



## AGENDA

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

Tuesday, August 21, 2012 – 7:00 p.m.

City Council Chambers

### SPECIAL CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY CLOSED SESSION

Tuesday, August 21, 2012 – Immediately following the Concurrent City Council/Public Financing  
Authority/Successor Agency 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

#### 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** – Councilmember Benassini.
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 local collaboration meeting with West Contra Costa Unified School District Principals of El Cerrito Schools** – *Councilmember Benassini*

3. **ORAL COMMUNICATIONS FROM THE PUBLIC**

*All persons wishing to speak should sign up with the City Clerk. Remarks are limited to 3*

*minutes per person. Please state your name and city of residence for the record. Comments regarding non-agenda, presentation and consent calendar items will be heard first. Comments related to items appearing on the Public Hearing or Policy Matter portions of the Agenda are taken up at the time the City Council deliberates each action item. Individuals wishing to comment on any closed session scheduled after the regular meeting may do so during this public comment period or after formal announcement of the closed session.*

#### **4. PRESENTATIONS**

##### **A. El Cerrito Wall of Fame Ceremony**

Adopt two separate resolutions recognizing the leadership, contributions and achievements of community members [Jane Bartke](#) and [Amy Shinsako](#) and inducting both individuals into the El Cerrito Wall of Fame.

##### **B. Proclamation in Recognition of Ellen Paasch**

Approve and present a proclamation commending and recognizing the many contributions made by Ellen MacDonald–Paasch to the residents of El Cerrito and the importance of her role in helping older adults maximize their quality of life.

#### **5. ADOPTION OF THE CONSENT CALENDAR – Item Nos. 5A through 5H**

*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/SUCCESSOR AGENCY ITEM**

##### **A. Minutes for Approval**

Approve the: 1) [July 17, 2012 Special City Council Closed Session, Concurrent City Council/Public Financing Authority/City Council acting as the Successor Agency to the Former Redevelopment Agency, and Special City Council acting as the Successor Agency to the Former Redevelopment Agency Closed Session meeting minutes](#); and 2) [August 13, 2012 Special City Council meeting minutes](#).

#### **JOINT CITY COUNCIL/PUBLIC FINANCING AUTHORITY ITEMS**

##### **B. Recycling Center Refinancing – Change from a Lease to a Bond Structure**

Adopt a resolution authorizing the City Manager/Executive Director to enter into required agreements with JP Morgan Chase Bank (Chase) for refinancing of the Recycling Center \$3,500,000 Lease–Purchase Financing as a Revenue Bond.

#### **CITY COUNCIL ITEMS**

##### **C. Various Traffic and Parking Revisions**

Adopt resolutions authorizing the Public Works Director/City Engineer to: 1) Install stop signs on a) Scott Street at Schmidt Lane and b) Humboldt Avenue and Key Boulevard; and 2) Install 18 feet of green curb marking on the south side of Stockton Avenue in front of the El Cerrito Public Library, located at 6500 Stockton Avenue.

##### **D. Amend the 2012-13 Capital Improvement Program to Fund Neighborhood Traffic Programs**

Adopt a resolution amending the 2012–13 Capital Improvement Program to: 1) Combine the

“Traffic Safety Improvement Program” and the “Neighborhood Traffic Management Program (NTMP)” projects into a new project entitled “Traffic Safety and Management Program;” and 2) Transfer \$100,000 of Measure A Street Improvement Funding from the Street Improvement Project to the Traffic Safety and Management Program.

**E. Co-Sponsorship Application for Friends of the El Cerrito Library**

Adopt a resolution authorizing the City Manager to grant co-sponsorship status to the Friends of the El Cerrito Library for use of City facilities.

**F. Meyers Nave Contract Amendment**

Adopt a resolution authorizing the City Manager to execute an amended and restated agreement with Meyers, Nave, Riback, Silver and Wilson LLP for City Attorney services and appointing Jennifer Faught as Assistant City Attorney.

**G. Paying and Reporting the Value of Employer Paid Member Contributions for Management Employees**

Adopt a resolution amending paying and reporting the value of employer paid member contributions for management employees.

**H. Change in September 18, 2012 City Council Meeting Start Time**

Approve a recommendation rescheduling the start time for the September 18, 2012 City Council meeting from 7:00 p.m. to 7:30 p.m. to accommodate the observance of the Jewish holiday Rosh Hashanah.

**6. PUBLIC HEARINGS**

**Fees for Expanded Recycling Services at the Recycling and Environmental Resource Center**

Conduct a public hearing and upon conclusion consider adoption of a resolution amending Miscellaneous Services Fees within the Master Fee Schedule to add fees relating to: 1) Drop-off collection and recycling of compact fluorescent bulbs (CFLs) and fluorescent tubes for patrons who currently do not pay for local Household Hazardous Waste programs; and 2) Rental of solid waste – recycling, compost and garbage – event stands and bags.

**7. POLICY MATTERS**

**CITY COUNCIL ITEMS**

**A. Two Years Public Employee Retirement System Service Credit**

Staff requests that the City Council take the following three actions: 1) Adopt a resolution designating a window period from August 22, 2012 through November 27, 2012 within which miscellaneous and public safety employees may receive two-years of service credit if they retire during the designated window period; 2) Authorize the Mayor to certify compliance with Government Code Section 20903; and 3) Direct the City Clerk to certify the Council’s action and compliance with Government Code Section 7507.

**B. November 6, 2012 Municipal Election – Consideration of Facts with Option to Appoint Council Members In Lieu of Election**

Staff requests that the City Council review the Certification of Facts and consider taking action to either: 1) Adopt a resolution appointing nominees Jan Bridges, Mark Friedman and Greg Lyman to elected offices effective the first City Council meeting in December 2012; or 2) Elect to hold the November 6, 2012 General Municipal Election.

**JOINT CITY COUNCIL/PUBLIC FINANCING AUTHORITY ITEM**

**C. Measure A (Swim Center) Lease Revenue Bond Refinancing**

Adopt a City Council resolution and a Public Financing Authority resolution which authorize the City Manager/Executive Director to enter into the required agreements with JP Morgan Chase Bank for refinancing of the Measure A (Swim Center) Lease Revenue Bonds.

**CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY ITEM**

**D. Review and Authorization to Submit Draft Recognized Obligations Payment Schedule III (January through June 2013)**

Adopt a Successor Agency resolution reviewing and authorizing submittal of the draft Recognized Obligations Payment Schedule III covering the period January through June 2013.

**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, September 18, 2012. 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 – Existing Litigation** (*Pursuant to Government Code Section 54956.9*): City of El Cerrito, et al. v. Robert R. Campbell, et al., Case No. 34-2012-80001200, Sacramento Superior Court.

**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](http://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](mailto: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.