THE CITY OF
EL CERRITO

AGENDA

SPECIAL CITY COUNCIL MEETING – CLOSED SESSION
Tuesday, July 17, 2012 – 6:15 p.m.
Hillside Conference Room

CONCURRENT CITY COUNCIL/PUBLIC FINANCING AUTHORITY/SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY MEETING
Tuesday, July 17, 2012 – 7:00 p.m.
City Council Chambers

SPECIAL CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY MEETING
Tuesday, July 17, 2012 – Immediately following the Concurrent City Council/Public Financing Authority Meeting
Hillside Conference Room

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

Bill Jones – Mayor

Mayor Pro Tem Greg Lyman
Councilmember Rebecca Benassini
Councilmember Ann Cheng
Councilmember Janet Abelson

6:15 p.m. **ROLL CALL**

CONVENE SPECIAL CITY COUNCIL MEETING – CLOSED SESSION

ANNOUNCEMENT OF CLOSED SESSION

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

Agency designated representatives: Scott Hanin, City Manager, Sky Woodruff, City Attorney, Glenn Berkheimer, IEDA, Sukari Beshears, Employee Services Manager
Employee organizations: Service Employees International Union, Local 1021

ORAL COMMUNICATIONS FROM THE PUBLIC *(Comments are limited to three minutes and to items on this Special Closed Session agenda only.)*

RECESS INTO CLOSED SESSION

POSSIBLE REPORT OUT OF CLOSED SESSION

ADJOURN SPECIAL CITY COUNCIL MEETING – CLOSED SESSION

ROLL CALL

7:00 p.m. **CONVENE CONCURRENT CITY COUNCIL/PUBLIC FINANCING AUTHORITY / SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY MEETING**

1. PLEDGE OF ALLEGIANCE TO THE FLAG – Mayor Jones.

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.)*

Report on July 3, 2012 Successor Agency Closed Session and Update on Impacts Associated with Assembly Bill 1484 – Scott Hanin, City Manager.

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 – None.

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 the Consent Calendar.

JOINT CITY COUNCIL/PUBLIC FINANCING AUTHORITY ITEM

CITY COUNCIIL ACTING AS SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY ITEM

A. Minutes for Approval

1) Approve the June 19, 2012 Special City Council meeting, Special Concurrent City Council/Public Financing Authority meeting and Special City Council Acting as Successor Agency to the Former Redevelopment Agency Closed Session meeting minutes; and

2) Approve the July 3, 2012 Special City Council Acting as Successor Agency to the Former Redevelopment Agency Closed Session meeting minutes.

CITY COUNCIL ITEMS

B. National Night Out Proclamation

Approve a proclamation calling upon all residents of the City of El Cerrito to participate in

"National Night Out" on Tuesday, August 7, 2012.

C. Direct Update of the Conflict of Interest Code

Adopt a resolution, directing the City Clerk to review the Conflict of Interest Code and if any changes are necessary to submit a revised Code to the City Council for approval, or if no changes are necessary to so notify the Council.

D. Revision to Equipment Lease Refinancing Resolution

Adopt a revised resolution authorizing the City Manager to enter into an agreement with JP Morgan Chase Bank (Chase) for the refinancing of six equipment leases and amending Resolution No. 2012–40 to add the lease with option to purchase agreement dated June 15, 2007.

E. El Cerrito New Priorities Campaign Working Group

At the request of Mayor Jones and Mayor Pro Tem Lyman, adopt a resolution expressing concerns about how the national defense budget and spending impacts not only our nation but also the residents of the City of El Cerrito. The City Council supports public discussion and dialogue about the costs of excessive military spending within the context of national and local priorities, what each resident must pay and the permanent disability and loss of life experienced by local residents who willingly serve in the armed forces for the safety and welfare of our County. The City Council calls upon Senators Boxer and Feinstein and Congressional Representative Garamendi to oppose further funding of the war in Afghanistan, except as needed to affect the safe rapid withdrawal of all military forces and contractors, and urges them to take leadership position in Congress to bring our troops safely home, substantially reduce overall military spending, and redirect federal tax dollars to the pressing educational, employment, health, housing, nutritional, infrastructure, energy and environmental needs of our city, state and county, and support federal funding for Iraq and Afghanistan war veterans to ensure they receive health care, housing, jobs, education and other supportive services they deserve.

6. PUBLIC HEARINGS

Fire Hazard Abatement

Staff requests that the City Council take the following actions:

1) Adopt a resolution declaring that weeds, rubbish, litter or other flammable material on certain real property as identified in the resolution constitutes a public nuisance; and

2) Conduct a public hearing an upon conclusion, adopt a resolution overriding objections by property owners and direct the City Manager or his designee to abate certain public nuisances pursuant to El Cerrito Municipal Code Chapter 16.26.

7. POLICY MATTERS

A. Service Credits

Review the attached report regarding costs and implementation of two years additional PERS Service Credit and direct the City Manager to submit a resolution for the City Council's

consideration at its August 21, 2012 meeting that designates a two-year service credit retirement period from August 22, 2012 through November 27, 2012 for eligible miscellaneous and public safety employees.

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 CONCURRENT CITY COUNCIL/PUBLIC FINANCING AUTHORITY / SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY MEETING

The next regularly scheduled City Council meeting is scheduled on Tuesday, August 21, 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. .

ROLL CALL

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

ANNOUNCEMENT OF CLOSED SESSION

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

ORAL COMMUNICATIONS FROM THE PUBLIC *(Comments are limited to three minutes and to items on this Special Closed Session agenda only.)*

RECESS INTO CLOSED SESSION

POSSIBLE REPORT OUT OF CLOSED SESSION

ADJOURN SPECIAL CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY MEETING

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.

EL CERRITO CITY COUNCIL

EL CERRITO PUBLIC FINANCING AUTHORITY

CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY

MINUTES

SPECIAL CITY COUNCIL MEETING – CLOSED SESSION
Tuesday, June 19, 2012 – 6:30 p.m.
Hillside Conference Room

CONCURRENT CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING
Tuesday, June 19, 2012 – 7:00 p.m.
City Council Chambers

SPECIAL CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY MEETING – CLOSED SESSION
Tuesday, June 19, 2012
Immediately following adjournment of the Municipal Services Corporation meeting that follows the Concurrent City Council/Public Financing Authority Meeting
Hillside Conference Room

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

Bill Jones – Mayor

Mayor Pro Tem Greg Lyman
Councilmember Rebecca Benassini
Councilmember Ann Cheng
Councilmember Janet Abelson

6:30 p.m. **ROLL CALL**

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

Absent: Councilmember Cheng.

CONVENE SPECIAL CITY COUNCIL MEETING – CLOSED SESSION

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

ANNOUNCEMENT OF CLOSED SESSION

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

Agency designated representatives: Scott Hanin, City Manager, Sky Woodruff, City Attorney, Glenn Berkheimer, IEDA, Sukari Beshears, Employee Services Manager
Employee organizations: Service Employees International Union, Local 1021

ORAL COMMUNICATIONS FROM THE PUBLIC – No Speakers.

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

POSSIBLE REPORT OUT OF CLOSED SESSION

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

ROLL CALL

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

Absent: Councilmember Cheng

7:00 p.m. CONVENE CONCURRENT CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

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

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

2. COUNCIL / STAFF COMMUNICATIONS

CITY COUNCIL COMMENTS

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

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

CITY STAFF COMMENTS

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

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

Community can elect what type of notifications they want through nixle.com. Chief Moir stated that the goal is to increase communication between the Police Department and the community and encouraged everyone to sign up. Nixle.com also provides an iPhone and iPad application for the service.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

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

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

4. PRESENTATIONS

A. Special Olympics Volunteer of the Year Award

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

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

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

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

Presenter: Bonnie Smith, El Cerrito Garden Club.

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

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

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

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

CITY COUNCIL ITEMS

A. Minutes for Approval

Approve the June 11, 2012 Special Concurrent City Council/Public Financing Authority/Pension

Trust Board meeting minutes.

Action: Approved minutes.

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

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

Action: Adopted Resolution No. 2012–43.

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

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

Action: Adopted Resolution No. 2012–44.

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

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

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

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

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

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

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

Action: Adopted Resolution No. 2012–48.

PUBLIC FINANCING AUTHORITY ITEM

F. Lease Purchase Agreement for the Recycling Center

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

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

6. PUBLIC HEARINGS – None

7. POLICY MATTERS

A. Establish Speed Limits for Eleven Speed Zones

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

Presenter: Yvetteh Ortiz, Engineering Manager.

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

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

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

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

Presenter: Sylvia Moir, Chief of Police.

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

Action: Moved, seconded (Lyman/Abelson; Ayes – Councilmembers Abelson, Benassini, Lyman and Mayor Jones; Noes – None; Absent – Councilmember Cheng to adopt Resolution No. 2012–50 as amended by Mayor Pro Tem Lyman authorizing the City Manager to enter into an agreement, in substantially the same form as the agreement attached to the resolution ,with the West Contra Costa Unified School District to partially fund three School Resource Officers,

two at El Cerrito High School and one at Portola Middle School for the term of July 1, 2012 through July 1, 2015 and every year thereafter unless terminated sooner and rescinding 2009–62.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

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

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

C. Councilmember Abelson – No report.

D. Councilmember Benassini – No report.

E. Councilmember Cheng – Absent.

SUPPLEMENTAL REPORTS AND COMMUNICATIONS

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

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

Other

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

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

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

ROLL CALL

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

Absent: Councilmember Cheng

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

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

ANNOUNCEMENT OF CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation *(Pursuant to Government Code*

Section 54956.9(b)): One potential case

ORAL COMMUNICATIONS FROM THE PUBLIC – No speakers.

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

POSSIBLE REPORT OUT OF CLOSED SESSION

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

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

CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY

MINUTES

SPECIAL CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY MEETING – CLOSED SESSION
Tuesday, July 3, 2012 – 5:30 p.m.
Hillside Conference Room

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

Bill Jones – Mayor

Mayor Pro Tem Greg Lyman
Councilmember Rebecca Benassini
Councilmember Ann Cheng
Councilmember Janet Abelson

5:30 p.m. **ROLL CALL**

Present: Councilmembers Abelson, Lyman and Mayor Jones

Absent: Councilmembers Benassini and Cheng

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

Mayor Jones convened the special meeting at 5:36 p.m.

ANNOUNCEMENT OF CLOSED SESSION

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

ORAL COMMUNICATIONS FROM THE PUBLIC – No speakers.

RECESSED INTO CLOSED SESSION at 5:37 p.m.

POSSIBLE REPORT OUT OF CLOSED SESSION

The Successor Agency provided direction to legal counsel.

ADJOURNED SPECIAL CITY COUNCIL SUCCESSOR AGENCY MEETING – CLOSED SESSION at 6:35 p.m.

Agenda Item No. 5(B)

EL CERRITO CITY COUNCIL PROCLAMATION

National Night Out 2012

WHEREAS, the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug and violence prevention program on August 7, 2012 entitled "National Night Out"; and

WHEREAS, "National Night Out" has become an annual event in El Cerrito for the past fifteen years and provides a unique opportunity for the City of El Cerrito to join forces with thousands of other communities across the country in promoting cooperative police-community crime prevention efforts; and

WHEREAS, it is essential that all residents of the City of El Cerrito be aware of the importance of crime prevention programs and recognize the impact that their participation can have on reducing crime, drugs and violence in El Cerrito; and

WHEREAS, the City of El Cerrito and the El Cerrito Police Department are committed to enhancing the public trust through partnerships with the residents they serve through programs like National Night Out; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program.

NOW THEREFORE, the City Council of the City of El Cerrito, does hereby call upon all residents of the City of El Cerrito to participate in "National Night Out" on Tuesday, August 7, 2012 in the City of El Cerrito.

Dated: July 17, 2012

_____

William C. Jones III, Mayor

THE CITY OF
EL CERRITO

AGENDA BILL

Agenda Item No. 5(C)

Date: July 17, 2012

To: El Cerrito City Council

From: Cheryl Morse, City Clerk

Subject: Revisions to the City Conflict of Interest Code

ACTION REQUESTED

Adopt a Resolution directing the City Clerk to review the Conflict of Interest Code and if any changes are necessary to submit a revised Code to the City Council for approval, or if no changes are necessary to so notify the Council.

BACKGROUND

The Political Reform Act requires every state and local government agency to adopt and promulgate a conflict of interest code (CA. Govt. § 87300.) The Act further requires the City Council, as the code-reviewing body, to direct city staff by July of each even-numbered year to review its conflict of interest code, and if any changes are necessary to submit an amended code for approval. (CA. Govt. § 87306.5) An amended code, if necessary, will be submitted to the City Council for review no later than October 1. The Act also mandates that if no changes are necessary, that a notification be sent to the City Council by October 1.

This direction may be permanently delegated to a designated City staff member. When the Conflict of Interest Code is submitted for approval, assuming some changes will be necessary, it will include such a permanent delegation for future years. In the unlikely circumstance that no changes are forthcoming, then a separate resolution will be sent to the Council for approval to incorporate such a permanent delegation into the City Conflict of Interest Code.

FINANCIAL CONSIDERATIONS

None

LEGAL CONSIDERATIONS

Adopting this resolution further ensures compliance with State Law.

Reviewed by:

Scott Hanin, City Manager

Attachments: Proposed Resolution

Agenda Item No. 5(__)
Attachment 1

RESOLUTION 2012–XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO DIRECTING THE CITY CLERK TO REVIEW THE CITY CONFLICT OF INTEREST CODE AND IF ANY CHANGES ARE NECESSARY TO SUBMIT AN AMENDED CODE TO THE CITY COUNCIL FOR APPROVAL, OR IF NO CHANGES ARE NECESSARY TO SO NOTIFY THE CITY COUNCIL

WHEREAS, state law as specified in the Political Reform Act requires the City Council as the code reviewing body to direct the review of its conflict of interest code; and

WHEREAS, the Act further requires that such direction occur by July 1 of each even-numbered year.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of El Cerrito directs the City Clerk to review the City's Conflict of Interest Code and if changes are required to submit a revised code for Council approval, or if no changes are necessary to so notify the City Council by October 1, 2012.

I CERTIFY that at a regular meeting on July 17, 2012 the City Council passed this resolution by the following vote:

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

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

_____
Cheryl Morse, City Clerk

Approved:

_____
William C. Jones, III, Mayor

THE CITY OF
EL CERRITO

AGENDA BILL

Agenda Item No. 5(D)

Date: July 17, 2012

To: El Cerrito City Council

From: Mary Dodge, Administrative Services Director/City Treasurer

Subject: Revision to Equipment Lease Refinancing Resolution

ACTION REQUESTED

Adopt a revised Resolution authorizing the City Manager to enter into an agreement with JP Morgan Chase Bank (Chase) for the refinancing of six equipment leases and amending Resolution No. 2012–40 to add the lease with option to purchase agreement dated June 15, 2007.

BACKGROUND

On June 11, 2012 the City Council approved resolutions to refinance Six Equipment Leases, the Recycling Center Lease and the Storm Drain Revenue Bond. The refinancings take advantage of the decline in interest rates and save money on future interest payments. Each issue is being done separately as the legal documents and funding requirements are completed.

While finalizing Resolution No. 2012–40, approved on June 11, 2012 and associated documents for the Equipment Lease Refinancing, an omission of a lease was identified. Revising the resolution does not change the costs or savings of the bond issue as presented in the financial analysis, but is required to complete the transaction. A revised resolution is presented to the City Council this evening with the change shown in strike-out format. The Recycling Center Refinancing is still in the works, and the Storm Drain Refunding has been completed.

ANALYSIS

The six capital leases discussed at the June 11, 2012 Council meeting have various maturity dates ranging from August 1, 2015 to November 30, 2019 with interest rates ranging from 3.9% to 4.85%. Some are Master Leases, and some are subleases to the original Master Leases. Two Master Lease dates were referenced on the original resolution, but there is a third Master Lease date that was inadvertently omitted from the original resolution. As previously mentioned this revision does not change any other component of the refinancing but is necessary to complete the transaction as proposed. Without referencing the third Master Lease date in the resolution, two of the six leases would not be able to be refinanced.

FINANCIAL CONSIDERATIONS

As reported at the June 11, 2012 City Council meeting, the projected savings on refinancing all of these capital leases is $86,251 ($71,667 on a net present value basis)

and provides an added benefit of simplifying lease maintenance by consolidating the six individual leases into one.

RECOMMENDATION

Adopt the revised Resolution in order to proceed with the refinancing.

Reviewed by:

Scott Hanin, City Manager

Attachments:

1. Equipment Lease Refinancing Resolution
2. Equipment Lease Proposal
3. Equipment Lease Financial Analysis

RESOLUTION 2012-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AUTHORIZING THE REFINANCING OF EXISTING EQUIPMENT LEASES WITH AN OPTION TO PURCHASE, AUTHORIZING AND DIRECTING RELATED ACTIONS AND AMENDING RESOLUTION NO. 2012–40 TO ADD THE LEASE WITH OPTION TO PURCHASE AGREEMENT DATED JUNE 15, 2007

WHEREAS, the City of El Cerrito (the "City") has previously entered into the following agreements, in each instance between the City, as Lessee, and First Municipal Leasing Corporation, as Lessor (hereafter, collectively, the "Existing Obligations"):

(a) Lease with Option to Purchase Agreement, dated as of August 12, 2005; and

(b) Lease with Option to Purchase Agreement, dated as of December 21, 2007; and

(c) Lease with Option to Purchase Agreement, dated as of June 15, 2007: and

WHEREAS, the City has received a proposal from JPMorgan Chase Bank, NA, (the "Bank"), dated May 23, 2012 (the "Proposal"), to enter into a tax-exempt lease-purchase agreement (the "Proposed Refunding") of the equipment which is the subject of the Existing Obligations, namely specified fire trucks, recycling trucks and associated equipment items; and

WHEREAS, this City Council of the City (this "City Council") hereby finds and determines that the Proposed Refunding of the Existing Obligations in accordance with and upon terms and conditions which are substantially the same as those specified in the Proposal provides material benefits to the City, including savings on the interest payable by virtue of a reduced interest rate applicable to the Proposed Refunding, which warrant the implementation of the Proposed Refunding; and

WHEREAS, the Proposed Refunding would be implemented through use of a standard form of lease-purchase agreement to be provided by the Bank upon acceptance of the Proposal by the City as evidenced by execution of a copy of the Final Proposal (as said term is defined below), which shall provide for terms and conditions substantially the same as those specified in the Proposal, a copy of which is attached to this resolution as Exhibit A and by this reference incorporated herein;

WHEREAS, the City wishes by this resolution to approve the Proposal and to authorize execution on behalf of the City of the Final Proposal and the lease-purchase agreement by which the Final Proposal would be implemented.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito as follows:

Section 1. Recitals. This City Council hereby finds and determines that the foregoing recitals are true and correct.

Section 2. Acceptance of Proposal; Approval of Documents. The City hereby accepts the Proposal in the aggregate principal amount of not to exceed $1,628,172.

Section 3. City Manager Authorized to Execute Final Proposal and Lease-Purchase Agreement. Subject to the approval of the Final Proposal by the City Manager, the City Manager is hereby authorized and directed to execute the Final Proposal on behalf of the City; provided that the City Manager shall not be obligated to approve any proposed modifications of the Proposal requested by the Bank which the City Manager, in the City Manager's sole discretion, deems not to be in the best interest of the City, and in the event that the City Manager and the Bank are unable to agree on modifications of the Proposal to establish the Final Proposal, the City shall have no obligation to proceed with the Proposed Refunding; and provided further that the interest rate specified by the Final Proposal shall not exceed the interest rate in the Proposal by more than 35 basis points.

Assuming execution of the Final Proposal by the City Manager, and upon receipt of a lease-purchase agreement from the Bank in the standard form utilized by the Bank for transactions of this nature, the City Manager is authorized and directed to execute the lease-purchase agreement on behalf of the City, subject to confirmation by the City Attorney that the terms and conditions set forth in the lease-purchase agreement are consistent with the terms and conditions set forth in the Final Proposal and that the City may lawfully enter into and perform its obligations as set forth therein.

Section 4. Official Actions. The City Manager, the Administrative Services Director, the City Clerk and all other officers of the City are each authorized and directed in the name and on behalf of the City to make any and all assignments, financing statements, certificates, requisitions, agreements, notices, consents, instruments of conveyance, warrants and other documents, which they or any of them might deem necessary or appropriate in order to consummate any of the transactions contemplated by the documents approved pursuant to this resolution. Whenever in this resolution any officer of the City is authorized to, execute or countersign any document or take any action, such execution, countersigning or action may be taken on behalf of such officer by any person designated by such officer to act on his or her behalf in the case such officer shall be absent or unavailable.

Section 5. Effective Date. This resolution shall take effect immediately upon its passage.

I, Cheryl Morse, City Clerk of the City of El Cerrito, Contra Costa County, State of California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 2012-XX, which was duly and regularly adopted by the City Council of the City of El Cerrito at a regular meeting of said City Council held on July 17, 2012, after notice thereof was provided in compliance with all applicable law, by the following vote of the five City Council members:

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

I further certify today, as I affix the corporate seal, that since it was adopted on July 17, 2012, Resolution No. 2012–XX has not been amended, revised, rescinded or altered in any way other than to assign an official resolution number and that the same remains in full force and effect as of the date hereof.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of the City of El Cerrito on July XX, 2012.

_____
Cheryl Morse, City Clerk

APPROVED:

_____
William C. Jones, III Mayor

CHASE

JPMorgan Chase Bank, N.A.
1111 Polaris Parkway
Columbus, Ohio, 43240
Tel: 510-420-0757 Fax: 925-807-0357
Email: laura.j.jones@chase.com

Laura Jones
Vice President
Sr. Relationship Manager

June 4, 2012

Mary Dodge
Administrative Services Director/City Treasurer
City of El Cerrito
10890 San Pablo Avenue
El Cerrito, CA, 94530

Dear MS. Dodge

JPMorgan Chase Bank, N.A. ("Lessor") is pleased to submit the following financing proposal for your review and consideration. This letter is a proposal only and is contingent upon your compliance with the requirements of the Internal Revenue Code of 1986, as amended, and all applicable state laws related to Lessee's ability to enter into a tax-exempt lease-purchase financing for the intended purposes. This proposal is for discussion purposes only and the terms and provisions of this financing are subject, among other things, to credit and business approval in accordance with Chase's internal procedures, as well as certain conditions as herein set forth. **The pricing and terms included in this proposal letter are based on market conditions on the date hereof and are subject to change.**

LESSOR:	JPMorgan Chase Bank, N.A.
LESSEE:	City of El Cerrito
TRANSACTION:	Fixed-rate, fully amortizing, privately placed tax-exempt lease-purchase agreement ("Agreement").
EQUIPMENT:	3 Fire trucks, 3 Recycling trucks and Recycling carts. Lessee shall grant Lessor a first priority security interest in the Equipment.
EQUIPMENT COST:	Anticipated not to exceed $1,628,172 as per the following: **One transaction of $1,628,172**
LOCATION OF EQUIPMENT:	El Cerrito, CA

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BANK QUALIFIED:	This proposal assumes that the Lessee will **not** issue more than $10 million in tax-exempt obligations this calendar year and that the Lessee will designate this lease as a "qualified" tax-exempt obligation ("QTEO")
APPROPRIATION:	This Agreement shall be subject to annual appropriation.
LEASE TERM:	7 Years
LEASE RATE:	1.98% per annum.
AS OFMAY 21ST , 2012	
LEASE PAYMENT AMOUNT BASED ON RATE FOR MAY 21ST, 2012:	Payments may be made semi-annually as follows: $125,117.38 Semi-annually
ADJUSTMENTS TO PAYMENT AMOUNT AND LEASE RATE:	The Payment Amount and Interest Rate will be determined based upon a spread over the Treasury Securities Rate of Interest in effect from time to time (the "Index"). "Treasury Securities Rate" shall mean the weekly average yield on United States Treasury Securities Constant Maturity Series issued by the United States Government for a term of **7** years, **1.18%** as most recently published by the Federal Reserve Board in Federal Reserve Statistical Release H.15(519), immediately prior to the date of the note. The interest rate will be fixed for the remaining term and equal the sum of the Index plus **0.80%**
PREPAYMENT/OPTION TO PURCHASE:	The Lessee shall have the right to prepay, in whole, on any payment date. If Lessee chooses to prepay, a penalty will be assessed based on the following schedule: **Month 0-12** 5% of outstanding principal balance **Month 13-24** 4% of outstanding principal balance **Month 25-36** 3% of outstanding principal balance **Month 37-48** 2% of outstanding principal balance **Month 49-60** 1% of outstanding principal balance

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CHASE

DOCUMENTATION:	All documentation shall be prepared by and acceptable to Chase or its counsel.
DISBURSEMENT OF PROCEEDS:	Lessor will fund directly to vendor.
PROPOSAL ONLY:	This proposal is not a commitment to undertake this financing. A commitment can be issued only after full credit and economic review and subsequent approval by the appropriate officers of Lessor. A commitment shall not be binding on Lessor unless it is in writing and signed by Lessor. If a commitment is issued by Lessor, it may modify the terms of this proposal and may add such additional requirements (including, but not limited to, financial covenants, requirements of guaranties or other credit support, and/or special equipment maintenance and return conditions) as Lessor may deem advisable.

Please feel free to contact me at 510-420-0757 if you have any questions, or would like to discuss this proposal in greater detail. Thank you again for considering Chase!

Sincerely,

JPMorgan Chase Bank, N.A.

By: Laura Jones

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CHASE

ACCEPTED BY: The City of El Cerrito

By: _____

Name: _____

Title: _____

Date: _____

IRS Circular 230 Disclosure: Lessor and its affiliates (collectively, "Chase") do not provide tax advice. Accordingly, any discussion of U.S. tax matters contained herein (including any attachments) is not intended or written to be used, and cannot be used, in connection with the promotion, marketing or recommendation by anyone unaffiliated with Chase of any of the matters addressed herein or for the purpose of avoiding U.S. tax-related penalties.

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CHASE

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)
Sources and Uses of Funds (Fed Rates 5-21-12)

Percentage Allocation		**12.93%**	**11.78%**	**27.04%**		**23.17%**	**17.65%**	**7.43%**		**100.00%**
		August 2005 Fire Truck	**June 2007 Fire Truck**	**November 2009 Fire Truck**	**Fire Truck Totals**	**December 2007 Recycling Trucks**	**December 2008 Recycling Toters**	**October 2009 Recycling Truck**	**Recycling Equip Totals**	**Totals**
Sources of Funds										
	Lease Amount	208,204.09	196,155.21	438,216.45	842,575.74	374,470.17	288,833.63	122,292.67	785,596.47	1,628,172.21
	Accrued Interest [1]	7,143.68	89.74	12,138.32	19,371.74	11,575.62	5,211.22	1,458.18	18,245.01	37,616.75
	Total Sources	**215,347.77**	**196,244.94**	**450,354.77**	**861,947.48**	**386,045.79**	**294,044.84**	**123,750.85**	**803,841.48**	**1,665,788.96**
Uses of Funds										
	Cost to Payoff Prior Lease (Cash)	212,115.85	193,299.72	-	405,415.57	380,252.05	289,631.85	-	669,883.90	1,075,299.46
	Cost of Escrow Securities (SLGS)	-	-	443,595.00	443,595.00	-	-	121,893.00	121,893.00	565,488.00
	Beginning Escrow Cash	-	-	0.89	0.89	-	-	0.61	0.61	1.50
	Costs of Issuance [2]	3,231.92	2,945.23	6,758.88	12,936.02	5,793.74	4,413.00	1,857.24	12,063.98	25,000.00
	Total Uses	**215,347.77**	**196,244.94**	**450,354.77**	**861,947.48**	**386,045.79**	**294,044.84**	**123,750.85**	**803,841.48**	**1,665,788.96**
	Adjustment	-	-	-	-	-	-	-	-	-
Escrow Requirements Calculation										
Outstanding Lease Amount [3]		204,153.85	193,209.98	423,429.76	820,793.59	368,676.43	284,420.63	116,382.70	769,479.76	1,590,273.35
Interest Due on Call Date		7,962.00	89.74	20,324.63	28,376.37	11,575.62	5,211.22	5,644.56	22,431.40	50,807.76
Total Escrow Requirement		**212,115.85**	**193,299.72**	**443,754.39**	**849,169.96**	**380,252.05**	**289,631.85**	**122,027.26**	**791,911.16**	**1,641,081.11**

Assumptions
(1) Prior Issue Accrued Interest from Last Interest Payment Date to the Closing Date of 7/5/2012
(2) Allocated Pro-Rata Based on Cost to Payoff or Call Prior Lease
(3) Prior Issue Remaining Principal (All Prior Leases Callable at 100%)

Run Date **June 1, 2012**
Run Time **4:30 PM**

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)

Summary Statistics

Arbitrage Yield	1.98021	%
True Interest Cost (TIC)	1.98021	%
"All-In" True Interest Cost (AIC)	2.41882	%
Average Coupon	1.98000	%
Net Interest Cost (NIC)	1.98000	%
Average Life	3.729	Years

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)
Lease Amortization Schedule and Savings Calculation (All Leases)

Date	Beginning Principal Balance	Principal	Rate	Interest	Periodic Debt Service	Fiscal Year Debt Service	Prior Issue Fiscal Year Debt Service	Fiscal Year (Savings) / Cost	Ending Principal Balance
7/5/2012	1,628,172.21								1,628,172.21
12/1/2012	1,628,172.21	111,811.50	1.980	13,074.22	124,885.72				1,516,360.71
6/1/2013	1,516,360.71	109,873.75	1.980	15,011.97	124,885.72	249,771.44	347,651.12	(97,879.68)	1,406,486.96
12/1/2013	1,406,486.96	110,961.50	1.980	13,924.22	124,885.72				1,295,525.46
6/1/2014	1,295,525.46	112,060.02	1.980	12,825.70	124,885.72	249,771.44	347,651.12	(97,879.68)	1,183,465.44
12/1/2014	1,183,465.44	113,169.41	1.980	11,716.31	124,885.72				1,070,296.03
6/1/2015	1,070,296.03	114,289.79	1.980	10,595.93	124,885.72	249,771.44	347,651.12	(97,879.68)	956,006.24
12/1/2015	956,006.24	115,421.26	1.980	9,464.46	124,885.72				840,584.98
6/1/2016	840,584.98	116,563.93	1.980	8,321.79	124,885.72	249,771.44	347,651.12	(97,879.68)	724,021.05
12/1/2016	724,021.05	117,717.91	1.980	7,167.81	124,885.72				606,303.14
6/1/2017	606,303.14	118,883.32	1.980	6,002.40	124,885.72	249,771.44	178,903.54	70,867.90	487,419.82
12/1/2017	487,419.82	120,060.26	1.980	4,825.46	124,885.72				367,359.56
6/1/2018	367,359.56	121,248.86	1.980	3,636.86	124,885.72	249,771.44	135,283.64	114,487.80	246,110.70
12/1/2018	246,110.70	122,449.22	1.980	2,436.50	124,885.72				123,661.47
6/1/2019	123,661.47	123,661.47	1.980	1,224.25	124,885.72	249,771.44	65,000.00	184,771.44	-
12/1/2019	-	-	-	-	-				-
6/1/2020	-	-	-	-	-	-	64,859.44	(64,859.44)	-
Totals		**1,628,172.21**		**120,227.88**	**1,748,400.09**	**1,748,400.09**	**1,834,651.10**	**(86,251.01)**	

Present Value (New Lease)	**1,628,172.21**
Plus: Accrued Interest	**37,616.75**
Net Present Value (New Lease)	**1,665,788.96**
Present Value (Prior Lease)	**1,737,456.25**
Net Present Value (Savings) / Cost	**(71,667.29)**
% New Lease	**4.40%**
% Prior Leases	**4.51%**

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)
Lease Amortization Schedule and Savings Calculation (Fire Trucks)

Date	Beginning Principal Balance	Principal	Rate	Interest	Periodic Debt Service	Fiscal Year Debt Service	Prior Issue Fiscal Year Debt Service	Fiscal Year (Savings) / Cost	Ending Principal Balance
7/5/2012	842,575.74								842,575.74
12/1/2012	842,575.74	57,862.22	1.980	6,765.88	64,628.10				784,713.52
6/1/2013	784,713.52	56,859.44	1.980	7,768.66	64,628.10	129,256.20	164,729.77	(35,473.57)	727,854.09
12/1/2013	727,854.09	57,422.35	1.980	7,205.76	64,628.10				670,431.74
6/1/2014	670,431.74	57,990.83	1.980	6,637.27	64,628.10	129,256.20	164,729.77	(35,473.57)	612,440.91
12/1/2014	612,440.91	58,564.94	1.980	6,063.17	64,628.10				553,875.98
6/1/2015	553,875.98	59,144.73	1.980	5,483.37	64,628.10	129,256.20	164,729.77	(35,473.57)	494,731.25
12/1/2015	494,731.25	59,730.26	1.980	4,897.84	64,628.10				435,000.98
6/1/2016	435,000.98	60,321.59	1.980	4,306.51	64,628.10	129,256.20	164,729.77	(35,473.57)	374,679.39
12/1/2016	374,679.39	60,918.78	1.980	3,709.33	64,628.10				313,760.62
6/1/2017	313,760.62	61,521.87	1.980	3,106.23	64,628.10	129,256.20	108,619.90	20,636.30	252,238.75
12/1/2017	252,238.75	62,130.94	1.980	2,497.16	64,628.10				190,107.81
6/1/2018	190,107.81	62,746.03	1.980	1,882.07	64,628.10	129,256.20	65,000.00	64,256.20	127,361.77
12/1/2018	127,361.77	63,367.22	1.980	1,260.88	64,628.10				63,994.56
6/1/2019	63,994.56	63,994.56	1.980	633.55	64,628.10	129,256.20	65,000.00	64,256.20	-
12/1/2019	-	-	-	-	-				-
6/1/2020	-	-	-	-	-	-	64,859.44	(64,859.44)	-
Totals		**842,575.74**		**62,217.68**	**904,793.42**	**904,793.42**	**962,398.42**	**(57,605.00)**	

Present Value (New Lease)	842,575.74
Plus: Accrued Interest	19,371.74
Net Present Value (New Lease)	861,947.48
Present Value (Prior Lease)	905,366.12
Net Present Value (Savings) / Cost	(43,418.64)
% New Lease	5.15%
% Prior Leases	5.29%

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)
Lease Amortization Schedule and Savings Calculation (Recycling Trucks)

Date	Beginning Principal Balance	Principal	Rate	Interest	Periodic Debt Service	Fiscal Year Debt Service	Prior Issue Fiscal Year Debt Service	Fiscal Year (Savings) / Cost	Ending Principal Balance
7/5/2012	785,596.47								785,596.47
12/1/2012	785,596.47	53,949.28	1.980	6,308.34	60,257.62				731,647.19
6/1/2013	731,647.19	53,014.31	1.980	7,243.31	60,257.62	120,515.24	182,921.35	(62,406.11)	678,632.88
12/1/2013	678,632.88	53,539.15	1.980	6,718.47	60,257.62				625,093.72
6/1/2014	625,093.72	54,069.19	1.980	6,188.43	60,257.62	120,515.24	182,921.35	(62,406.11)	571,024.53
12/1/2014	571,024.53	54,604.48	1.980	5,653.14	60,257.62				516,420.05
6/1/2015	516,420.05	55,145.06	1.980	5,112.56	60,257.62	120,515.24	182,921.35	(62,406.11)	461,274.99
12/1/2015	461,274.99	55,691.00	1.980	4,566.62	60,257.62				405,584.00
6/1/2016	405,584.00	56,242.34	1.980	4,015.28	60,257.62	120,515.24	182,921.35	(62,406.11)	349,341.66
12/1/2016	349,341.66	56,799.14	1.980	3,458.48	60,257.62				292,542.52
6/1/2017	292,542.52	57,361.45	1.980	2,896.17	60,257.62	120,515.24	70,283.64	50,231.60	235,181.07
12/1/2017	235,181.07	57,929.33	1.980	2,328.29	60,257.62				177,251.75
6/1/2018	177,251.75	58,502.83	1.980	1,754.79	60,257.62	120,515.24	70,283.64	50,231.60	118,748.92
12/1/2018	118,748.92	59,082.00	1.980	1,175.61	60,257.62				59,666.92
6/1/2019	59,666.92	59,666.92	1.980	590.70	60,257.62	120,515.24	-	120,515.24	-
12/1/2019	-	-	-	-	-				-
6/1/2020	-	-	-	-	-	-	-	-	-
Totals		**785,596.47**		**58,010.20**	**843,606.67**	**843,606.67**	**872,252.68**	**(28,646.01)**	

Present Value (New Lease)	785,596.47
Plus: Accrued Interest	18,245.01
Net Present Value (New Lease)	803,841.48
Present Value (Prior Lease)	832,090.13
Net Present Value (Savings) / Cost	(28,248.65)
% New Lease	3.60%
% Prior Leases	3.67%

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)
Lease Amortization Schedule and Savings Calculation (2005 Fire Truck Purchase)

Date	Beginning Principal Balance	Principal	Rate	Interest	Periodic Debt Service	Fiscal Year Debt Service	Prior Issue Fiscal Year Debt Service	Fiscal Year (Savings) / Cost	Ending Principal Balance
7/5/2012	208,204.09								208,204.09
12/1/2012	208,204.09	14,298.00	1.980	1,671.88	15,969.88				193,906.08
6/1/2013	193,906.08	14,050.21	1.980	1,919.67	15,969.88	31,939.76	56,109.87	(24,170.11)	179,855.87
12/1/2013	179,855.87	14,189.31	1.980	1,780.57	15,969.88				165,666.56
6/1/2014	165,666.56	14,329.78	1.980	1,640.10	15,969.88	31,939.76	56,109.87	(24,170.11)	151,336.78
12/1/2014	151,336.78	14,471.65	1.980	1,498.23	15,969.88				136,865.13
6/1/2015	136,865.13	14,614.92	1.980	1,354.96	15,969.88	31,939.76	56,109.87	(24,170.11)	122,250.22
12/1/2015	122,250.22	14,759.60	1.980	1,210.28	15,969.88				107,490.61
6/1/2016	107,490.61	14,905.72	1.980	1,064.16	15,969.88	31,939.76	56,109.87	(24,170.11)	92,584.89
12/1/2016	92,584.89	15,053.29	1.980	916.59	15,969.88				77,531.60
6/1/2017	77,531.60	15,202.32	1.980	767.56	15,969.88	31,939.76	-	31,939.76	62,329.28
12/1/2017	62,329.28	15,352.82	1.980	617.06	15,969.88				46,976.46
6/1/2018	46,976.46	15,504.81	1.980	465.07	15,969.88	31,939.76	-	31,939.76	31,471.64
12/1/2018	31,471.64	15,658.31	1.980	311.57	15,969.88				15,813.33
6/1/2019	15,813.33	15,813.33	1.980	156.55	15,969.88	31,939.76	-	31,939.76	-
12/1/2019	-	-	-	-	-				-
6/1/2020	-	-	-	-	-	-	-	-	-
Totals		**208,204.09**		**15,374.26**	**223,578.34**	**223,578.34**	**224,439.48**	**(861.14)**	

Present Value (New Lease)	208,204.09
Plus: Accrued Interest	7,143.68
Net Present Value (New Lease)	215,347.77
Net Present Value (Prior Lease)	217,547.71
Net Present Value (Savings) / Cost	(2,199.94)
% New Lease	1.06%
% Prior Lease	1.08%

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)

Prior Lease Amortization Schedule and Redemption Provisions (2005 Fire Truck Purchase)

Date	Beginning Principal Balance	Principal	Rate	Interest	Fiscal Year Debt Service	Call Premium Principal Called	0.00% Call Premium	Interest Due	Defeasance Amount	Ending Principal Balance
8/12/2011	204,153.85									204,153.85
7/5/2012	204,153.85									204,153.85
8/12/2012	204,153.85	48,147.87	3.900	7,962.00	56,109.87	48,147.87	-	7,962.00	212,115.85	156,005.98
8/12/2013	156,005.98	50,025.64	3.900	6,084.23	56,109.87	50,025.64	-			105,980.34
8/12/2014	105,980.34	51,976.64	3.900	4,133.23	56,109.87	51,976.64	-			54,003.70
8/12/2015	54,003.70	54,003.70	3.900	2,106.17	56,109.87	54,003.70	-			-
Totals		**204,153.85**		**20,285.63**	**224,439.48**	**204,153.85**	**-**	**7,962.00**	**212,115.85**	

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)
Lease Amortization Schedule and Savings Calculation (2007 Fire Truck Purchase)

Date	Beginning Principal Balance	Principal	Rate	Interest	Periodic Debt Service	Fiscal Year Debt Service	Prior Issue Fiscal Year Debt Service	Fiscal Year (Savings) / Cost	Ending Principal Balance
7/5/2012	196,155.21								196,155.21
12/1/2012	196,155.21	13,470.57	1.980	1,575.13	15,045.70				182,684.64
6/1/2013	182,684.64	13,237.12	1.980	1,808.58	15,045.70	30,091.39	43,619.90	(13,528.51)	169,447.52
12/1/2013	169,447.52	13,368.17	1.980	1,677.53	15,045.70				156,079.35
6/1/2014	156,079.35	13,500.51	1.980	1,545.19	15,045.70	30,091.39	43,619.90	(13,528.51)	142,578.84
12/1/2014	142,578.84	13,634.17	1.980	1,411.53	15,045.70				128,944.68
6/1/2015	128,944.68	13,769.14	1.980	1,276.55	15,045.70	30,091.39	43,619.90	(13,528.51)	115,175.53
12/1/2015	115,175.53	13,905.46	1.980	1,140.24	15,045.70				101,270.07
6/1/2016	101,270.07	14,043.12	1.980	1,002.57	15,045.70	30,091.39	43,619.90	(13,528.51)	87,226.95
12/1/2016	87,226.95	14,182.15	1.980	863.55	15,045.70				73,044.80
6/1/2017	73,044.80	14,322.55	1.980	723.14	15,045.70	30,091.39	43,619.90	(13,528.51)	58,722.25
12/1/2017	58,722.25	14,464.35	1.980	581.35	15,045.70				44,257.90
6/1/2018	44,257.90	14,607.54	1.980	438.15	15,045.70	30,091.39	-	30,091.39	29,650.36
12/1/2018	29,650.36	14,752.16	1.980	293.54	15,045.70				14,898.20
6/1/2019	14,898.20	14,898.20	1.980	147.49	15,045.70	30,091.39	-	30,091.39	-
12/1/2019	-	-	-	-	-				-
6/1/2020	-	-	-	-	-	-	-	-	-
Totals		**196,155.21**		**14,484.54**	**210,639.74**	**210,639.74**	**218,099.50**	**(7,459.76)**	

Present Value (New Lease)	**196,155.21**
Plus: Accrued Interest	**89.74**
Net Present Value (New Lease)	**196,244.94**
Present Value (Prior Lease)	**205,763.61**
Net Present Value (Savings) / Cost	**(9,518.67)**
% New Lease	**4.85%**
% Prior Lease	**4.93%**

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)

Prior Lease Amortization Schedule and Redemption Provisions (2007 Fire Truck Purchase)

Date	Beginning Principal Balance	Principal	Rate	Interest	Fiscal Year Debt Service	Call Premium Principal Called	0.00% Call Premium	Accrued Interest	Defeasance Amount	Ending Principal Balance
7/1/2012	193,209.98									193,209.98
7/5/2012	193,209.98							89.74	193,299.72	193,209.98
7/1/2013	193,209.98	35,543.72	4.180	8,076.18	43,619.90	35,543.72	-			157,666.26
7/1/2014	157,666.26	37,029.45	4.180	6,590.45	43,619.90	37,029.45	-			120,636.81
7/1/2015	120,636.81	38,577.28	4.180	5,042.62	43,619.90	38,577.28	-			82,059.53
7/1/2016	82,059.53	40,189.81	4.180	3,430.09	43,619.90	40,189.81	-			41,869.72
7/1/2017	41,869.72	41,869.72	4.180	1,750.18	43,619.90	41,869.72	-			-
Totals		**193,209.98**		**24,889.52**	**218,099.50**	**193,209.98**	**-**	**89.74**	**193,299.72**	

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)
Lease Amortization Schedule and Savings Calculation (2009 Fire Truck Purchase)

Date	Beginning Principal Balance	Principal	Rate	Interest	Periodic Debt Service	Fiscal Year Debt Service	Prior Issue Fiscal Year Debt Service	Fiscal Year (Savings) / Cost	Ending Principal Balance
7/5/2012	438,216.45								438,216.45
12/1/2012	438,216.45	30,093.65	1.980	3,518.88	33,612.52				408,122.80
6/1/2013	408,122.80	29,572.11	1.980	4,040.42	33,612.52	67,225.05	65,000.00	2,225.05	378,550.70
12/1/2013	378,550.70	29,864.87	1.980	3,747.65	33,612.52				348,685.82
6/1/2014	348,685.82	30,160.53	1.980	3,451.99	33,612.52	67,225.05	65,000.00	2,225.05	318,525.29
12/1/2014	318,525.29	30,459.12	1.980	3,153.40	33,612.52				288,066.17
6/1/2015	288,066.17	30,760.67	1.980	2,851.86	33,612.52	67,225.05	65,000.00	2,225.05	257,305.50
12/1/2015	257,305.50	31,065.20	1.980	2,547.32	33,612.52				226,240.30
6/1/2016	226,240.30	31,372.74	1.980	2,239.78	33,612.52	67,225.05	65,000.00	2,225.05	194,867.55
12/1/2016	194,867.55	31,683.34	1.980	1,929.19	33,612.52				163,184.22
6/1/2017	163,184.22	31,997.00	1.980	1,615.52	33,612.52	67,225.05	65,000.00	2,225.05	131,187.22
12/1/2017	131,187.22	32,313.77	1.980	1,298.75	33,612.52				98,873.45
6/1/2018	98,873.45	32,633.68	1.980	978.85	33,612.52	67,225.05	65,000.00	2,225.05	66,239.77
12/1/2018	66,239.77	32,956.75	1.980	655.77	33,612.52				33,283.02
6/1/2019	33,283.02	33,283.02	1.980	329.50	33,612.52	67,225.05	65,000.00	2,225.05	-
12/1/2019	-	-	-	-	-				-
6/1/2020	-	-	-	-	-	-	64,859.44	(64,859.44)	-
Totals		**438,216.45**		**32,358.88**	**470,575.33**	**470,575.33**	**519,859.44**	**(49,284.11)**	

Present Value (New Lease)	**438,216.45**
Plus: Accrued Interest	**12,138.32**
Net Present Value (New Lease)	**450,354.77**
Present Value (Prior Lease)	**482,054.80**
Net Present Value (Savings) / Cost	**(31,700.03)**
% New Lease	**7.23%**
% Prior Lease	**7.49%**

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)
Prior Lease Amortization Schedule and Redemption Provisions (2009 Fire Truck Purchase)

Date	Beginning Principal Balance	Principal	Rate	Interest	Fiscal Year Debt Service	Call Premium Principal Called	0.00% Call Premium	Interest Due	Defeasance Amount	Ending Principal Balance
11/30/2011	423,429.76									423,429.76
7/5/2012	423,429.76									423,429.76
11/30/2012	423,429.76	44,675.37	4.800	20,324.63	65,000.00	44,675.37	-	20,324.63	443,754.39	378,754.39
11/30/2013	378,754.39	46,819.79	4.800	18,180.21	65,000.00	46,819.79	-			331,934.60
11/30/2014	331,934.60	49,067.14	4.800	15,932.86	65,000.00	49,067.14	-			282,867.46
11/30/2015	282,867.46	51,422.36	4.800	13,577.64	65,000.00	51,422.36	-			231,445.10
11/30/2016	231,445.10	53,890.64	4.800	11,109.36	65,000.00	53,890.64	-			177,554.46
11/30/2017	177,554.46	56,477.39	4.800	8,522.61	65,000.00	56,477.39	-			121,077.07
11/30/2018	121,077.07	59,188.30	4.800	5,811.70	65,000.00	59,188.30	-			61,888.77
11/30/2019	61,888.77	61,888.77	4.800	2,970.67	64,859.44	61,888.77	-			-
Totals		**423,429.76**		**96,429.68**	**519,859.44**	**423,429.76**	**-**	**20,324.63**	**443,754.39**	

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)

SLGS Purchase Escrow Cash Flow Schedule (2009 Fire Truck Purchase)

Delivery Date 7/5/2012

Type	Date	Escrow Requirement	Principal	Rate	Interest	Total Receipt	Periodic Difference	0.89 Cash Balance
Cert	11/30/2012	443,754.39	443,595.00	0.09	158.60	443,753.60	(0.79)	0.10
	Totals	**443,754.39**	**443,595.00**		**158.60**	**443,753.60**	**(0.79)**	**0.10**

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)

Escrow Yield Calculation (2009 Fire Truck Purchase)

Purchase Price of Securities	**443,595.00**
Yield	**0.08877**

Date	Future Value	Present Value
7/5/2012	(443,595.00)	(443,595.00)
11/30/2012	443,753.60	443,595.00
Totals	**158.60**	**0.00**

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)
Lease Amortization Schedule and Savings Calculation (2007 Recycling Trucks Purchase)

Date	Beginning Principal Balance	Principal	Rate	Interest	Periodic Debt Service	Fiscal Year Debt Service	Prior Issue Fiscal Year Debt Service	Fiscal Year (Savings) / Cost	Ending Principal Balance
7/5/2012	374,470.17								374,470.17
12/1/2012	374,470.17	25,716.00	1.980	3,007.00	28,722.99				348,754.17
6/1/2013	348,754.17	25,270.33	1.980	3,452.67	28,722.99	57,445.98	70,283.64	(12,837.66)	323,483.85
12/1/2013	323,483.85	25,520.50	1.980	3,202.49	28,722.99				297,963.34
6/1/2014	297,963.34	25,773.15	1.980	2,949.84	28,722.99	57,445.98	70,283.64	(12,837.66)	272,190.19
12/1/2014	272,190.19	26,028.31	1.980	2,694.68	28,722.99				246,161.88
6/1/2015	246,161.88	26,285.99	1.980	2,437.00	28,722.99	57,445.98	70,283.64	(12,837.66)	219,875.89
12/1/2015	219,875.89	26,546.22	1.980	2,176.77	28,722.99				193,329.67
6/1/2016	193,329.67	26,809.03	1.980	1,913.96	28,722.99	57,445.98	70,283.64	(12,837.66)	166,520.64
12/1/2016	166,520.64	27,074.44	1.980	1,648.55	28,722.99				139,446.21
6/1/2017	139,446.21	27,342.47	1.980	1,380.52	28,722.99	57,445.98	70,283.64	(12,837.66)	112,103.73
12/1/2017	112,103.73	27,613.16	1.980	1,109.83	28,722.99				84,490.57
6/1/2018	84,490.57	27,886.54	1.980	836.46	28,722.99	57,445.98	70,283.64	(12,837.66)	56,604.03
12/1/2018	56,604.03	28,162.61	1.980	560.38	28,722.99				28,441.42
6/1/2019	28,441.42	28,441.42	1.980	281.57	28,722.99	57,445.98	-	57,445.98	-
12/1/2019	-	-	-	-	-				-
6/1/2020	-	-	-	-	-	-	-	-	-
Totals		**374,470.17**		**27,651.71**	**402,121.88**	**402,121.88**	**421,701.84**	**(19,579.96)**	

Present Value (New Lease)	374,470.17
Plus: Accrued Interest	11,575.62
Net Present Value (New Lease)	386,045.79
Present Value (Prior Lease)	400,093.44
Net Present Value (Savings) / Cost	(14,047.66)
% New Lease	3.75%
% Prior Lease	3.81%

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)

Prior Lease Amortization Schedule and Redemption Provisions (2007 Recycling Trucks Purchase)

						Call Premium	0.00%			
Date	Beginning Principal Balance	Principal	Rate	Interest	Fiscal Year Debt Service	Principal Called	Call Premium	Accrued Interest	Defeasance Amount	Ending Principal Balance
9/21/2011	368,676.43									368,676.43
7/5/2012	368,676.43							11,575.62	380,252.05	368,676.43
9/21/2012	368,676.43	55,610.32	3.980	14,673.32	70,283.64	55,610.32	-			313,066.11
9/21/2013	313,066.11	57,823.61	3.980	12,460.03	70,283.64	57,823.61	-			255,242.50
9/21/2014	255,242.50	60,124.99	3.980	10,158.65	70,283.64	60,124.99	-			195,117.51
9/21/2015	195,117.51	62,517.96	3.980	7,765.68	70,283.64	62,517.96	-			132,599.55
9/21/2016	132,599.55	65,006.18	3.980	5,277.46	70,283.64	65,006.18	-			67,593.37
9/21/2017	67,593.37	67,593.37	3.980	2,690.27	70,283.64	67,593.37	-			-
Totals		**368,676.43**		**53,025.41**	**421,701.84**	**368,676.43**	**-**	**11,575.62**	**380,252.05**	

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)
Lease Amortization Schedule and Savings Calculation (2008 Recycling Truck Purchase)

Date	Beginning Principal Balance	Principal	Rate	Interest	Periodic Debt Service	Fiscal Year Debt Service	Prior Issue Fiscal Year Debt Service	Fiscal Year (Savings) / Cost	Ending Principal Balance
7/5/2012	288,833.63								288,833.63
12/1/2012	288,833.63	19,835.08	1.980	2,319.33	22,154.41				268,998.55
6/1/2013	268,998.55	19,491.32	1.980	2,663.09	22,154.41	44,308.82	79,930.69	(35,621.87)	249,507.23
12/1/2013	249,507.23	19,684.29	1.980	2,470.12	22,154.41				229,822.94
6/1/2014	229,822.94	19,879.16	1.980	2,275.25	22,154.41	44,308.82	79,930.69	(35,621.87)	209,943.77
12/1/2014	209,943.77	20,075.97	1.980	2,078.44	22,154.41				189,867.81
6/1/2015	189,867.81	20,274.72	1.980	1,879.69	22,154.41	44,308.82	79,930.69	(35,621.87)	169,593.09
12/1/2015	169,593.09	20,475.44	1.980	1,678.97	22,154.41				149,117.65
6/1/2016	149,117.65	20,678.15	1.980	1,476.26	22,154.41	44,308.82	79,930.69	(35,621.87)	128,439.50
12/1/2016	128,439.50	20,882.86	1.980	1,271.55	22,154.41				107,556.64
6/1/2017	107,556.64	21,089.60	1.980	1,064.81	22,154.41	44,308.82	-	44,308.82	86,467.04
12/1/2017	86,467.04	21,298.39	1.980	856.02	22,154.41				65,168.66
6/1/2018	65,168.66	21,509.24	1.980	645.17	22,154.41	44,308.82	-	44,308.82	43,659.41
12/1/2018	43,659.41	21,722.18	1.980	432.23	22,154.41				21,937.23
6/1/2019	21,937.23	21,937.23	1.980	217.18	22,154.41	44,308.82	-	44,308.82	-
12/1/2019	-	-	-	-	-				-
6/1/2020	-	-	-	-	-	-	-	-	-
Totals		**288,833.63**		**21,328.12**	**310,161.75**	**310,161.75**	**319,722.76**	**(9,561.01)**	

Present Value (New Lease)	288,833.63
Plus: Accrued Interest	5,211.22
Net Present Value (New Lease)	294,044.84
Present Value (Prior Lease)	306,764.63
Net Present Value (Savings) / Cost	(12,719.78)
% New Lease	4.40%
% Prior Lease	4.47%

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)

Prior Lease Amortization Schedule and Redemption Provisions (2008 Recycling Toters Purchase)

Date	Beginning Principal Balance	Principal	Rate	Interest	Fiscal Year Debt Service	Call Premium Principal Called	0.00% Call Premium	Accrued Interest	Defeasance Amount	Ending Principal Balance
2/19/2012	284,420.63									284,420.63
7/5/2012	284,420.63							5,211.22	289,631.85	284,420.63
2/19/2013	284,420.63	66,136.29	4.850	13,794.40	79,930.69	66,136.29	-			218,284.34
2/19/2014	218,284.34	69,343.90	4.850	10,586.79	79,930.69	69,343.90	-			148,940.44
2/19/2015	148,940.44	72,707.08	4.850	7,223.61	79,930.69	72,707.08	-			76,233.36
2/19/2016	76,233.36	76,233.36	4.850	3,697.33	79,930.69	76,233.36	-			-
Totals		**284,420.63**		**35,302.13**	**319,722.76**	**284,420.63**	**-**	**5,211.22**	**289,631.85**	

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)
Lease Amortization Schedule and Savings Calculation (2009 Recycling Truck Purchase)

Date	Beginning Principal Balance	Principal	Rate	Interest	Periodic Debt Service	Fiscal Year Debt Service	Prior Issue Fiscal Year Debt Service	Fiscal Year (Savings) / Cost	Ending Principal Balance
7/5/2012	122,292.67								122,292.67
12/1/2012	122,292.67	8,398.21	1.980	982.01	9,380.22				113,894.47
6/1/2013	113,894.47	8,252.66	1.980	1,127.56	9,380.22	18,760.43	32,707.02	(13,946.59)	105,641.80
12/1/2013	105,641.80	8,334.36	1.980	1,045.85	9,380.22				97,307.44
6/1/2014	97,307.44	8,416.87	1.980	963.34	9,380.22	18,760.43	32,707.02	(13,946.59)	88,890.57
12/1/2014	88,890.57	8,500.20	1.980	880.02	9,380.22				80,390.37
6/1/2015	80,390.37	8,584.35	1.980	795.86	9,380.22	18,760.43	32,707.02	(13,946.59)	71,806.02
12/1/2015	71,806.02	8,669.34	1.980	710.88	9,380.22				63,136.68
6/1/2016	63,136.68	8,755.16	1.980	625.05	9,380.22	18,760.43	32,707.02	(13,946.59)	54,381.51
12/1/2016	54,381.51	8,841.84	1.980	538.38	9,380.22				45,539.67
6/1/2017	45,539.67	8,929.37	1.980	450.84	9,380.22	18,760.43	-	18,760.43	36,610.30
12/1/2017	36,610.30	9,017.77	1.980	362.44	9,380.22				27,592.52
6/1/2018	27,592.52	9,107.05	1.980	273.17	9,380.22	18,760.43	-	18,760.43	18,485.47
12/1/2018	18,485.47	9,197.21	1.980	183.01	9,380.22				9,288.26
6/1/2019	9,288.26	9,288.26	1.980	91.95	9,380.22	18,760.43	-	18,760.43	-
12/1/2019	-	-	-	-	-				-
6/1/2020	-	-	-	-	-	-	-	-	-
Totals		**122,292.67**		**9,030.36**	**131,323.04**	**131,323.04**	**130,828.08**	**494.96**	

Present Value (New Lease)	122,292.67
Plus: Accrued Interest	1,458.18
Net Present Value (New Lease)	123,750.85
Present Value (Prior Lease)	125,232.06
Net Present Value (Savings) / Cost	(1,481.21)
% New Lease	1.21%
% Prior Lease	1.27%

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)
Prior Lease Amortization Schedule and Redemption Provisions (2009 Recycling Truck Purchase)

Date	Beginning Principal Balance	Principal	Rate	Interest	Fiscal Year Debt Service	Call Premium Principal Called	0.00% Call Premium	Interest Due	Defeasance Amount	Ending Principal Balance
4/2/2012	116,382.70									116,382.70
7/5/2012	116,382.70									116,382.70
4/2/2013	116,382.70	27,062.46	4.850	5,644.56	32,707.02	27,062.46	-	5,644.56	122,027.26	89,320.24
4/2/2014	89,320.24	28,374.99	4.850	4,332.03	32,707.02	28,374.99	-			60,945.25
4/2/2015	60,945.25	29,751.18	4.850	2,955.84	32,707.02	29,751.18	-			31,194.07
4/2/2016	31,194.07	31,194.07	4.850	1,512.95	32,707.02	31,194.07	-			-
Totals		**116,382.70**		**14,445.38**	**130,828.08**	**116,382.70**	**-**	**5,644.56**	**122,027.26**	

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)

SLGS Purchase Escrow Cash Flow Schedule (2009 Recycling Truck Purchase)

Delivery Date **7/5/2012**

Type	Date	Escrow Requirement	Principal	Rate	Interest	Total Receipt	Periodic Difference	0.61 Cash Balance
Cert	4/2/2013	122,027.26	121,893.00	0.15	133.75	122,026.75	(0.51)	0.10
	Totals	**122,027.26**	**121,893.00**		**133.75**	**122,026.75**	**(0.51)**	**0.10**

City of El Cerrito
Lease With Option To Purchase
(Municipal Lease Refunding Program)

Escrow Yield Calculation (2009 Recycling Truck Purchase)

Purchase Price of Securities	**121,893.00**
Yield	**0.14792**

Date	Future Value	Present Value
7/5/2012	(121,893.00)	(121,893.00)
4/2/2013	122,026.75	121,893.00
Totals	**133.75**	**0.00**

Agenda Item No. 5(E)

RESOLUTION NO. 2012–XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO CALLING ON CONGRESS TO REDUCE MILITARY SPENDING AND REDIRECT FUNDS TO DOMESTIC PRIORITIES

WHEREAS, our nation faces its most severe economic crisis since the Great Depression impacting budgets at the state and local levels; and

WHEREAS, approximately 59% of every federal discretionary tax dollar in fiscal year 2012 is spent to pay for past, present and future military expenditures; and

WHEREAS, the Pentagon budget for the 2012 fiscal year is over $700 Billion and military spending by other agencies, such as the Veteran's Administration, State Department and the Department of Energy, plus interest on the war debt, raises the total military spending to almost $1 Trillion annually; and

WHEREAS, as of June, 2012 the total cost of the Afghanistan war to Americans is estimated to be over $542 Billion, of which taxpayers in debt-ridden California will have paid over $66.5 Billion. The share paid by Contra Costa County taxpayers is over $2.4 Billion since 2001; and

WHEREAS, more than 2,000 U.S. troops have been killed in Afghanistan and more than 15,300 have been wounded, a number that does not include those suffering from Post Traumatic Stress Disorder or Traumatic Brain Injury diagnosed after returning home, approximately 28,000 per year according to Department of Defense reports; and

WHEREAS, the suicide rate among the nation's active-duty military personnel this year eclipses the number of troops dying in battle – almost one per day – and is on pace to set a record annual high since the start of the wars in Iraq and Afghanistan more than a decade ago; and

WHEREAS, there are more than 800 U.S. military bases overseas with more than 200,000 troops (not including those serving in Iraq and Afghanistan), costing more than $250 billion per year. There are plans to spend an additional $185 billion over the next ten years to expand and modernize the U.S. nuclear weapons complex. The budget includes weapons systems that even the Pentagon doesn't want. There are scores of other Pentagon programs that are far in excess of what is needed to actually defend our country. The U.S. spends more than fourteen countries combined – 42% of all military spending in the world; and

WHEREAS, education, medical care, housing, other essential public services, infrastructure repairs, and family and private sector financing in our city, school district, county and throughout the state have been cut while financial resources have been diverted from the constructive economy to the wars in Iraq, Afghanistan and Pakistan and other military spending.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of El Cerrito that it hereby expresses its concerns about how the national defense budget and spending impacts not only our nation but also the residents of the City of El Cerrito. The City Council supports public discussion and dialogue about the costs of excessive military spending within the context of national and local priorities, what each resident must pay and the permanent disability and loss of life experienced by local residents who willingly serve in the armed forces for the safety and welfare of our Country.

BE IT FURTHER RESOLVED, that local, regional and national impacts include a lack of funding and valuable human resources and expertise available for local and regional county needs to address everyday issues including investment and maintenance of infrastructure, transportation, housing, education, social and medical services, energy, environmental and economic sustainability and meaningful employment opportunities.

BE IT FURTHER RESOLVED, that the City Council of the City of El Cerrito calls on Senators Boxer and Feinstein and Congressional Representative Garamendi to oppose further funding of the war in Afghanistan, except as needed to affect the safe rapid withdrawal of all military forces and contractors, and urges them to take a leadership position in Congress to bring our troops safely home, substantially reduce overall military spending, and redirect our federal tax dollars to the pressing educational, employment, health, housing, nutritional, infrastructure, energy, and environmental needs of our city, state and country and support federal funding for the over two million new Iraq and Afghanistan war veterans – particularly the thousands who have come home disabled or otherwise physically or mentally wounded – to ensure they receive health care, housing, jobs, education and other supportive services they deserve.

BE IT FURTHER RESOLVED that the City Clerk is directed to forward copies of this resolution to Senators Boxer and Feinstein and Representative Garamendi with a request that they act and vote in accord with its provisions.

I CERTIFY that at a regular meeting on July ___, 2012, that the City Council of the City of El Cerrito passed this resolution by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

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

_____
Cheryl Morse, City Clerk

APPROVED:

_____
William C. Jones III, Mayor

AFSCME Local 2428
AFSCME Local 444
AFT Local 1603, Peralta Fed. of Teachers
AFT Local 2121, SF Community College Faculty
Alameda Co. Democratic Central Committee
Alameda Labor Council
American Friends Service Cmte.-Pacific Mtn. Region
Asian Americans for Peace & Justice
Associated Students, SFCC Ocean Campus
Bay Area Chapter - U.S. Labor Against the War
Bay Area Labor Committee for Peace & Justice
Bay Area Women in Black
Bay Localize
BAY-Peace
Beacon Presbyterian Fellowship
Berkeley Fellowship of Unitarian Universalists
Social Justice Committee
BOSS
California Alliance for Retired Americans
California Federation of Teachers
Castro Valley Democratic Club
Coalition of Labor Union Women-SF
Coalition on Homelessness-SF
Code Pink
Concilio Latino
Contra Costa County Central Labor Council
Courage to Resist
East Bay Organizing Team
Democracy for America
East Bay Peace Action
East Bay Young Democrats
Ecumenical Peace Institute
El Cerrito Democratic Club
Environmentalists Against War
Fellowship of Reconciliation
Environmentalists Against War
Global Exchange
Grandmothers Against the War
Grandparents for Peace
Gray Panthers - East Bay
Greater Richmond Interfaith Program
Green Party of Alameda
Groundswell Fund
Harvey Milk LBGT Democratic Club
Hayward Demos Democratic Club
Iraq Moratorium
Jobs with Justice-SF
John George Democratic Club
Lamorinda Peace & Justice Group
Marin Interfaith Task Force on the Americas
Movement for a Democratic Society
Mt. Diablo Peace & Justice Center
National Education Asn. Peace & Justice Caucus
National Union of Healthcare Workers National
Women's Political Caucus-Alameda North
Network in Solidarity with the People of Guatemala
Niebyl-Proctor Marxist Library
No. CA Committees of Correspondence
No. CA Communist Party
Non-Violence International
Old Lesbians Organizing for Change
Bay Area Parents Voices
Peace Action-West
Physicians for Social Responsibility-SF
Potrero Hill (SF) Democratic Club
Progressive Democrats of America-SF
Progressive Perspectives
Richmond Democratic Club-SF
Richmond Progressive Alliance
Richmond Vision
Rockin' Solidarity Labor Chorus
San Francisco Friends Meeting
San Francisco Labor Council
San Mateo County Central Labor Council
School of Americas Watch-East Bay
School of Americas Watch-SF
SEIU Local 1021
Senior Action Network-SF
South Bay Labor Council
Temple United Methodist Church
Therapists for Peace and Justice
Tri Valley Cares
Tri Valley Democratic Club
Unitarian Universalists for Peace-SF
US Peace Council
Veterans for Peace, Berkeley Chapter
Veterans for Peace, SF Chapter 69
Vukani Mawethu Choir
Wellstone Democratic Renewal Club
West County Toxics Coalition
Western States Legal Foundation
Women for Genuine Security
World Rainforest Fund

Bay Area
New Priorities Campaign

P.O. Box 19309 Oakland 64619 newprioritiescampaign@gmail.com
www.newprioritiescampaign.org

June 29, 2012

To: William C. Jones, El Cerrito Mayor
bjones@ci.el-cerrito.ca.us

Cc: Cheryl Morse, El Cerrito City Clerk
cmorse@ci.el-cerrito.ca.us

Subject: New Priorities Resolution

The attached information is forwarded to you at the request of the El Cerrito New Priorities Campaign Working Group. This group of area residents includes members of the El Cerrito Democratic Club, East Bay Peace Action, and U.S. Labor Against War. Representatives of the group have met with the El Cerrito Human Relations Commission who recommends the Council's consideration of the Resolution Calling on Congress to Reduce Military Spending and Redirect Funds to Domestic Priorities. A relevant DVD titled War and Taxes can be viewed online at www.uslaboragainstwar.org or a copy is available from the City Clerk.

Concerning whether the issues addressed by this resolution are appropriate matters for consideration and action by the City Council, your attention is called to a key legal precedent relating to citizens' right to be represented by local government. In the 1967 Farley v. Healy, 67 Cal.2d325 decision the California Supreme Court held:

"As representatives of local communities, boards of supervisors and city councils have traditionally made declarations of policy matters of concern to the community whether or not they had power to effectuate such declarations by binding legislation. Indeed one of the purposes of local government is to represent its citizens before the Congress, the Legislature and administrative agencies in matters over which local government has no power. Even in matters of foreign policy it is not unusual for local legislative bodies to make their positions known."

The Working Group requests the resolution be scheduled for the July 17 City Council meeting agenda. Please confirm their request vial email to Al Miller amil@leonardoslab.net .

Thank you for your attention and assistance.

Yours Truly,

Michael Eisenscher

Michael Eisenscher, Coordinator
newprioritiescampaign@gmail.com

Attachments: Draft Resolution with Source Citations; Fact Sheets: Job Creation, Not Military Spending; Employment Effects of Military/Domestic Spending; War Spending/Defense & Social Need in Contra Costa County.

Resolution Calling on Congress to Reduce Military Spending and Redirect Funds to Domestic Priorities

Submitted to the El Cerrito City Council, July 17, 2012

WHEREAS, our nation faces its most severe economic crisis since the Great Depression impacting budgets at the state and local levels; and,

WHEREAS, approximately 59% of every federal discretionary tax dollar in fiscal year 2012 is spent to pay for past, present and future military expenditures [1]; and,

WHEREAS, the Pentagon budget for the 2012 fiscal year is over $700 Billion and military spending by other agencies, such as the Veteran's Administration, State Department and the Department of Energy, plus interest on the war debt, raises the total military spending to almost $1 Trillion annually [2]; and,

WHEREAS, as of June, 2012 the total cost of the Afghanistan war to Americans is estimated to be over $542 Billion, of which taxpayers in debt-ridden California will have paid over $66.5 Billion in, and the share paid by Contra Costa County taxpayers is over $2.4 Billion since 2001 [3]; and,

WHEREAS, more than 2,000 U.S. troops have been killed in Afghanistan and more than 15,300 have been wounded, a number that does not include those suffering from Post Traumatic Stress Disorder or Traumatic Brain Injury diagnosed after returning home–28,000 per year according to Department of Defense reports [4]; and,

WHEREAS, the suicide rate among the nation's active-duty military personnel this year eclipses the number of troops dying in battle – almost one per day – and is on pace to set a record annual high since the start of the wars in Iraq and Afghanistan more than a decade ago [5]; and.

WHEREAS, there are more than 800 U.S. military bases overseas with more than 200,000 troops (not including those serving in Iraq and Afghanistan), costing more that $250 billion per year; the administration plans to spend an additional $185 billion over the next 10 years to expand and modernize the U.S. nuclear weapons complex; the budget includes weapons systems that even the Pentagon doesn't want; there are scores of other Pentagon programs that are far in excess of what is needed to actually defend our country; and the U.S. spends more than the next 14 countries combined -- 42% of all military spending in the world [6]; and

WHEREAS, education, medical care, housing, other essential public services, infrastructure repairs, and family and private sector financing in our city, school district, county and throughout the state have been cut while our financial resources have been diverted from the constructive economy to the wars in Iraq, Afghanistan and Pakistan and other military spending;

NOW, THEREFORE, BE IT RESOLVED, that the El Cerrito City Council calls on Senators Boxer and Feinstein and Representative Garamendi to oppose further funding of the war in Afghanistan, except as needed to affect the safe rapid withdrawal of all military forces and contractors, and urges them to take leadership in Congress to bring our troops safely home, substantially reduce overall military spending, and redirect our federal tax dollars to the pressing educational, employment, health, housing, nutritional, infrastructure, energy, and environmental needs of our city, state and country;

BE IT FURTHER RESOLVED, that the City Council of El Cerrito supports public discussion and dialogue about the cost of excessive military spending; and,

BE IT FURTHER RESOLVED, that we call on our Congressional delegation to support federal funding for the over 2 million new Iraq and Afghanistan war veterans – particularly the thousands who have come home disabled or otherwise physically or mentally wounded – to ensure they receive health care, housing, jobs, education and other supportive services they deserve; and,

BE IT FINALLY RESOLVED, that this council shall forward copies of this resolution to Senators Boxer and Feinstein and Representative Garamendi with a request that they act and vote in accord with its provisions.

Source citations:

1. "New Priorities for a New Economy" Slide Show (02:10) produced by the New Priorities Campaign (http://tinyurl.com/82ajbau); computed by the National Priorities Project (http://nationalpriorities.org/en/analysis/2011/presidents-budget-fy2012/expenditures/) 59% in FY2012; 57% in FY2013. Discretionary spending is that portion of the federal budget authorized annually by Congress. Mandatory spending is that portion determined by law without annual Congressional action.

2. Stiglitz & Bilmes, *The Three Trillion Dollar War*, http://www.threetrillondollarwar.org

3. National Priorities Project, Cost of War, http://www.costofwar.com

4. iCasualties.org, Operation Enduring Freedom/Afghanistan. http://icasualties.org

5. Timothy Williams, *NY Times*, June 10th, 2012

6. • More than 800 bases overseas, with more than 200,000 troops at a cost of more than $250 billion per year: Joan Roelofs, Counterpunch 2/19-21/2010 (http://www.counterpunch.org/2010/02/19/bases-of-empire/)

   Nick Turse, TomDispatch 91/09/2011 (http://www.tomdispatch.com/post/175338/tomgram:_nick_turse,_the_pentagon)

   • Weapons systems the Pentagon doesn't want: "Pentagon, Conservative Worldviews Clash on House Floor", National Security Network, May 16, 2012 (http://nsnetwork.org/pentagon-conservative-worldviews-clash-on-house-floor/)

   "Senate Dodges Obama Veto Threat" by (http://abcnews.go.com/Politics/story?id=8126691&page=1#.T-48u7VfHsY)

   "House Rejects Agreed Upon Funding Level for Pentagon" by Coalition on Human Needs, May 31, 2012 (http://www.chn.org/humanneeds/120531a.html)

   • Plan to modernize nuclear arsenal at cost of $185 billion over ten years – Chris Hellman, TomDispatch 3/1/11: http://www.tomdispatch.com/post/175361/tomgram%3A_chris_hellman,_$1.2_trillion_for_national_security/

   • U.S. military spending greater than next 14 countries combined (http://www.globalissues.org/article/75/world-military-spending - InContextUSMilitarySpendingVersusRestoftheWorld),

   42% of global military spending – Stockholm International Peace Research Institute – (http://www.globalissues.org/article/75/world-military-spending)

Research performed by Michael Eisenscher, National Coordinator,
U.S. Labor Against the War (USLAW)
nationalcoordinator@uslaboragainstwar.org
http://uslaboragainstwar.org

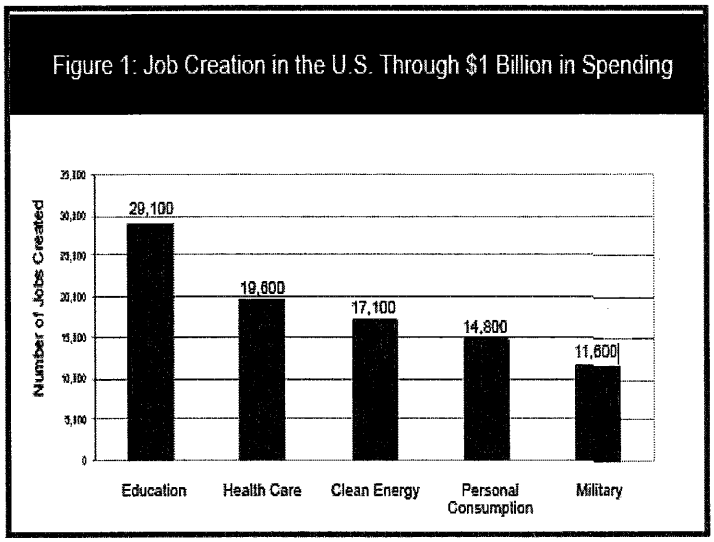
JOB CREATION: SPEND $$ ON CIVILIAN JOBS NOT MILITARY

"Military spending, on the other hand, amounts to a regressive tax which requires the vast majority of working people to subsidize what President Eisenhower decried as "the military-industrial complex" -- that is, high tech companies, weapons manufacturers, and the new proliferation of mercenary organizations..." -- Dan Kovalik, Human and Labor Rights Lawyer
(http://www.huffingtonpost.com/dan-kovalik/the-deafening-silence-abo_b_793712.html)

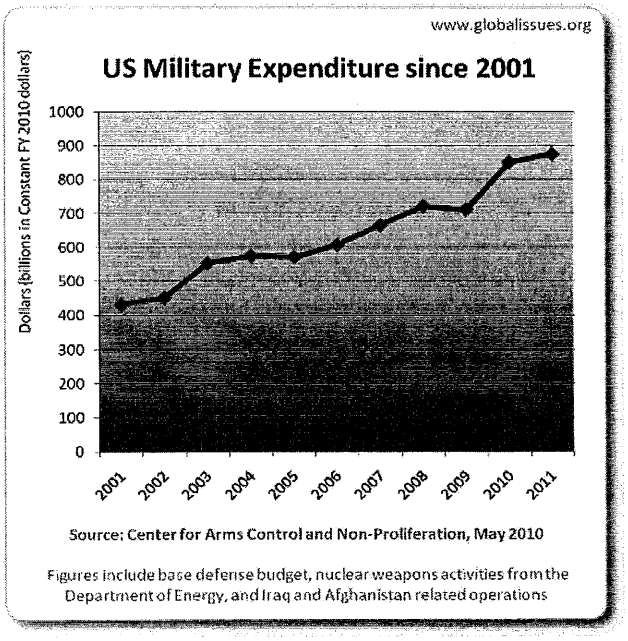
Military spending by the federal government creates far fewer jobs than spending equivalent amounts on civilian jobs in education, health care or clean energy, according to a study by Robert Pollin & Heidi Garrett-Peltier, Department of Economics and Political Economy Research Institute (PERI), University of Massachusetts-Amherst ["The U.S. The U.S. Employment Effects of Military and Domestic Spending Priorities: An Updated Analysis"]

MORE JOBS PER DOLLAR WHEN SPENT ON SOCIALLY CONSTRUCTIVE INVESTMENTS

"$1 billion spent on each of the domestic spending priorities will create substantially more jobs within the U.S. economy than would the same $1 billion spent on the military. ... We show that investments in clean energy, health care and education create a much larger number of jobs across all pay ranges, including mid-range jobs (paying between $32,000 and $64,000) and high-paying jobs (paying over $64,000). Channeling funds into clean energy, health care and education in an effective way will therefore create significantly greater opportunities for decent employment throughout the U.S. economy than spending the same amount of funds with the military."



http://www.peri.umass.edu/fileadmin/pdf/published_study/spending_priorities_PERI.pdf



WHAT CAN WE DO WITH THIS INFORMATION?

Bring these facts to the attention of the public through speaking at public comment periods at city council and other public governance meetings; write letters to the editor; organize a panel discussion or debate in your community.

When you make an office visit to your member of Congress, present this fact sheet and say that you expect your representative to work to change budget priorities.

"The point that has to be made is that they're linked, that we have the money to put people back to work to start correcting the infrastructure, to start providing health care for all citizens, for doing the things that government is supposed to do. And the money is there; we have to stop wasting it ..." – Chalmers Johnson, author of "Blowback" and other books, quoted in interview on "The Real News"

IT'S TIME FOR NEW PRIORITIES: END THE WASTEFUL IMMORAL WARS!
CUT THE BLOATED PENTAGON BUDGET!
INVEST IN MEETING HUMAN NEEDS AND CREATING REAL ECONOMIC SECURITY

ISSUED BY: BAY AREA CAMPAIGN FOR NEW PRIORITIES • WWW.NEWPRIORITIESCAMPAIGN.ORG • NEWPRIORITIESCAMPAIGN@GMAIL.COM

PERI POLITICAL ECONOMY RESEARCH INSTITUTE
University of Massachusetts Amherst

Publications

The U.S. Employment Effects of Military and Domestic Spending Priorities: 2011 Update

http://www.peri.umass.edu/236/hash/0b0ce6af7ff999b11745825d80aca0b8/publication/489/

Robert Pollin | Heidi Garrett-Peltier | 11/28/2011

Download 1.1 MB

Abstract:

This study focuses on the employment effects of military spending versus alternative domestic spending priorities, in particular investments in clean energy, health care and education. We first present some simple alternative spending scenarios, namely devoting $1 billion to the military versus the same amount of money spent on clean energy, health care, and education, as well as for tax cuts which produce increased levels of personal consumption.

Our conclusion in assessing such relative employment impacts is straightforward: $1 billion spent on each of the domestic spending priorities will create substantially more jobs within the U.S. economy than would the same $1 billion spent on the military. We then examine the pay level of jobs created through these alternative spending priorities and assess the overall welfare impacts of the alternative employment outcomes. We show that investments in clean energy, health care and education create a much larger number of jobs across all pay ranges, including mid-range jobs (paying between $32,000 and $64,000) and high-paying jobs (paying over $64,000). Channeling funds into clean energy, health care and education in an effective way will therefore create significantly greater opportunities for decent employment throughout the U.S. economy than spending the same amount of funds with the military.

FIGURE 1. JOB CREATION IN THE U.S. THROUGH $1 BILLION IN SPENDING

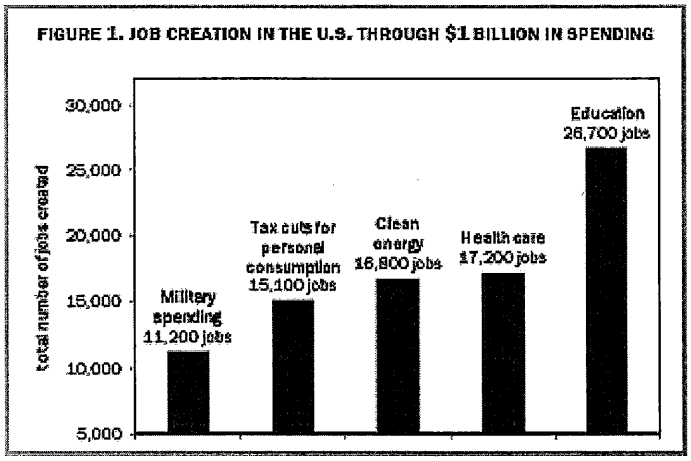


TABLE 2. AVERAGE WAGES, BENEFITS AND TOTAL COMPENSATION FOR ALTERNATIVE SECTORS OF U.S. ECONOMY, 2009: TOTAL JOB CREATION: DIRECT, INDIRECT, AND INDUCED JOBS

	(1) Average Wages	(2) Average Wages relative to Military	(3) Average Benefits	(4) Average Total Compensation (= columns 1+3)	(5) Average Total Compensation Relative to Military
Military	$58,096	--	$32,679	$90,776	--
Tax cuts for personal consumption	$47,021	-19.1%	$15,704	$62,725	-30.9%
Clean energy	$49,966	-14.0%	$22,274	$71,340	-21.4%
Health care	$50,121	-13.7%	$18,857	$68,978	-24.0%
Education	$49,972	-14.0%	$21,375	$72,246	-20.4%

Sources: See Appendix

TABLE 3. DISTRIBUTION OF JOBS BY WAGE LEVELS IN ALTERNATIVE U.S. ECONOMIC SECTORS: JOBS CREATED THROUGH $1 BILLION IN SPENDING WITHIN EACH SECTOR

	Total Jobs Created	Jobs with Wages below $32,000	Jobs with Wages between $32,000 - $64,000	Jobs with Wages above $64,000
Military	11,200	4,133 *(36.9% of military)*	4,715 *(42.1% of military)*	2,352 *(21.0% of military)*
Tax cuts for personal consumption	15,100	8,592 *(56.9% of personal consumption)*	4,590 *(30.4% of personal consumption)*	1,918 *(12.7% of personal consumption)*
Clean energy	16,800	8,467 *(50.4% of clean energy)*	5,998 *(35.7% of clean energy)*	2,335 *(13.9% of clean energy)*
Health care	17,200	9,649 *(56.1% of healthcare)*	5,315 *(30.9% of healthcare)*	2,236 *(13.0% of healthcare)*
Education	26,700	11,214 *(42.0% of education)*	10,867 *(40.7% of education)*	4,619 *(17.3% of education)*

Sources: See Appendix

Also view video interview with Robert Pollin:
Will Military Budget Cuts Weaken Defense and Lose Jobs?
http://youtu.be/WSsiVDcNEbo
The Real News Network
June 13th, 2012

Political Economy Research Institute
Gordon Hall, 418 N. Pleasant St., Suite A,
Amherst, MA 01002
Tel: 413-545-6355 Fax: 413-577-0261
Contact: peri@econs.umass.edu
This is an official Web page of the University of Massachusetts
Last Updated: November 28 / 2011

Bay Area New Priorities Campaign

Campaign to end wars and cut the military budget

ENDORSING ORGANIZATIONS

AFSCME Local 444
AFSCME Local 2428
AFT Local 1603, Peralta Fed. of Teachers
AFT Local 2121, SF Community College Faculty
Alameda Co. Democratic Central Committee
Alameda Labor Council
American Friends Service Cmte. Pacific Mt. Reg.
Asian Americans for Peace & Justice
Associated Students Council of San Francisco Community College Mission Campus
Associated Students Council of San Francisco Community College Ocean Campus
Bay Area Chapter – U.S. Labor Against the War
Bay Area Labor Committee for Peace & Justice
Bay Area Women in Black
Bay Localize
BAY-Peace
Berkeley Fellowship of Unitarian Universalists Social Justice Cmte.
BOSS (Building Opportunities for Self Sufficiency)
California Alliance for Retired Americans
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Code Pink
Contra Costa County Central Labor Council
East Bay Democracy for America Organizing Team
East Bay Peace Action
East Bay School of the Americas Watch
East Bay Young Democrats
Ecumenical Peace Institute
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Grandparents for Peace
Gray Panthers – East Bay
Greater Richmond Interfaith Program
Groundswell Fund
Harvey Milk LBGT Democratic Club
Hayward Democratic Club
Lamorinda Peace & Justice Group
Lifetime (Low Income Families Empowerment through Education)
Marin Interfaith Task Force on the Americas
Mt. Diablo Peace & Justice Center
Musicians & Fine Artists for World Peace
National Union of Healthcare Workers
Network in Solidarity with the People of Guatemala
Niebyl-Proctor Marxist Library
Northern California Committees of Correspondence for Democracy and Socialism
Northern CA Communist Party
Old Lesbians Organizing for Change – Bay Area
Peace Action-West
Potrero Hill (SF) Democratic Club
Progressive Democrats of America – San Francisco
Richmond Democratic Club (SF)
Richmond Progressive Alliance
Richmond Vision
San Francisco Friends Meeting
San Francisco Harvey Milk LBGT Democratic Club
San Francisco Labor Council
San Jose Peace & Justice Center
San Mateo County Central Labor Council
SEIU Local 1021
Senior Action Network – San Francisco
South Bay Labor Council
Temple United Methodist Church
Therapists for Peace and Justice
Tri-Valley CARES
Tri Valley Democratic Club
Unitarian Universalists for Peace – SF
US Peace Council
Veterans for Peace, SF Chapter 69
Vukani Mawethu Choir
Wellstone Democratic Renewal Club
West County Toxics Coalition
Western States Legal Foundation
Women for Genuine Security
World Rainforest Fund

War Spending & Social Need in Contra Costa County

Taxpayers in Contra Costa County, California will pay $512.7 million for Total Iraq & Afghanistan war spending for FY2012 as enacted.

FOR THE SAME AMOUNT OF MONEY, THE FOLLOWING COULD BE PROVIDED:

PAYMENT FOR ONE YEAR FOR ALL OF THESE EXPENSES

22,244	Households' Annual Energy Costs	PLUS
26,612	Low-Income Children's Healthcare	PLUS
501	Elementary School Teachers' Compensation	PLUS
11,333	One Bedroom Apartments-Fair Market Rent	PLUS
2,477	Head Start Slots for Children	PLUS
26,661	Households Converted to All Solar Energy	PLUS
55,989	Households Converted to All Wind Energy	PLUS
4,158	Military Veterans VA Medical Care	PLUS
18,843	Individuals' Groceries Paid	PLUS
13,609	People Receiving Low-Income Healthcare	PLUS
408	Police or Sheriff's Patrol Officers	PLUS
4,721	Scholarships for University Students	PLUS
7,106	Students receiving Pell Grants of $5550	
	TOTAL	**$512.7 MILLION**

www.newprioritiescampaign.org ◈ newprioritiescampaign@gmail.com

Bay Area

New Priorities Campaign

Campaign to end wars and cut the military budget

ENDORSING ORGANIZATIONS

AFSCME Local 444
AFSCME Local 2428
AFT Local 1603, Peralta Fed. of Teachers
AFT Local 2121, SF Community College Faculty
Alameda Co. Democratic Central Committee
Alameda Labor Council
American Friends Service Cmte. Pacific Mt. Reg.
Asian Americans for Peace & Justice
Associated Students Council of San Francisco Community College Mission Campus
Associated Students Council of San Francisco Community College Ocean Campus
Bay Area Chapter – U.S. Labor Against the War
Bay Area Labor Committee for Peace & Justice
Bay Area Women in Black
Bay Localize
BAY-Peace
Berkeley Fellowship of Unitarian Universalists Social Justice Cmte.
BOSS (Building Opportunities for Self Sufficiency)
California Alliance for Retired Americans
California Federation of Teachers
Castro Valley Democratic Club
Coalition on Homelessness-San Francisco
Code Pink
Contra Costa County Central Labor Council
East Bay Democracy for America Organizing Team
East Bay Peace Action
East Bay School of the Americas Watch
East Bay Young Democrats
Ecumenical Peace Institute
El Cerrito Democratic Club
Environmentalists Against the War
Fellowship of Reconciliation
Global Exchange
Grandmothers Against the War
Grandparents for Peace
Gray Panthers – East Bay
Greater Richmond Interfaith Program
Groundswell Fund
Harvey Milk LBGT Democratic Club
Hayward Democratic Club
Lamorinda Peace & Justice Group
Lifetime (Low Income Families Empowerment through Education)
Marin Interfaith Task Force on the Americas
Mt. Diablo Peace & Justice Center
Musicians & Fine Artists for World Peace
National Union of Healthcare Workers
Network in Solidarity with the People of Guatemala
Niebyl-Proctor Marxist Library
Northern California Committees of Correspondence for Democracy and Socialism
Northern CA Communist Party
Old Lesbians Organizing for Change – Bay Area
Peace Action-West
Potrero Hill (SF) Democratic Club
Progressive Democrats of America – San Francisco
Richmond Democratic Club (SF)
Richmond Progressive Alliance
Richmond Vision
San Francisco Friends Meeting
San Francisco Harvey Milk LBGT Democratic Club
San Francisco Labor Council
San Jose Peace & Justice Center
San Mateo County Central Labor Council
SEIU Local 1021
Senior Action Network – San Francisco
South Bay Labor Council
Temple United Methodist Church
Therapists for Peace and Justice
Tri-Valley CARES
Tri Valley Democratic Club
Unitarian Universalists for Peace – SF
US Peace Council
Veterans for Peace, SF Chapter 69
Vukani Mawethu Choir
Wellstone Democratic Renewal Club
West County Toxics Coalition
Western States Legal Foundation
Women for Genuine Security
World Rainforest Fund

Pentagon Spending & Social Need in Contra Costa County

Taxpayers in Contra Costa County, California will pay $2.3 billion for the Department of Defense Budget as enacted for FY2012.

FOR THE SAME AMOUNT OF MONEY, THE FOLLOWING COULD BE PROVIDED:

PAYMENT FOR ONE YEAR FOR ALL OF THESE EXPENSES

100,000	Households' Annual Energy Costs	PLUS
123,077	Low-Income Children's Healthcare	PLUS
2,291	Elementary School Teachers' Compensation	PLUS
11,333	One Bedroom Apartments-Fair Market Rent	PLUS
20,544	Head Start Slots for Children	PLUS
123,077	Households Converted to All Solar Energy	PLUS
253,946	Households Converted to All Wind Energy	PLUS
19,026	Military Veterans VA Medical Care	PLUS
84,615	Individuals' Groceries Paid	PLUS
61,809	People Receiving Low-Income Healthcare	PLUS
1,868	Police or Sheriff's Patrol Officers	PLUS
21,815	Scholarships for University Students	PLUS
32,515	Students receiving Pell Grants of $5550	
	TOTAL	**$2.3 BILLION**

THE CITY OF
EL CERRITO

AGENDA BILL

Agenda Item No. 6

Date: July 17, 2012

To: El Cerrito City Council

From: Michael J. Bond, Fire Marshal
Lance J. Maples, Fire Chief

Subject: Public Hearing for Fire Hazard Abatement

ACTION REQUESTED

Staff requests that the City Council take the following actions this evening:

1) Adopt a resolution declaring that weeds, rubbish, litter, or other flammable material on certain real property as identified in the resolution constitutes a public nuisance; and

2) Conduct a public hearing and upon conclusion, adopt a resolution overriding objections by property owners and ordering the City Manager or his designee to abate certain public nuisances pursuant to El Cerrito Municipal Code Chapter 16.26.

BACKGROUND

One of the lessons learned from the nearby Oakland/Berkeley Hills Fire in October 1991 was that El Cerrito needed a comprehensive citywide program to reduce hill area fire hazards. The "fire storm" in the Oakland/Berkeley Hills was in fact an urban conflagration, fueled by vegetation among homes and large acreage properties that was driven by seasonally strong dry winds from the east. The fire destroyed over 3,000 dwellings. At the time of the Oakland/Berkeley Hills Fire, El Cerrito faced similar fire hazard conditions in its hill area. The City Council was determined to reduce those fire hazards by all reasonable means.

El Cerrito's comprehensive fire hazard reduction program focused upon reducing fire hazards in four areas: (1) on City property, (2) on property owned by other agencies (3) large landowners, and (4) on residential property. The City began a comprehensive planning process to reduce fire hazards on City property, other agencies' properties and large landholders. These property owners were approached about reducing fire hazards on their properties. Prior efforts at fire hazard reduction on private residential property relied on voluntary compliance by the owners. The City Council concluded that stronger measures were necessary to enforce the laws regarding abatement of fire hazards on residential private property.

The fire hazard abatement program is designed to reduce fire hazards on a large number of private properties during the spring and early summer months. A process of advance

notice and hearings for property owners is coupled with a public education program involving the promulgation of standards for vegetation management in residents' yards and vacant lots.

This program seeks to remove weeds, rubbish, litter or other flammable material from private properties where such flammable material endangers the public safety by creating a public nuisance and a fire hazard. Most property owners voluntarily abate these hazards without Fire Department involvement. Ideally, 100% of the property owners would do so. We anticipate that a small number of owners are content to have the City do the work and place the costs on their tax bill.

Over the past 20 years, the City's annual fire hazard abatement program has been very successful in reducing fire hazards throughout the hill neighborhoods of El Cerrito. What started in 1992 as a program with over $40,000 worth of abatement actions has been transformed into a program in 2011 that required five abatement actions. All but five of the property owners voluntarily complied and cleared their own fire hazards. Indeed, this program has become a model program which other fire jurisdictions have borrowed from.

ANALYSIS

In May of this year, the Fire Department conducted citywide fire hazard inspections of all properties. The inspections began mid May and were conducted through June 8th. As a result of the primary inspections, a list of properties containing public nuisances was generated, which continues to be amended as additional properties are identified. Between June 1 and June 8, 2012, the properties determined to be in violation of El Cerrito Municipal Code Chapter 16.26 were notified in writing of the hazards on their property and to abate hazardous conditions and the El Cerrito vegetation management standards were included (Attachment 1, 2, & 3). In addition, these property owners were sent a letter informing them of the time, date and location of the upcoming Council meeting where their properties would be declared a public nuisance and abatement would be ordered (Attachment 4). A second round of inspections was conducted July 5 through July 15 and only those properties that were not voluntarily abated with the first notice are contained within the Master Abatement List, Exhibit A to the proposed Resolution.

This public hearing is the next step in the process to eliminate hazards on the private properties that were identified as a public nuisance and have not voluntarily abated said violations. In order to achieve full compliance, the City Council should declare the properties to be a public nuisance and direct the City Manager or his designee to abate such public nuisance conditions. Actual City-ordered abatement of fire hazards occurs only after all efforts at providing notice, information, and a public hearing have failed to induce voluntary compliance by the property owner.

The Fire Hazard Abatement process, under the direction of the Fire Department, should proceed according to El Cerrito Municipal Code Chapter 16.26, which specifies the following:

1. The Fire Department determines that hazards must be abated. Pursuant to these code sections, "hazards" are defined as weeds, rubbish, litter, or other flammable materials which create a fire hazard or are otherwise noxious or dangerous and which exist on specific parcels of property within the City.

2. The Fire Department shall post notice on each property or send notice by mail that the El Cerrito Fire Department has determined the existence of a public nuisance which must be abated and that a hearing will be held to consider any objections prior to the Council declaring the properties to be a public nuisance and ordering the City Manager or his designee to perform abatement.

3. At the July 17, 2012 City Council meeting, the City Council shall first adopt a resolution Declaring that Weeds, Rubbish, Litter, or Other Flammable Material on Certain Real Property Constitutes a Public Nuisance (Attachment 5 hereto).

4. At the same hearing, but after adoption of the first resolution, the City Council shall hear and consider all objections to declaration of public nuisances or the procedures proposed for abatement of the same. After the hearing, the Council shall adopt a resolution Overriding Objections by Property Owners and Ordering the City Manager or His Designee to Abate Certain Public Nuisances Pursuant to Chapter 16.26 (Attachment 6 hereto).

5. At the conclusion of the July 17, 2012 hearing, a second and final notice shall be sent to each property owner prior to abatement (Attachment 7). This notice will order the immediate abatement of nuisance conditions. This notice will clearly state that if nuisance conditions are ignored, the City shall cause abatement and costs for removal will be assessed against the property as a lien and special assessment. It will also indicate that if the conditions are voluntarily abated, the property shall be removed from the process.

6. If the nuisance is not abated between August 1, 2012 and August 22, 2012 prior to the arrival of the hazard abatement crew, the City of El Cerrito shall cause the weeds, rubbish, refuse, and other flammable material to be removed and shall keep an account of the cost of abatement for each parcel of land where such work is performed.

7. At the September 18, 2012 City Council Meeting the City Manager or his designee shall submit to the City Council for confirmation an itemized written report showing the cost of abatement work performed. A copy of this report shall be posted for at least ten (10) days prior to its submission to the City Council. Each property owner upon whose property abatement work was performed shall be sent written notice by mail of a hearing by the City Council to consider the cost of abatement work performed on their property.

8. At the City Council Meeting on September 18, 2012 the City Council shall receive and consider the written staff report on abatement actions taken by the City and shall hear any objections from the property owners liable to be assessed

for the abatement. The City Council may modify the staff report if deemed appropriate and then confirm the report by motion or resolution.

9. After City Council confirmation of the report, a certified copy of the report shall be filed with the county auditor who shall add the amount of the assessment to the next regular tax bill levied against the parcel.

FINANCIAL CONSIDERATIONS

The abatement program will be administered by Fire Department staff with minimum costs expended for printing and mailing. Abatement work will be completed by City maintenance staff or private contract labor as appropriate. Program costs will be recovered through the special assessment and lien process.

LEGAL CONSIDERATIONS

The City Attorney has reviewed and approved the process. The Fire Hazard Abatement Program is exempt from California Environmental Quality Act (CEQA) pursuant to Sections 15304 and 15308 of the CEQA Guidelines. Therefore, no further CEQA review is required.

Reviewed by:

Scott Hanin, City Manager

Attachments:

1. June 8, 2012 Letter from Fire Marshal
2. Notice of Non-Compliant (Inspection Form)
3. Vegetation Management Standards
4. June 8, 2012 Notice to Destroy Weeds and Remove Rubbish, Refuse, and Other Flammable Material
5. Resolution Declaring that Weeds, Rubbish, Litter, or Other Flammable Material on Certain Real Property Constitutes a Public Nuisance
6. Resolution Overriding Objections by Property Owners and Ordering the City Manager or his Designee to Abate Certain Public Nuisances Pursuant to Chapter 16.26
7. July 18, 2012 Notice to Destroy Weeds and Remove Rubbish, Refuse, and Other Flammable Material

Agenda Item No. 6
Attachment 1

EL CERRITO FIRE DEPARTMENT

10900 San Pablo Avenue
El Cerrito, CA 94530
(510) 215-4450
FAX (510) 232-4917

June 8, 2012

Dear El Cerrito Property Owner:

We are approaching the season of our highest fire danger when the grass, weeds, refuse, brush and other vegetation dry out and become highly flammable. After a fairly dry winter and a wet spring, the grass and brush are abundant and will create a severe fire hazard. To reduce the fire danger on private property, the Fire Department is beginning its annual Fire Hazard Abatement Program. We have inspected your property and found that it does not comply with the Vegetation Management Standards set forth in the El Cerrito Municipal Code 8.020. You are being contacted now so that you may remove those fire hazard conditions found on your property.

Beginning July 5, 2012, the Fire Department will be conducting a re-inspection of your property to evaluate if it meets our vegetation management standards. If your property meets the standards you will be removed from our list of non-compliant properties and will not be subject to further abatement actions.

Enclosed please find our legal notice explaining the City's fire hazard abatement program and advising you of the upcoming public hearing. **Please read this notice carefully.** In general, the Fire Department is concerned with removing refuse, dry and/or dead vegetation that is easily ignitable and capable of burning structures and endangering lives.

The enclosed guidelines provide a general explanation of the vegetation clearing and maintenance standards to be followed. For most private lots and yards these guidelines provide straightforward instructions on what actions you, the property owner, should take to remove the fire hazards. On the other hand, certain lots and yards are more difficult to assess. If you would like your property inspected by our Fire Prevention Officer, Captain David Ciappara, at no cost, he can identify your specific fire hazards and provide you with the information needed to meet our standards. We urge you to call the Fire Prevention office at (510) 215-4457 with any questions about clearing or maintaining your property or to schedule an inspection.

Thank you for your cooperation in making El Cerrito a fire safe community.

Sincerely,

Michael J Bond

Michael J. Bond
Fire Marshal

Agenda Item No. 6
Attachment 2

EL CERRITO FIRE DEPARTMENT

KENSINGTON FIRE PROTECTION DISTRICT

10900 San Pablo Avenue, El Cerrito, Ca. 94530 (510)215-4450

_____ Fire Hazard Abatement Inspection

Owner/Tenant	Site Address	City	State	Zip Code

Legal Propety Owner	Mailing Address	City	State	Zip Code

YOUR PROPERTY IS NOT IN COMPLIANCE WITH THE FIRE CODE.
YOU MUST COMPLETE THE FOLLOWING REQUIREMENTS:

FIRE BREAK (ELIMINATE)
Within 30' of a structure

____ **1.** Eliminate hazardous vegetation
____ **2.** Maintain ornamental landscaping
____ **3.** Remove dead wood overhanging structures
____ **4.** Mature Trees: Remove limbs 10' from ground
____ **5.** Small Trees: Remove limbs 1/3 distance from ground
____ **6.** Provide 10' clearance from chimney
____ **7.** Clear Roof of combustible debris

FUEL BREAK (REDUCE)
30' - 100' from structure

____ **8.** Cut and maintain dry grass/weeds - 6"
____ **9.** Clean and maintain haz. vegetation - 18"
____ **10.** Clear 10' from roadside

Both Fire Break & Fuel Break Requirements:

____ **11.** Dispose of cut vegetation and debris
____ **12.** Remove vines, loose papery bark, and dead branches
____ **13.** Install 1/2" screen covering on chimney and stovepipes

COMMENTS:

FIELD			
OFFICE			
OFFICE			
TOTAL			

Inspector Date

City of El Cerrito Fire Hazard Reduction Program

I. INTRODUCTION

A. Purpose of Vegetation Management Standards

Along with California's growth of population and expanding development, urban housing has intermixed with wildland areas. California communities have experienced devastating fire loss because of the severity of fires which occur in this intermix area. In these areas the risk of conflagration is increased further by homeowners who create uncontrolled landscaping of native and non-native plants on their properties. Thousands of homes are threatened by fire every year in California largely because of this heavy vegetation fuel load very near structures.

The City of El Cerrito contains wildland intermix areas which increase the community's risk of loss from devastating fire. These areas have been identified by the California Department of Forestry (CDF) and the El Cerrito Fire Department as Very High Fire Hazard Severity (VHFHS) Zones. As specified by State Law AB 337, property owners within these zones must take special precautions with their property, including vegetation management, to reduce the risk of fire.

The buildup of unmanaged vegetation, whether native or non-native, steep hillsides with canyons, draws, and periods of extremely hot, dry weather all combine to create in El Cerrito the potential for catastrophic fire behavior such as occurred in the Oakland/Berkeley Hills Fire of October 1991. Catastrophic fires can destroy large numbers of homes, threaten public safety and severely damage the natural areas which contribute to our high quality of living.

A key goal of local community fire protection planning is to reduce the level of fire hazards in El Cerrito's wildland intermix areas, designated as VHFHS Zones. While it is not possible to eliminate all threats of catastrophic wildfire, fire hazards can be reduced to acceptable levels and still allow a "green" El Cerrito.

Vegetation management planning in the VHFHS Zone focuses on areas where fire poses the greatest risk to life and property. There are three specific goals of the program:

1. Keep all fires small. Small fires generally are cooler than large fires and are more easily extinguished.

2. Limit the speed with which any fire will grow. Fires need fuel to burn; if fuel is available, fires will continue to grow rapidly. Fuel must be limited or made unavailable to spreading fire.

3. Make it more difficult for fires to ignite and spread. Small fires can ignite progressively larger fuels. Small fuels are like kindling and are easily ignited. Reducing and separating kindling fuels from larger fuels reduces sources for ignition and the potential for fire spread.

Fires will continue to be a part of California urban living. By implementing vegetation management standards, El Cerrito residents can significantly reduce the potential a small fire will grow into a catastrophic event involving one or more structures. The primary method of stopping fire spread is by increasing separation distances between combustible fuels. An important component of reducing the community's fire risk requires vegetation management to be practiced by property owners.

B. Fire Safe Vegetation Management Concepts

There are three basic methods employed to manage vegetation fuels: firebreaks, fuel breaks and ornamental landscaping. A firebreak eliminates all flammable vegetation and combustible growth. Appropriate ornamental landscaping is acceptable in this area. A fuel break reduces the fuel mass of

flammable vegetation and combustible growth, thereby limiting the intensity of fire and slowing its rate of spread. Ornamental landscaping provides a yard or garden with decorative fire resistive plants that are irrigated, maintained and arranged to be aesthetically pleasing, functionally useful and enhance fire safety. Refer to the definitions listed for these terms.

Within VHFHS Zones, structures are to be protected from wildfire by creating firebreaks immediately surrounding structures and fuel breaks further out from structures. Within 30 feet of a structure a firebreak should be created which contains well-irrigated, maintained and appropriately spaced ornamental landscaping with fire resistant plants. All flammable vegetation and combustible growth in this area immediately surrounding a structure should be eliminated. This creates a safety margin of defensible space so that wildfire can be stopped before it reaches a structure.

A fuel break should be created from 30 feet to 100 feet from structures located within the VHFHS Zones. The heightened risk of wildfire within the VHFHS Zones makes it necessary to provide an added safety margin of defensible space for all structures and a fuel break will provide this extra protection. Fuel breaks are meant to reduce fire hazardous vegetation and maintain it to specified heights and arrangements, limiting fire intensity and impeding fire spread. The purpose of the fuel break is to deny any fire entering it sufficient fuel to sustain fire intensity and speed. By the time it reaches the firebreak area containing ornamental landscaping nearer the structure, the now low-intensity fire should be stopped easily by the firebreak surrounding the structure.

Ornamental landscaping with fire resistant plants is encouraged as a long term approach to maintain yard and garden vegetation in a fire safe manner. Landscaping with healthy, appropriately irrigated plants and ground cover provides a permanent reduction of the fire hazard adjacent to structures when such landscaping is maintained at regular intervals. Ornamental landscaping can enhance a firebreak by inhibiting the growth of weeds, grass, brush and similar fire hazardous vegetation. A list of fire resistant and highly flammable plants is available from the Fire Department.

C. Process

No person shall be prosecuted criminally under the provisions of Section 8.30.040 of the El Cerrito Municipal Code until that person has received written notice of how that property violates these standards and until that person has had the reasonable opportunity to meet with City staff concerning the procedures set forth in Chapter 8.34 or Chapter 16.26 of the El Cerrito Municipal Code. Civil procedures for fire hazard abatement include providing the property owner with (1) written notice on how the property violates these guidelines, (2) reasonable opportunity to meet with City staff to discuss this matter and (3) opportunity to be heard before the City Council.

II. FIRE HAZARD REDUCTION GUIDELINES

Many factors combine to create a fire hazard on any specific property. It is difficult to single out a specific vegetation species or configuration to declare it either fire hazardous or completely fire safe in all situations. The Fire Department has developed guidelines conforming to State Law and National Fire Protection Standards which address most situations found on private property within El Cerrito. Please read these guidelines along with the accompanying glossary. If you are still unsure of how to proceed please call the Fire Department and we will work with you to develop a fire hazard reduction plan for your property.

A. Hazard Zones

Portions of the City of El Cerrito lie adjacent or near to large wildland areas containing steep slopes and naturally growing trees, brush and grasses. Every year under certain critical weather conditions, the neighborhoods near these wildland areas are at heightened risk of seasonal wildfire sweeping into the City and burning homes. These areas at heightened risk of wildfire have been designated as Very High Fire Hazard Severity (VHFHS) Zones. The rest of the City faces a lesser risk of wildfire.

Fire hazard reduction measures common to the entire City are required on both vacant and developed lots:

1. Property owners must ensure that all vegetation, native or non-native, shall be maintained so as not to constitute a fire hazard.

2. Property owners must maintain their property either by ornamental landscaping or by establishing a fuel break along the property line and adjacent to structures. For properties within the VHFHS Zones, there are additional requirements for firebreaks within 30 feet of structures and fuel breaks from 30 to 100 feet.

3. Property owners are responsible for clearance and maintenance of their own property only. Property owners will be required, however, to create fuel breaks on their property to protect neighboring structures. Dimensions of fuel breaks will depend on the proximity of neighboring structures and on whether the properties are within VHFHS Zones.

4. All brush, weeds, grass and fire hazardous vegetation within 10 feet of any usable road surface, public way or combustible fence shall be maintained in a non-hazardous condition with a fuel break.

5. Property owners must maintain their property free from all nuisances, including debris, garbage, rubbish and trash, hazardous materials, junk and noxious growth.

B. Ornamental Landscaping

Ornamental landscaping is encouraged throughout the City of El Cerrito to enhance fire safety. Ornamental landscaping consists of decorative plants growing within a tended garden or yard which are well watered, maintained and located to provide aesthetic decoration and functional utility, such as privacy screening, shade, weed suppression and erosion control.

With the VHFHS Zones, ornamental landscaping in the 30 foot firebreak adjacent to structures must meet the following requirements:

1. Ornamental landscaping shall be maintained free of dead wood and litter, and trimmed of small twigs and branches at least two (2) feet or 1/3 of their height from the ground, whichever is less.

2. Ornamental landscaping must be healthy, pruned, adequately irrigated and regularly maintained so that plants and the area beneath them are free from dead or dying material.

3. Single specimen trees must be trimmed and maintained.

4. Ground cover may be used as part of ornamental landscaping provided it is kept green, free of dead wood and litter, and at a height so that they do not form a means of rapidly transmitting fire from native growth (located outside the firebreak) to any building or structure.

C. Vegetation Management Standards

Vegetation management standards exist for the entire City, including areas designated as VHFHS Zones. Refer to the glossary (Section III) for a definition of terms used in these standards.

1. **Properties within VHFHS Zones**:

a. Firebreaks must be created and maintained in areas within 30 feet of any occupied dwelling.

b. Fuel Breaks must be created and maintained in areas extending from 30 to 100 feet surrounding any structure.

c. Fuel Breaks must be created and maintained on vacant lots 30 feet wide along the property line and 100 feet from neighboring structures.

2. **Properties outside VHFHS Zones**:

a. Fuel Breaks must be created and maintained in areas within 30 feet of any structure.

b. Fuel Breaks must be created and maintained on vacant lots to be 10 feet wide along the property line.

3. **Vegetation Management Standards for Firebreaks**:

a. All flammable vegetation or combustible growth must be removed and cleared away, thereby eliminating fire hazardous vegetation fuels which can rapidly transmit fire.

b. Adequately irrigated and maintained ornamental landscaping is not flammable vegetation or combustible growth, and is encouraged within a firebreak.

c. Trees, shrubs, bushes or other vegetation adjacent to or overhanging any structure shall be maintained free of dead limbs and other combustible matter such as vines and loose papery bark. On mature trees, limbs should be removed up to 10' above the ground. Smaller trees should be limbed to $1/3^{rd}$ of their height up to 6' above the ground, but in no case less than 18 inches from the ground.

d. Trees shall be maintained so that no portion is closer than 10 feet from any chimney opening.

e. All roof surfaces shall be maintained free of substantial accumulations of needles, twigs and any other combustible matter.

f. All cut vegetation and debris must be disposed of either by hauling and dumping in a lawful manner, or by chipping and dispersing over the property in a manner and to a height which will not constitute a fire hazard.

g. Chipped materials which are spread on the ground shall be of a size no greater than 1 inch by 1 inch by 3 inches.

4. **Vegetation Management Standards for Fuel Breaks**:

a. Maintain ornamental landscaping in yards.

b. All fire hazardous vegetation with the exception of weeds and grass shall be cleared and maintained to a height no greater than 18 inches above the ground.

c. All weeds and grass shall be cleared and maintained at a height no greater than 6 inches above the ground.

d. Remove from trees all vines, loose papery bark and dead branches.

e. All cut vegetation and debris must be disposed of either by hauling and dumping in a lawful manner, or by chipping and dispersing over the property in a manner and to a height which will not constitute a fire hazard.

f. Chipped materials which are spread on the ground shall be of a size no greater than 1 inch by 1 inch by 3 inches.

5. **Additional Considerations for Vegetation Management**:

a. The Fire Hazard Abatement Program is intended to promote community fire safety by reducing the combustible vegetation fuel mass on private properties. Clearing vegetation by heavy construction methods, such as grading, discing, trenching or dozing shall require special permits from the City. **Disposal by burning is not permitted**.

b. Any parcel where slope stability will be threatened by removal of plants may be exempt from treatment requirements or subject to alternate treatments. The property owner must submit a report documenting the probability of slope failure due to vegetation removal, prepared by a licensed civil, geotechnical or soils engineer. The report shall propose alternative treatment methods to address fire hazards. The report will be reviewed by city staff. Review and acceptance by the City of alternative treatment will supersede other requirements.

c. Any parcel or lot which includes plant or animal species that are rare, endangered or of special concern may qualify for alternative plant treatment and spacing requirements. The property owner must submit a report from a qualified resource biologist or landscape architect describing the species, actions required to preserve its environmental value, and proposed alternative measures to address fire hazards. The report will be reviewed by the City. Review and acceptance by the City of alternative treatment will supersede other requirements.

D. Planting Considerations

Any plant will burn if the conditions are right. Some plants are considered to be extremely flammable while other plants are considered to have some resistance to fire. Verifiable tests of fire exposure characteristics for all specific ornamental landscaping plants are not available.

The best available plant information is contained in a publication available from EBMUD entitled "Firescape: Landscaping to Reduce Fire Hazard". A list of plants with some fire-resistance and plants considered highly flammable is available from the Fire Department.

At the base of trees and shrubs, replace flammable vegetation with bark, mulch, rock, gravel or low-growing or more fire-resistant ground covers. This cover reduces the fire danger and minimizes weeds.

Avoid placing medium-sized shrubs beneath trees or taller shrubs. By breaking up the available fuel mass in ornamental landscaping, a fire will be kept at lower intensity, flame lengths will be shorter and fire will be less likely to form a continuous line or front.

E. Structural Fire Safety

The City's roofing and vegetation management standards are designed to reduce the amount of airborne burning material, limiting fire spread. Once a fire starts, it is often accelerated by wind-borne burning material. Burning embers or brands are the main source of fire spread in mixed urban-wildland areas. The roof of a house is most vulnerable to this type of ignition. Spark arresters with a maximum of ½" openings in the mesh are required over the outlet of every chimney. Class A is the top rating for fire

resistive roofing, followed by Classes B and C. The City of El Cerrito requires that all roofing be Class B or better, and wood shake shingle roofing materials are prohibited in new construction or replacement of more than 50% of the roof.

III. GLOSSARY OF TERMS

The following terms are used to describe the vegetation management standards in California State Law and in the City of El Cerrito's Fire Hazard Reduction Program.

Very High Fire Hazard Severity (VHFHS) Zones: Any geographic area designated per Government Code Section 51178 to contain the type and condition of vegetation, topography, weather and structure density to potentially increase the possibility of wildland conflagration fires. As a community adjacent to extensive wildland areas, the City of El Cerrito contains several VHFHS zones. A map of these zones is available from the Fire Department. Fire hazard reduction standards are more extensive for properties located within VHFHS zones.

Defensible space: A concept in landscape design for homes which provides a band of managed vegetation around a home that slows movement of fire by reducing or denying fuel and provides a space for firefighters to take a stand to protect the house.

Fire resistant plants: A relative term used to describe plants that are "more resistant: or "less resistant" than other plants to fire. Given enough heat, all vegetation will burn. Yet plants in fact differ in how fast they burn, how high a flame they produce and their ability to survive fire. Fire resistance is enhanced by higher amounts of moisture within twigs and foliage. Fire-resistant plants can lose this quality altogether if not property maintained and irrigated. A partial list of fire resistant and highly flammable plants is available from EBMUD and the El Cerrito Fire Department.

Fire hazardous vegetation: Plants which can burn easily because they generate dry undergrowth, contain flammable oils or produce significant quantities of dead or dying material. Hazardous vegetation is fuel which must be removed or strictly maintained so as not to constitute a fire hazard by igniting easily and then contributing to rapid fire spread. Seasonally dry grass, weeds, brush, and unmaintained and unirrigated trees and ornamental vegetation are examples of fire hazardous vegetation. Properly chipped, mulched and disbursed material does not constitute fire hazardous vegetation. Fire hazardous vegetation is also known as **flammable vegetation and combustible growth**.

Ornamental landscaping: Decorative plants growing within a tended garden or yard which are appropriately irrigated, maintained and located to provide aesthetic decoration and functional utility, such as privacy screening, shade, weed suppression and erosion control. The use of fire-resistant plants and the removal of fire hazardous vegetation will enhance fire safety.

Firebreak: An area in which all flammable vegetation or combustible growth is removed and cleared away, thereby eliminating fire hazardous vegetation fuels which can rapidly transmit fire. Ornamental landscaping is permissible within a firebreak as long as it is adequately irrigated, maintained and spaced so as not to provide a means of rapidly transmitting fire. Compare to **fuel break.**

Fuel break: An area in which all flammable vegetation or combustible growth is reduced and cleared away according to established standards, thereby limiting the mass and arrangement of fire hazardous vegetation fuels which can rapidly transmit fire. Appropriate ornamental landscaping is permissible within a fuel break. Fuel reduction standards for fuel breaks limit the height of certain vegetation (brush, native shrubs, weeds and grasses). Remove from trees any fuels which can ladder fire into the canopies, and provide adequate spacing between remaining plants. Compare to **firebreak**.

Agenda Item No. 6
Attachment 4

EL CERRITO FIRE DEPARTMENT

10900 San Pablo Avenue
El Cerrito, CA 94530
(510) 215-4450
FAX (510) 232-4917

June 8, 2012

To: [OWNER NAME] [OWNER ADDRESS], [OWNER CITY] [OWNER STATE] [OWNER ZIP]
Re: [SITE ADDRESS], [SITE CITY]. [SITE STATE], [SITE ZIP]
Parcel Number: [SITE APN]

NOTICE TO DESTROY WEEDS AND REMOVE RUBBISH, REFUSE AND OTHER FLAMMABLE MATERIAL

Notice is hereby given that on the 5th day of June, 2012 the El Cerrito Fire Department has determined your property in the City of El Cerrito, designated above by address and parcel number, is in violation of Chapter 8.020 of the El Cerrito Municipal Code because of the presence of weeds, rubbish, litter or other flammable material which creates a fire hazard, a menace to the public health, or is otherwise noxious or dangerous.

You are hereby ordered to abate these public nuisance conditions by removing the weeds, rubbish, refuse and other flammable material. Otherwise, the City will abate these nuisance conditions and the costs for removal of the weeds, rubbish, refuse and other flammable material will be assessed against your property as a lien and special assessment. These removal costs shall then be collected at the time and in the manner of ordinary municipal taxes. Reference is hereby made to the resolution for further particulars.

If you have any objections to a declaration of your property as a public nuisance or to the proposed removal of the weeds, rubbish, refuse and other flammable material from your property by the City, you are hereby notified of and may attend this meeting of the City Council of the City of El Cerrito to be held on July 17, 2012 at 7:30 p.m. in the Council Chambers located in the El Cerrito City Hall, 10890 San Pablo Avenue. At this meeting, your objections will be heard and given due consideration.

At the conclusion of this meeting, the City Council may declare the conditions on your property to be a public nuisance and may order the City Manager or designee to abate the public nuisance condition on your property. The City shall perform this removal either through its own staff or through private contract sometime between **August 1, 2012 and August 22, 2012**. It is impossible to predict what it will cost the City to remove these nuisance conditions from your property. The costs depend on the severity of those conditions. In past years these abatement costs have sometimes exceeded $5,000 per parcel for those parcels with severe nuisance conditions.

If you have any questions, contact the El Cerrito Fire Prevention office at 10900 San Pablo Avenue. The phone number is (510) 215-4457.

Michael J Bond
Michael J. Bond, Fire Marshal

Agenda Item No. 6
Attachment 5

RESOLUTION NO. 2012– XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO DECLARING THAT WEEDS, RUBBISH, LITTER OR OTHER FLAMMABLE MATERIAL ON CERTAIN REAL PROPERTY CONSTITUTES A PUBLIC NUISANCE

WHEREAS, El Cerrito Municipal Code Chapter 16.26 provides a method by which the City may abate on private property public nuisance conditions relating to weeds, rubbish, litter or other flammable material that creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous; and

WHEREAS, the City of El Cerrito Fire Marshal has identified certain real property, by street name, lot and block number, on which the presence of weeds, rubbish, litter or other flammable material creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous as defined in Chapter 16.26 of the El Cerrito Municipal Code and therefore constitutes a public nuisance; and

WHEREAS, pursuant to El Cerrito Municipal Code Section 16.26.160 and Government Code Section 39560-39588, the City Council shall adopt this resolution declaring that certain real property within the City constitutes a public nuisance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that the following properties identified on Exhibit A, attached hereto, are declared to be public nuisances pursuant to El Cerrito Municipal Code Section 16.26.160.

BE IT FURTHER RESOLVED that on this same date of July 17, 2012 at 7:30 in the City of El Cerrito, the City Council shall hold a hearing at which owners of the real property identified in Exhibit A hereto may object to the designation of their properties as public nuisances and object to the abatement actions proposed by the City.

I CERTIFY that at a regular meeting on July 17, 2012 the El Cerrito City Council 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 July __, 2012.

_____
Cheryl Morse, City Clerk

APPROVED:

_____
William C. Jones III, Mayor

EXHIBIT A

El Cerrito
List of Real Property Constituting Public Nuisances
7-17-2012

APN	Street Address	Property Owner
5034800069	782 POMONA AVE	
5051010170	7870 BURNS CT	
5002910023	5414 BARRETT AVE	
5024800020	1341 LAWRENCE ST	
5052730057	8350 TERRACE DR	
5033020073	922 GALVIN DR	
5033210187	7530 TERRACE DR	
5033110239	7573 TERRACE DR	
5100420198	5619 EL DORADO AVE	
5100330033	3020 CARLSON BLVD	
5100270213	VACANT lot to left of 5819 LASSEN ST	
5041520239	VACANT lot to right of 10052 SAN PABLO AVE	
5040120296	10152 SAN PABLO AVE	
5032360272	10496 SAN PABLO AVE	
5032560079	833 EVERETT ST	
5032440090	821 RICHMOND ST	
5024300252	1340 LIBERTY ST	
5024300245	1334 LIBERTY ST	
5022700339	1525 ELM ST	
5051010204	7834 BURNS CT (VACANT)	
5053510185	1101 ARLINGTON BLVD	
5051300159	1550 REGENCY CT	
5731320262	8421 WILDCAT DR	
5054220016	1501 MADERA CT	

EXHIBIT A (Page 2)

El Cerrito
List of Real Property Constituting Public Nuisances
7-17-2012

APN	Street Address	Property Owner
5054210298	1552 MADERA CIR (VACANT)	
5050400067	VACANT LOT AT FAIRVIEW/TAMALPAIS	
505163004	VACANT LOT TO THE LEFT OF 1655 ARLINGTON BLVD	
5010500030	5908 JORDAN AVE	
5013300156	6465 HAGEN BLVD (VACANT)	
5013300149	6469 HAGEN BLVD (VACANT)	
5013300131	6473 HAGEN BLVD (VACANT)	
5012900030	6356 CONLON AVE	
5000300094	5439 BARRETT AVE	
5001900215	6517 BARRETT AVE (VACANT)	
5001900207	6523 BARRETT AVE (VACANT)	
5001200178	2630 MONTE VISTA AVE	
5000400084	2634 BROOKS AVE	

Agenda Item No. 6
Attachment 6

RESOLUTION NO. 2012–XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO OVERRIDING OBJECTIONS BY PROPERTY OWNERS AND ORDERING THE CITY MANAGER OR HIS DESIGNEE TO ABATE CERTAIN PUBLIC NUISANCES PURSUANT TO CHAPTER 16.26

WHEREAS, El Cerrito Municipal Code Chapter 16.26 provides a method by which a local legislative body may abate on private property public nuisance conditions relating to weeds, rubbish, litter or other flammable material that creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous; and

WHEREAS, the City of El Cerrito Fire Marshal has identified certain real property, by street name, lot and block number, on which the presence of weeds, rubbish, litter or other flammable material creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous as defined in Chapter 16.26 of the El Cerrito Municipal Code and therefore constitutes a public nuisance; and

WHEREAS, on July 17, 2012, pursuant to El Cerrito Municipal Code Section 16.26.160 and Government Code Sections 39560-39588, the City Council adopted Resolution 2012- __ declaring that certain real property within the City constitutes a public nuisance; and

WHEREAS, El Cerrito Municipal Code Chapter 16.26 provides that notice shall be sent to owners of the real property declared a nuisance pursuant to Resolution 2012-__ providing those owners with the following: description of the nuisance; explanation of how the nuisance must be abated; explanation that if the nuisance is not abated, the City shall abate the public nuisance and the cost of abatement shall be assessed against the property as a special assessment; and informing the owners that the City Council shall hold a hearing at a certain date, time, and place at which the owners may present objections to the designation of their properties as public nuisances or to the proposed abatement of the nuisance; and

WHEREAS, between June 1 and June 8, 2012, the City Fire Department sent written notice to those property owners describing the weeds, rubbish, refuse, or other flammable material that presented a fire hazard and public nuisance; explaining that the Fire Department had determined a public nuisance that must be removed; informing the owners that if they did not abate between July 5 and July 15, 2012, the City Council would hold a hearing on July 17, 2012 at which the owners could present objections to the declaration of the nuisance or the proposed abatement measures; and further explaining that the City could abate the nuisance and collect the costs as an assessment on the property; and

WHEREAS, on July 17, 2012, the City Council adopted Resolution 2012-XX confirming the nuisance declarations of the City Fire Department and declaring a public nuisances on certain real property pursuant to Chapter 16.26; and

WHEREAS, El Cerrito Municipal Code Section 16.26.160 and Government Code Sections 39560-39588 provide that after adoption of a resolution declaring a public nuisance and notice to affected property owners of the Council's hearing of objections, the Council may overrule any objections and order the City Manager or his designee to abate the public nuisances.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it overrides any objections by owners of that certain real property on which public nuisances were declared in Exhibit A to Resolution 2012 - __ (adopted on the same date herewith).

BE IT FURTHER RESOLVED that the City Manager and his or her designee is hereby ordered to abate the public nuisances by having the weeds, rubbish, refuse, dirt, or other fire hazard or noxious or dangerous materials removed.

BE IT FURTHER RESOLVED that pursuant to El Cerrito Municipal Code Section 16.26.160 and Government Code Section 39574, the City Manager or his designee shall keep an account of the cost of abatement for each parcel of land on which work is performed. The City Manager or designee shall then prepare an itemized written report to be presented to the City Council so that, after the notice and hearing during the City Council meeting of September 18, 2012 these abatement costs can be confirmed as a special assessment against those parcels.

I CERTIFY that at a regular meeting on July 17, 2012 the El Cerrito City Council 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 July ___, 2012.

_____
Cheryl Morse, City Clerk

APPROVED:

_____
William C. Jones, Mayor

EXHIBIT A

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7-17-2012

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CITY OF EL CERRITO
10900 San Pablo Avenue
El Cerrito, CA 94530
(510) 215-4450
FAX (510) 232-4917

July 18, 2012

To: [OWNER NAME] [OWNER ADDRESS], [OWNER CITY] [OWNER STATE] [OWNER ZIP]
Re: [SITE ADDRESS], [SITE CITY]. [SITE STATE], [SITE ZIP]
Parcel Number: [SITE APN]

NOTICE TO DESTROY WEEDS AND REMOVE RUBBISH, REFUSE AND OTHER FLAMMABLE MATERIAL

On July 17, 2012 the El Cerrito City Council declared that your property in the City of El Cerrito, designated above by address and parcel number, constitutes a public nuisance because of the presence of weeds, rubbish, litter or other flammable material which creates a fire hazard, a menace to the public health, or is otherwise noxious or dangerous.

A previous notice was sent to you informing you of the July 17, 2012 hearing and further informing you of your obligation to remove the weeds, rubbish, refuse and other flammable material from your property. **If you do not immediately abate these nuisance conditions, the City will do so and the costs for removal of the weeds, rubbish, refuse and other flammable material will be assessed against your property as a lien and special assessment.** These removal costs shall then be collected in the time and in the manner of ordinary municipal taxes.

You will not receive any further notices from the City prior to this removal. The City shall perform this removal either through its own staff or through private contract sometime between **August 1, 2012 and August 22, 2012**. It is impossible to predict what it will cost the City to remove these nuisance conditions from your property. The costs depend on the severity of those conditions. In past years these abatement costs have sometimes exceeded $5,000 per parcel for those parcels with severe nuisance conditions

The City Council will conduct a public hearing on September 18, 2012 to confirm the cost of the abatement work performed on your property. The meeting will be held in the El Cerrito City Council Chambers at 10890 San Pablo Avenue in El Cerrito at 7:00 p.m. During this public hearing you will be given the opportunity to voice objections regarding the report and the assessment of the abatement costs for your property. At this hearing you will also be given the opportunity to object, protest and/or present evidence to support your arguments.

If you have any questions, contact the El Cerrito Fire Department at 10900 San Pablo Avenue. The phone number is (510) 215-4450.

Michael J Bond
Michael J. Bond
Fire Marshal

THE CITY OF
EL CERRITO

AGENDA BILL

Agenda Item No. 7

Date: July 17, 2012

To: El Cerrito City Council

From: Sukari Beshears, Employee Services Manager

Subject: Two Years Additional PERS Service Credit

ACTION REQUESTED

Review this report regarding costs and implementation of two years additional PERS Service Credit and direct the City Manager to submit a resolution for the City Council's consideration at its August 21, 2012 meeting that designates a two-year service credit retirement period from August 22, 2012 through November 27, 2012 for eligible miscellaneous and public safety employees.

BACKGROUND/ANALYSIS

In September of 1992, in response to fiscal concerns, the El Cerrito City Council adopted an amendment to its contract with CalPERS to provide a retirement incentive for eligible employees. This amendment allows for two years additional service credit to those retiring within the time period designated by the City.

Over the years, the City has opened six window periods within which eligible employees could take advantage of the additional two-year service credit option. These periods were as follows: October 1, 1992 through December 31, 1992, July 1, 1993 through December 27, 1993, July 1, 1994 through December 27, 1994, April 1, 1997 through September 27, 1997, December 8, 2003 through June 4, 2004 and finally July 12, 2009 through October 10, 2009. Each time a period was designated, the City certified that the incentive served the best interests of the agency "because of an impending curtailment of, or change in the manner of performing service" that would result in "impending mandatory transfers, demotions, and layoffs." Further, the City certified to CalPERS that at least one vacancy would remain unfilled resulting in an overall reduction in the work force.

Prior to each window period, the City calculated the potential cost assuming that every eligible employee would retire during the period using formulas set by CalPERS. In accordance with CalPERS regulations, this potential cost is made public at a Council meeting at least two weeks prior to adoption of the resolution setting the window period.

Although specific data on the actual number of retirements during the El Cerrito window periods was not readily available, PERS has acknowledged that only a fraction of eligible employees take advantage of this retirement incentive when offered.

Not included in the calculations that CalPERS defines are the accrued leave expenses that the City incurs when a particular individual retires. There is also recruitment and training costs associated with hiring new employees and the learning curve may negatively impact service.

Additionally, in some cases overtime or more expensive temporaries may be needed in the short term. The hard costs associated with offering the retirement incentive are offset by the savings due to factors such as, the time elapsing between when the vacancy arises and when it is filled, filling vacancies at lower salary steps, substituting entry level positions for vacancies that might arise in senior level positions, and possible elimination of positions.

The primary purpose of this action is to create an opportunity for longer-term salary savings and the identification of opportunities to reduce or reorganize current staffing. New employees also have lower benefit accruals and thus are entitled to fewer paid days away from work.

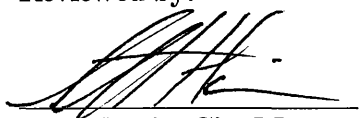
FINANCIAL CONSIDERATIONS

An analysis of the demographics of the City's workforce revealed a total of 32 miscellaneous and 11safety employees who would be eligible to take advantage of the two-year additional service credit option if a new window period was designated. If all 43 eligible employees took advantage of the two-year service credit option and retired during the window period, the CalPERS rate estimate formula anticipates an increase of approximately .008% or $45,000 annually. Practically, however, it is reasonable to assume that only between 10 and 20 employees would actually retire and the annual cost would be lower. The costs would be built into our subsequent employer retirement rate beginning with the annual valuation report for the fiscal year that begins two years after the end of the designated window period, i.e., fiscal year 2014-2015.

In addition, the retirees would be paid for their accrued leave balances at the time they leave City employment. The average accrued leave payout of eligible employees is estimated at $16,000. If we anticipate 15 staff retiring the accrued leave payouts will cost approximately $240,000. These costs are anticipated to be more than offset by salary savings due to the time required to fill vacancies and lower pay rates for new employees, as well as the possible elimination of positions. Therefore, no additional appropriations will be needed at this time or built into the budget for fiscal year 2012-2013.

As a result of the continued financial threats related to the dissolution of the Redevelopment Agency, State's fiscal crisis, decreases in City revenue and related impact on City services, it is prudent for the City to offer the two years additional service credit as a retirement incentive to City employees. Further details will be provided at the next meeting as part of the certification process.

Reviewed by:



Scott Hanin, City Manager