

# 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 <u>Item Nos. 5A through 5E</u>

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

## <u>CITY COUNCIIL ACTING AS SUCCESSOR AGENCY TO THE FORMER</u> 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. <u>National Night Out Proclamation</u>

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. <u>Direct Update of the Conflict of Interest Code</u>

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. <u>El Cerrito New Priorities Campaign Working Group</u>

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
- 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 AGENCYTOTHE 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 <a href="http://www.el-cerrito.org/ind-ex.aspx?NID=114">http://www.el-cerrito.org/ind-ex.aspx?NID=114</a>. 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 Cemto Library and posted on the City's website at <a href="https://www.el-cerrito.org">www.el-cerrito.org</a> 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 ONLYTHOSE 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.

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