



AGENDA

SPECIAL EL CERRITO MUNICIPAL SERVICES CORPORATION MEETING

Tuesday, February 21, 2012

Immediately Following the Adjournment of the 7:00 p.m. Regular City Council Meeting

City Council Chambers

Meeting Location

El Cerrito City Hall
10890 San Pablo Avenue, El Cerrito

Bill Jones – Chairperson

Vice Chairperson Greg Lyman
Boardmember Rebecca Benassini
Boardmember Scott Hanin

Boardmember Janet Abelson
Boardmember Ann Cheng
Boardmember Karen Pinkos

ROLL CALL

CONVENE SPECIAL MUNICIPAL SERVICES CORPORATION MEETING

1. BOARD / STAFF COMMUNICATIONS *(Reports of Closed Session and informational reports on matters of general interest which are announced by the Municipal Services Corporation & City Staff.)*

2. ORAL COMMUNICATIONS FROM THE PUBLIC

All persons wishing to speak should sign up with the Board Secretary. 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 Municipal Services Corporation Board 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.

3. PRESENTATIONS – None

4. ADOPTION OF THE CONSENT CALENDAR – Item No. 4A

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

A. Minutes for Approval

Approve the: February 6, 2012 Special Municipal Services Corporation meeting minutes.

5. POLICY MATTERS

A. Mid Year Budget Update

Adopt a Municipal Services Corporation resolution amending the Corporation's Fiscal Year 2011-12 Annual Budget.

6. ADJOURN SPECIAL MUNICIPAL SERVICES CORPORATION MEETING

- Municipal Services Corporation Board 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 these meetings can be accessed from the City's website: <http://www.el-cerrito.org/gov/>. 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 seven 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
- The Board believes that late night meetings deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. Board meetings shall be adjourned by 10:30 p.m., unless extended to a specific time determined by a majority of the Board.

EL CERRITO MUNICIPAL SERVICES CORPORATION

MINUTES

SPECIAL EL CERRITO MUNICIPAL SERVICES CORPORATION MEETING

Monday, February 6, 2012

Immediately Following the Adjournment of the 7:30 p.m. Regular City Council Meeting

City Council Chambers

Meeting Location

El Cerrito City Hall
10890 San Pablo Avenue, El Cerrito

Bill Jones – Chairperson

Vice Chairperson Greg Lyman
Boardmember Rebecca Benassini
Boardmember Scott Hanin

Boardmember Janet Abelson
Boardmember Ann Cheng
Boardmember Karen Pinkos

ROLL CALL

Present: Board Members Benassini, Cheng, Hanin, Pinkos and Chair Jones.

Absent: Board Members Abelson and Lyman.

CONVENE SPECIAL MUNICIPAL SERVICES CORPORATION MEETING

Chair Jones convened the Special Municipal Services Corporation meeting at 9:55p.m.

1. **BOARD / STAFF COMMUNICATIONS** – No reports.

2. **ORAL COMMUNICATIONS FROM THE PUBLIC**

3. **PRESENTATIONS** – None

4. **ADOPTION OF THE CONSENT CALENDAR – Item Nos. 4A through 4D**

Moved, seconded (Benassini/Cheng; Ayes – Board Members Benassini, Cheng, Hanin, Pinkos and Chair Jones; Noes – None; Absent – Board Members Abelson and Lyman) and carried to adopt Consent Calendar Item Nos. 4A through 4D in one motion as indicated below.

A. Minutes for Approval

Approve the: October 17, 2011 Special Municipal Services Corporation meeting Minutes.

Action: Approved minutes.

B. Election of Officers and Establishment of a Bank Account and Signature Authority

Adopt a resolution electing and appointing Officers of the Corporation and adopt a separate resolution authorizing establishment of a bank account and signature authority for the Corporation.

Action: Adopted Municipal Services Corporation Resolution No. 2012-01 and 2012-02.

C. Approval of a Grant to the City for Emergency Radio Equipment

Adopt a resolution awarding a \$273,000 grant to the City of El Cerrito Fire Department for the purchase of radio equipment associated with the East Bay Regional Communication System.

Action: Adopted Municipal Services Corporation Resolution No. 2012-03.

D. Staffing Services Contract

Adopt a resolution authorizing the Executive Director to enter into a contract with the City of El Cerrito for staffing and administrative services.

Action: Adopted Municipal Services Corporation Resolution No. 2012-04.

5. POLICY MATTERS – None

6. ADJOURNED SPECIAL MUNICIPAL SERVICES CORPORATION MEETING at 9:58 p.m.

**El Cerrito
Municipal Services Corporation**

**Agenda Report
Item No.5(A)**

Date: February 21, 2012
To: El Cerrito Municipal Services Corporation Board
From: Lori Treviño, MSC Manager
Mary Dodge, Chief Financial Officer
Subject: Mid-Year Budget Update

ACTION REQUESTED

Adopt a Municipal Services Corporation resolution amending the Corporation's FY11-12 Annual Budget.

BACKGROUND

The Board adopted the Corporation's FY11-12 Annual Budget on May 2, 2011. This report is a review of the Corporation's revenues and expenses through December 31, 2011 and includes a resolution to amend the budget for the remainder of the fiscal year to account for revenues and expenses not anticipated during the budgeting process. The following table summarizes the Corporation's Adopted FY11-12 Budget, actual expenses through December 31, 2011, and the Proposed Amended Budget for the FY2011-12.

**El Cerrito Municipal Services Corporation FY11-12
Budget v. Actual YTD through December 31, 2011**

Account	Adopted Budget	YTD Actual	Budget - Actual	Proposed Amended
Interest Income	\$1,000	-	\$1,000	\$1,000
Property Leases	50,000	35,229	14,771	68,000
Developer Contributions	-	-	-	2,200,000
Other Misc Revenue	1,129,340	-	1,129,340	1,031,340
Total Revenue	\$1,180,340	\$35,229	\$1,145,111	\$3,300,340
Professional Services	\$848,000	\$69,391	\$778,609	\$778,000
Property Services	92,000	11,409	80,591	28,000
Other Services and Supplies	89,340	12,887	76,453	54,426
Capital Expenses	-	11,890	(11,890)	159,000
Loans & Grants	100,000	-	100,000	273,000
Total Expenses	\$1,129,340	\$105,576	\$1,023,764	\$1,292,426

Therefore, the current proposed amendment to the revenue budget is \$2,120,000 and to the expense budget is \$163,086.

REVENUE

The Corporation originally anticipated three sources of revenue: interest earnings, rent and lease income, and funding from the El Cerrito Redevelopment Agency for the Cooperation Agreement between the Corporation and the Agency for implementation of the City's Redevelopment Plan for the City of El Cerrito Redevelopment Project Area.

Overall, the Corporation's revenues are greater than expected. Lease revenue from the Cerrito Theater is exceeding the budget due to the percentage rent paid by Rialto Cinemas being greater than anticipated. The Corporation submitted its \$1,129,340 demand to the Redevelopment Agency for FY11-12 funding during the first half of the fiscal year. It was not received until January 2012 and was slightly lower than anticipated. The Corporation also received an unanticipated developer contribution in the form of a fee paid for the Corporation's assignment of its option on a piece of property and a contribution to fund future public improvements to be made by the City once BART completes seismic improvements to its tracks in the Del Norte area. The proposed budget amendment reflects these adjustments and the resulting overall increase in anticipated revenue.

EXPENSES

The Corporation limited expenditures during the first half of the fiscal year due to the uncertainty regarding funding from the Agency. The proposed budget amendment reflects 1) the continuation and completion of projects and programs already planned, 2) an increase in the scope of work on a staffing contract, 3) the award of a grant recently approved by the Board, and 4) the cost of tenant improvements to the Cerrito Theater, a contractual obligation of the Corporation which was previously reserved but not budgeted.

Prior to the end of the fiscal year, contract staff will return to the Board with recommendations regarding the use of the Corporation's reserves and the development of a grant program to fund projects and programs that benefit the El Cerrito community, in keeping with the Corporation's mission.

LEGAL CONSIDERATIONS

The actions being considered are consistent with California Corporations Law, the Corporation's public and charitable purposes, its Amended and Restated Bylaws, and the Board's previous actions.

RECOMMENDATION

Approve a resolution amending the Corporation's FY11-12 Annual Budget consistent with the proposed amendment above.

Reviewed by:


Scott Hanin, Executive Director

Attachments:

1. Resolution Amending the Corporation's FY11-12
Annual Budget

MUNICIPAL SERVICES CORPORATION RESOLUTION NO. 2011-XX

RESOLUTION OF THE BOARD OF DIRECTORS OF THE EL CERRITO MUNICIPAL SERVICES CORPORATION AMENDING ITS FY2011-12 ANNUAL BUDGET

WHEREAS, the El Cerrito Municipal Services Corporation (the "Corporation") is a nonprofit public benefit corporation organized under the California Nonprofit Public Benefit Corporation Law for charitable purposes; and

WHEREAS, The specific charitable and public purposes for which the Corporation is organized are to benefit and support the City of El Cerrito (the "City") and the El Cerrito Redevelopment Agency (the "Agency"), in accordance with Section 509(a)(3) of the Internal Revenue Code of 1986, as amended, and to lessen the burdens of government of the City and the Agency; and

WHEREAS, the Board of Directors of the Corporation (the "Board") has reviewed the Corporation's revenues and expenses at mid-year and determined that the Corporation requires additional revenue budget for FY2011-12 of \$2,120,000, and additional expenditure budget for FY2011-12 of \$163,086; and

WHEREAS, the Board desires to amend its FY2011-12 Budget.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the El Cerrito Municipal Services Corporation as follows:

1. The Board of Directors finds that the above recitals are true and correct.
2. The Board of Directors hereby amends the Corporation's FY2011-12 Budget with an additional revenue budget of \$2,120,000, and additional expenditure budget of \$163,086.
3. This Resolution shall become effective immediately upon its adoption.

I CERTIFY that at a regular meeting on February 21, 2012, the Board of Directors of the El Cerrito Municipal Services Corporation passed this Resolution by the following vote:

AYES:	BOARD MEMBERS:
NOES:	BOARD MEMBERS:
ABSENT:	BOARD MEMBERS:

IN WITNESS of this action, I sign this document on February __, 2012.

Cheryl Morse, Secretary

APPROVED:

William C. Jones III, Board Chairperson