El Cerrito acting as Successor Agency to the El Cerrito Redevelopment Agency authorizes the submittal of the initial draft Recognized Obligation Payment Schedule as required under the Dissolution Act.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

*

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*

I CERTIFY that at the regular meeting on April 17, 2012, the City Council of the City of El Cerrito as Successor Agency to the El Cerrito Redevelopment Agency passed this resolution by the following vote:

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

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April ___, 2012.

Cheryl Morse, City Clerk

APPROVED:

William C. Jones III, Mayor

DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE PER AB1X26

Of the Successor Agency to the El Cerrito Redevelopment Agency
City of El Cerrito Redevelopment Project Area

SA Resolution 2012-XX
Exhibit A

	Project Name / Debt Obligation	Date of Agreement	Payee	Description	Project Area	Total Outstanding Obligation	Total Due During FY2012-13	Funding Source	Payable from the Redevelopment Property Tax Trust Fund (RPTTF)						
									Payments by month						
									Jul 2012	Aug 2012	Sep 2012	Oct 2012	Nov 2012	Dec 2012	Total
1)	1997 Tax Allocation Bonds, Series A	12/17/1997	Union Bank	Refunding of prior TAB for Redev Projs	City of El Cerrito Redevelopment Project Area	4,191,180	553,805	RPTTF						77,125	77,125
2)	1998 Tax Allocation Bonds, Series B	12/17/1997	Union Bank	Refunding of prior TAB for L&M Hsg Projs	City of El Cerrito Redevelopment Project Area	875,838	216,750	RPTTF						16,013	16,013
3)	2004 Tax Allocation Bonds, Series A	10/24/2004	Union Bank	Tax-exempt TAB for Infrastructure Projs	City of El Cerrito Redevelopment Project Area	13,423,313	971,228	RPTTF						213,114	213,114
4)	2004 Tax Allocation Bonds, Series B (Non-Housing)	10/24/2004	Union Bank	Portion of Taxable TAB for Redev Projs	City of El Cerrito Redevelopment Project Area	-	-	RPTTF							-
5)	2004 Tax Allocation Bonds, Series B (Housing)	10/24/2004	Union Bank	Portion of Taxable TAB for L&M Hsg Projs	City of El Cerrito Redevelopment Project Area	5,247,980	264,775	RPTTF						99,888	99,888
6)	Valente Promissory Note	3/5/2009	George Valente	Loan for land acquisition	City of El Cerrito Redevelopment Project Area	3,458,586	288,215	RPTTF							-
7)	Cooperation Agreement*	3/7/2011	El Cerrito Municipal Services Corporation	Redevelopment Plan implementation (non-housing)	City of El Cerrito Redevelopment Project Area	105,198,660	1,287,000	RPTTF	643,000						643,000
8)	Cooperation Agreement*	2/22/2011	City of El Cerrito	Redevelopment Plan implementation (housing)	City of El Cerrito Redevelopment Project Area	50,498,839	458,000	RPTTF	229,000						229,000
9)	2009-2010 SERAF Loan	2/16/2010	L&M Housing Fund	Funds advanced for SERAF payment	City of El Cerrito Redevelopment Project Area	995,741	331,914	RPTTF						165,957	165,957
10)	2005-2006 ERAF Loan	4/17/2006	L&M Housing Fund	Funds advanced for ERAF payment	City of El Cerrito Redevelopment Project Area	251,577	83,859	RPTTF						41,930	41,930
11)	Ohlone Gardens Loan Agreement**	6/24/2009	Ohlone Gardens LP	Undisbursed loan commitment	City of El Cerrito Redevelopment Project Area	-	-	RPTTF							-
12)	Eden Housing Loan Agreement**	5/17/2011	Eden Housing	Undisbursed loan commitment	City of El Cerrito Redevelopment Project Area	-	-	RPTTF							-
13)	Administrative Allowance***	Statutory	City of El Cerrito	Administrative Allowance per AB1x26	City of El Cerrito Redevelopment Project Area	3,250,000	250,000	RPTTF	50,000	50,000	50,000	50,000	50,000		250,000
14)															-
15)															-
Totals						187,391,713	4,705,546	N/A	922,000	50,000	50,000	50,000	50,000	614,026	1,736,026

Notes

* During the three-day review by the Department of Finance (DOF) of the first Recognized Obligations Payment Schedule (ROPS), which was approved by the Oversight Board to the Successor Agency to the El Cerrito Redevelopment Agency on April 4, 2012 and submitted on April 5, 2012, the DOF indicated that it would object to Item 7 - Cooperation Agreement with the El Cerrito Municipal Services Corporation and Item 8 Cooperation Agreement with the City of El Cerrito during the subsequent ten-day period. Should the items be disputed, the payments shown on this draft ROPS should be considered the establishment of reserves for those items, so that the Successor Agency may pursue resolution of the potential dispute.

** Payments are disbursed for Item 11 Ohlone Gardens Loan Agreement and Item 12 Eden Housing Loan Agreement when the payee submits a demand for payment and are to be paid with funds disbursed from the RPTTF to the Successor Agency in June 15, 2012 as provided in the approved first ROPS.

*** Monthly payments for Item 13 - Administrative Allowance are estimates of expenses.

SUCCESSOR AGENCY RESOLUTION 2012-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO ACTING AS SUCCESSOR AGENCY TO THE EL CERRITO REDEVELOPMENT AGENCY APPROVING ITS FY12-13 ADMINISTRATIVE BUDGET AS PROVIDED IN AB1X26

WHEREAS, pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.; the "Redevelopment Law"), the City Council (the "City Council") of the City of El Cerrito (the "City") adopted the Redevelopment Plan for the City of El Cerrito Redevelopment Project Area (the "Project Area") by Ordinance No. 77-17, adopted on November 28, 1977, as amended by Ordinance No. 80-13, adopted on December 15, 1980; as amended by Ordinance No. 89-5, adopted on July 10, 1989; as amended by Ordinance No. 94-4, adopted on July 25, 1994; as amended by Ordinance No. 2004-3, adopted March 1, 2004; as amended by Ordinance No. 2005-01, adopted March 21, 2005; and as further amended by Ordinance No. 2006-10, adopted November 6, 2006 (collectively, the "Redevelopment Plan"); and

WHEREAS, the El Cerrito Redevelopment Agency (the "Agency") was responsible for implementation of the Redevelopment Plan; and

WHEREAS, pursuant to the 2011-12 State budget bill, AB1x26 (the "Dissolution Act"), the Agency was dissolved on February 1, 2012; and the City elected to serve as the Successor Agency to the El Cerrito Redevelopment Agency (the "Successor"); and

WHEREAS, the Successor is not a component unit of the City, but the City is providing administrative services for the Successor; and

WHEREAS, pursuant to the Dissolution Act, the Successor is entitled to an administrative allowance of \$250,000 annually to be paid from the property tax revenues collected in the Project Area, regardless of its actual administrative expenses; and

WHEREAS, the Successor must prepare a budget for those administrative expenses each fiscal year to be approved by an oversight board, as required in the Dissolution Act; and

WHEREAS, the Oversight Board to the Successor Agency to the El Cerrito Redevelopment Agency (the "Oversight Board") was formed on April 4, 2012 and approved an administrative budget prepared for FY11-12; and

WHEREAS, an Administrative Budget prepared for FY12-13 is Exhibit A to this Resolution.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of El Cerrito acting as Successor Agency to the El Cerrito Redevelopment Agency hereby finds the above recitals to be true and accurate.

BE IT FURTHER RESOLVED that the City Council of the City of El Cerrito acting as Successor Agency to the El Cerrito Redevelopment Agency approves its Administrative Budget for FY12-13.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

I CERTIFY that at the regular meeting on April 17, 2012, the City Council of the City of El Cerrito as Successor Agency to the El Cerrito Redevelopment Agency passed this resolution by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April ___, 2012.

Cheryl Morse, City Clerk

APPROVED:

William C. Jones III, Mayor

Exhibit A
Successor Agency Administrative Budget
Fiscal Year 2012-13

Entity/Activity	Successor Agency	Oversight Board
<i>Staffing Functions (Total Compensation plus Overhead for Indirect Costs)</i>		
City Management	\$50,000	\$30,000
Finance	\$50,000	\$30,000
Risk Management	\$4,000	\$2,000
Economic Development	\$25,000	\$10,000
City Clerk	\$15,000	\$10,000
Information Systems	\$4,000	\$4,000
Legal Services	\$75,000	
Financial & Audit Services	\$25,000	
Bond-related Costs	\$10,000	
Supplies	\$1,500	\$500
Postage	\$250	\$250
Copies	\$500	\$500
Website	\$3,000	\$1,500
Advertising/Legal Notices	\$3,000	\$3,000
Property Management	\$1,000	
Total	\$267,250	\$91,750
Combined Total		\$359,000
Funding Source		
Redevelopment Property Tax Trust Fund		\$250,000
Unfunded		\$109,000