



## **AGENDA**

### **SPECIAL EL CERRITO CITY COUNCIL MEETING**

**Closed Session**

**Monday, June 6, 2011 – 6:00 p.m.**

**Hillside Conference Room**

### **SPECIAL EL CERRITO CITY COUNCIL MEETING**

**Prospect Sierra TEFRA Public Hearing**

**Monday, June 6, 2011 – 7:15 p.m.**

**City Council Chambers**

### **CONCURRENT EL CERRITO CITY COUNCIL/REDEVELOPMENT AGENCY/PUBLIC FINANCING AUTHORITY AND PENSION TRUST BOARD MEETING**

**Monday, June 6, 2011 – 7:30 p.m.**

**City Council Chambers**

#### **Meeting Location**

El Cerrito City Hall

10890 San Pablo Avenue, El Cerrito

Ann Cheng – Mayor

Mayor Pro Tem Bill Jones  
Councilmember Rebecca Benassini

Agency Chair/Councilmember Janet Abelson  
Councilmember Greg Lyman

#### **ROLL CALL**

**6:00 p.m. SPECIAL CITY COUNCIL MEETING**

#### **ANNOUNCEMENT OF CLOSED SESSION**

**1) CONFERENCE WITH LABOR NEGOTIATORS** (*Pursuant to Government Code Section 54957.6*)

**Agency Designated Representatives:** Scott Hanin, City Manager, Glenn Berkheimer, Labor Negotiator, Sky Woodruff, City Attorney and Sukari Beshears, Employee Services Manager

**Employee Organizations:** Service Employees International Union Local 1021  
International Association of Fire Fighters Local 1230  
El Cerrito Police Employees Association  
El Cerrito Public Safety Management

Unrepresented Employees

**2) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

*Pursuant to Government Code Section 54956.9: One potential case*

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

**RECESS INTO CLOSED SESSION**

**POSSIBLE REPORT OUT OF CLOSED SESSION**

**ADJOURN SPECIAL CITY COUNCIL MEETING**

**7:15 p.m.**

**ROLL CALL**

**CONVENE SPECIAL CITY COUNCIL MEETING**

**ORAL COMMUNICATIONS FROM THE PUBLIC**

**PUBLIC HEARING REQUIRED BY THE FEDERAL TAX EQUITY AND FISCAL RESPONSIBILITY ACT (TEFRA), IN CONNECTION WITH THE ISSUANCE OF BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF PROSPECT SIERRA SCHOOL**

Conduct a public hearing under the Tax and Equity Fiscal Responsibility Act (“TEFRA”) on June 6, 2011 in connection with the proposed issuance in one or more series of refunding revenue bonds by the California Municipal Finance Authority (“CMFA”), a joint exercise of powers authority and public entity of the State of California, in an amount not to exceed \$15,500,000, (the “Bonds”), to assist in the refinancing of the acquisition, renovation, improvement and equipping of educational facilities, known as Prospect Sierra School located at 960 Avis Drive and 2060 Tapscott Avenue, El Cerrito, California (collectively, the "Project").

Adopt a resolution to become a member of the CMFA and to approve of the issuance of the Bonds for the financing of the Project by the CMFA.

**ADJOURN SPECIAL CITY COUNCIL MEETING**

**ROLL CALL**

**7:30 p.m.**

**CONVENE CONCURRENT CITY COUNCIL/ REDEVELOPMENT AGENCY/  
PUBLIC FINANCING AUTHORITY AND PENSION TRUST BOARD MEETING**

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

*All persons wishing to speak should sign up with the City Clerk. Remarks are limited to 3 minutes per person. Please state your name and city of residence for the record. Comments regarding non-agenda, presentation and consent calendar items will be heard first. Comments*

*related to items appearing on the Public Hearing or Policy Matter portions of the Agenda are taken up at the time the City Council deliberates each action item. Individuals wishing to comment on any closed session scheduled after the regular meeting may do so during this public comment period or after formal announcement of the closed session.*

**4. PRESENTATIONS – None**

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

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

**A. Minutes for Approval**

Approve the minutes of the May 16, 2011 City Council meeting.

**B. Geotechnical On-Call Services Contracts**

Adopt a resolution authorizing the City Manager to execute agreements with two firms, Ninyo & Moore and RMA Group, for on-call services related to geotechnical, geological, environmental and materials testing services for periods of three years with options for two additional years.

**C. Urban Greening Plan Grant Application**

Adopt a resolution approving an application for grant funds from the Urban Greening Planning for Sustainable Communities Grant Program (Proposition 84) for preparation of an Urban Greening Plan.

**D. Expenditure of Supplemental Law Enforcement Services Program (SLESP) Funds**

Adopt a resolution authorizing the reimbursement and expenditure of Supplemental Law Enforcement Services Program (SLESP) funds for the continuation of a sworn position assigned to traffic enforcement and the remainder for the purchase of needed equipment to support front line law enforcement in El Cerrito.

**E. Adoption of Gann Appropriation Limit for Fiscal Year 2011–12**

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 these factors establishes the City's appropriations limit as \$101,104,599 for Fiscal Year 2011–12.

**F. Measure J Funds for Paratransit Services**

Adopt a resolution authorizing staff to submit an application and claim Measure J funds in order to provide paratransit services for the elderly and disabled in Fiscal Year 2011–12.

**G. March 31, 2011 Quarterly Investment Report**

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

**6. PUBLIC HEARINGS**

**Fire Hazard Abatement**

1. Adopt a resolution declaring that weeds, rubbish, litter or other flammable material (specifically dead or dying eucalyptus trees or branches and ladder fuels growing into the trees) on certain property as identified in the resolution constitutes a public nuisance.

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.

## 7. POLICY MATTERS

### Fiscal Year 2011–12 Budget

Presentation and discussion of the City's Fiscal Year 2011–12 budget. Adoption of the budget is scheduled for consideration on June 20, 2011.

## 8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

**A.** Mayor Cheng Assignments: Association of Bay Area Governments (ABAG) General Assembly Delegate, Arts and Culture Commission, League of California Cities East Bay Division Alternate, Contra Costa County Mayors' Conference, Disaster Preparedness Council Alternate, Human Relations Commission, Pension Board, Temporary Permits Committee, and West Contra Costa Transportation Advisory Committee Alternate.

**B.** Councilmember Abelson Assignments: Association of Bay Area Governments (ABAG) General Assembly Alternate, League of California Cities East Bay Division Delegate (also attends Annual League Conference in September), Committee on Aging, Environmental Quality Committee, Temporary Permits Committee, West Contra Costa Transportation Advisory Committee Delegate.

**C.** Councilmember Benassini Assignments: Economic Development Board, Financial Advisory Board, San Pablo Avenue Area Specific Plan Committee, Tom Bates Regional Sports Field JPA Alternate, West County Regional Library Board Alternate.

**D.** Mayor Pro Tem Jones Assignments: Contra Costa County Mayors' Conference Alternate, Pension Board Alternate, Planning Commission, San Pablo Avenue Area Specific Plan Committee, Disaster Preparedness Council Delegate, Tom Bates Regional Sports Field JPA; Underground Utilities Committee, West County Mayors' & Supervisors' Association Alternate, West County Integrated Waste Management Authority Delegate, West County Library Board Delegate.

**E.** Councilmember Lyman Assignments: Crime Prevention Committee, Design Review Board, Park and Recreation Commission, and West County Integrated Waste Management Authority Alternate.

## 9. ADJOURN CITY COUNCIL MEETING/ REDEVELOPMENT AGENCY/ PUBLIC FINANCING AUTHORITY AND PENSION TRUST BOARD MEETING

The next regularly scheduled City Council meeting is June 20, 2011 at 7:30 p.m. in the Council Chambers, 10890 San Pablo Avenue, El Cerrito.

***The City of El Cerrito serves, leads and supports our diverse community by providing exemplary and innovative services, public places and infrastructure, ensuring public safety and creating an economically and environmentally sustainable future.***

- Council Meetings can be heard live on FM Radio, KECG – 88.1 and 97.7 FM and viewed live on Cable TV - KCRT- Channel 28. The meetings are rebroadcast on Channel 28 the following Thursday and Monday at 12 noon, except on holidays. Live and On-Demand Webcast of the Council Meetings can be accessed from the City's website: <http://www.el-cerrito.org/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](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 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](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.