

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
TUESDAY- -MARCH 1, 2011- -7:00 P.M.

Mayor Gilmore convened the meeting at 7:45 p.m. Vice Mayor Bonta led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Bonta, deHaan, Johnson, Tam and Mayor Gilmore – 5.

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY & ANNOUNCEMENTS

(11-098) Proclamation Declaring March 1 through March 31, 2011, as the Period for the Annual “Across the Pages: an Alameda Community Reads” Program.

Mayor Gilmore read and presented the Proclamation to the Library Director.

(11-099) Proclamation Proclaiming March through June 2011 as Historic Preservation Season.

Mayor Gilmore read and presented the Proclamation to Judith Lynch, Historical Advisory Board (submitted a handout); Nancy Hird, Alameda Architectural Preservation Society (AAPS); and Robbie Dileo, Alameda Historical Museum.

(11-100) Presentation of 100 Best Communities for Young People Award Plaques to the City Council and Youth Collaborative Representatives.

The Economic Development Administrative Specialist presented plaques to the Council and Youth Collaborative Representatives.

(11-101) Presentation on the East Bay Regional Park District's (EBRPD) New Tidewater Boating Center.

Doug Siden and Anne Kassebaum from EBRPD gave a Power Point presentation.

In response to Councilmember Johnson’s inquiry about launching boats, Ms. Kassebaun stated non-motorized boats could be launched at the facility.

Mayor Gilmore stated the facility is an exciting opportunity for everyone in the area.

Speaker: Miriam Schiffman, Alameda.

ORAL COMMUNICATIONS, NON-AGENDA

(11-102) Philip Tribuzio, Alameda, discussed Alameda Point.

### CONSENT CALENDAR

Mayor Gilmore announced that Final Passage of the Ordinance [paragraph no. 11-109] was removed from the Consent Calendar.

Councilmember Tam moved approval of the remainder of the Consent Calendar.

Vice Mayor Bonta seconded the motion, which carried by unanimous voice vote – 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(\*11-103) Minutes of the Special Joint City Council and Alameda Reuse and Redevelopment Authority Meeting and the Regular City Council Meeting held on February 15, 2011. Approved.

(\*11-104) Ratified bills in the amount of \$1,386,536.65.

(\*11-105) Recommendation to Accept the Quarterly Sales Tax Report for the Period Ending September 30, 2010. Accepted.

(\*11-106) Recommendation to Accept the Work of Gallagher and Burk, Inc., for the Buena Vista Avenue Street Rehabilitation Project, No. P.W. 02-09-05. Accepted.

(\*11-107) Recommendation to Accept the Work of Gallagher and Burk, Inc., for the Repair and Resurfacing of Certain Streets, Phase 29, No. P.W. 02-09-06. Accepted.

(\*11-108) Recommendation to Accept the Work of Suarez & Munoz Construction, Inc. for the Webster Street/Wilver “Willie” Stargell Avenue Intersection Project – Landscape and Irrigation Improvements, No. P.W. 06-09-18. Accepted.

(11-109) Ordinance No. 3027, “Amending Sections 30-6, 30-36, and 30-37, of the Alameda Municipal Code to Improve the Design Review and Sign Ordinance Provisions for the City of Alameda.” Finally passed.

Speaker: Christopher Buckley, AAPS.

In response to Mr. Buckley’s comments, the Planning Services Manager stated the Design Review Guidelines would be cleaned up to be consistent with the ordinance being adopted within 30 days; Community Development is undertaking two big initiatives: 1) review of the Historic Preservation Ordinance, and 2) a comprehensive update of the Design Review Manuals; both will take time and resources; drafts should be done in a year; currently, buildings older than 1942 are deemed historic; the date has been a concern, which will be tackled in the Historic Preservation Ordinance.

Councilmember Tam moved final passage of the ordinance.

Vice Mayor Bonta seconded the motion, which carried by unanimous voice vote – 5.

### REGULAR AGENDA ITEMS

(11-110) Resolution No. 14553, “Increasing Civil Penalties for Parking Violations of the Municipal Code and the California Vehicle Code.” Adopted.

The City Controller gave a brief presentation.

Speaker: Robb Ratto, Park Street Business Association (PSBA) (submitted a handout).

Councilmember Johnson inquired whether tickets could be issued for parking on front and side yards since it is private property, to which Police Sergeant Deutsche responded in the affirmative.

Councilmember Johnson stated the Police Department memo explaining heavy vehicles was confusing and should be cleaned up.

The Acting City Manager stated staff intends to clean up the memo to eliminate any confusion.

Councilmember Tam stated that she thought the memo indicated there is no distinction between heavy and commercial vehicles.

Mayor Gilmore concurred; stated one word should be used if there is no distinction.

The Acting City Manager noted Code changes might be required.

Councilmember deHaan stated that he is concerned about pickup trucks with commercial license plates.

Mayor Gilmore inquired whether the State Vehicle Code has a definition of commercial, to which Sergeant Deutsche responded in the affirmative; stated the State Vehicle Code definition is any vehicle with a commercial plate, including from taxis up to semi trucks.

Councilmember Tam inquired whether heavy vehicles are always commercial vehicles, to which Sergeant Deutsche responded in the affirmative; stated Municipal Code Section 8-7.9 defines heavy commercial vehicles as more than two axles, a combination of six feet high and eight feet wide, and includes tow trucks, dump trucks, moving vans, tractors, pole trucks, and pipe dollies.

Councilmember deHaan stated more than two axles is a worthwhile definition that eliminates pickup trucks.

Councilmember Tam stated it sounds like the distinction between commercial and heavy vehicles needs to be kept.

The Acting City Manager stated staff would review the matter and ensure the definitions are consistent and clear; the matter would come back if changes are required.

Councilmember Johnson stated the intent not to have a bunch of business vehicles parked on the street fits the definition of being a commercial vehicle without being a heavy vehicle; said restriction should not be wiped out.

Mayor Gilmore stated City regulations require that home based businesses not be visible and not have cars on the street; called for additional discussion on fees.

The Acting City Manager stated staff is fine with Mr. Ratto's suggestions, as well as modifying any others.

Mayor Gilmore stated that she is okay with the fees proposed by PSBA; the matter could be revisited in six months if there are complaints.

Councilmember deHaan stated that he would accept the PSBA recommendations other than lowering the \$40 fee [to \$38].

Councilmember Tam inquired whether parking in fire hydrants zones is a major problem, to which Sergeant Deutsche responded the violations started being cited more aggressively last summer; the 15-foot limit encroaches into parking spaces in the Park Street and Webster Street Business Districts; that he worked with Public Works to have red curbs painted; the Fire Department calls the Police Department several times a year to report cars parked directly in front of fire hydrants.

Councilmember Johnson stated marking off 15 feet for fire hydrants is a problem in congested neighborhoods with difficult parking; inquired whether red curbed areas could be required, instead of 15 feet, or whether 15 feet is an absolute requirement.

Sergeant Deutsche responded 15 feet is a State requirement; the Police Department uses discretion; the Fire Department only needs four to five feet.

Mayor Johnson suggested said amount be marked red.

Sergeant Deutsche stated that he is working with Public Works to address the issue.

Councilmember Tam stated that she would like the fine brought down to \$75 for parking at fire hydrants.

Mayor Gilmore stated certain intersections do not have red curbs; large automobiles that park at corners block visibility, which can be a hazard; said areas need to be

painted red.

In response to Councilmember deHaan's inquiry about regulations prohibiting large vehicles from parking at corners, Sergeant Deutsche responded that he is not aware of any.

Councilmember deHaan inquired whether the first five violations generate most of the revenue, to which the Controller responded in the affirmative.

Mayor Gilmore summarized the consensus is to change the \$40 to \$38, charge \$75 for loading zone, and drop the fire hydrant amount to \$75.

Vice Mayor Bonta moved adopted of the resolution [with said revisions].

Councilmember Tam seconded the motion.

Councilmember Johnson inquired whether direction could be given to staff regarding painting curbs red near fire hydrants.

The Acting City Manager stated staff is already doing so.

On the call for the question, the motion carried by unanimous voice vote – 5.

Councilmember deHaan requested clarification on regulations governing parking at corners.

\* \* \*

Vice Mayor Bonta left the dais at 8:49 p.m. and returned at 8:50 p.m.

\* \* \*

## CITY MANAGER COMMUNICATIONS

(11-111) Green Thumbs, Green Minds Seed & Garden Tool Library

The Library Specialist gave a Power Point presentation.

Councilmember Johnson stated that she likes the idea of the tool library, which should be expanded; Oakland and Berkeley both have tool lending libraries; further stated there is a movement to have trees which produce something edible in public landscaping; said idea should be reviewed.

Speaker: Melanie Wartenberg, Wedge Neighborhood Association.

Councilmember deHaan stated t victory gardens have been discussed; inquired whether Community Action for a Sustainable Alameda has been tasked with reviewing the matter.

Mayor Gilmore responded looking for areas for urban farming has been done in conjunction with the urban greening grant.

The Deputy City Manager – Development Services stated the City received a \$250,000 grant to put together an urban greening plan, which includes components for a park master plan and an urban farm and garden plan; the plan would identify potential sites for urban farms and gardens.

Councilmember deHaan inquired whether the opportunity [mentioned by Ms. Wartenberg] at the East End [former Island High site] could be reviewed.

The Deputy City Manager – Development Services responded the site or other East End locations could be reviewed.

Mayor Gilmore inquired whether the School District Surplus Committee has come up with a recommendation for the site.

Ms. Wartenberg responded that she was on the Committee; stated the Committee recommendation was that the property is surplus.

In response to Mayor Gilmore's inquiry whether there is a recommendation regarding usage, Ms. Wartenberg stated the School District has to abide by a procedural order when offering the property, beginning with Recreation and Parks; the Committee deferred to following the Education Code and did not make a particular recommendation; the Committee's report stated which parties came to assert desire for the property.

Councilmember Tam stated the School District has carved out areas for community gardens; City parkland adjacent to schools present good opportunities, especially on the East End.

The Deputy City Manager – Development Services stated said areas would be reviewed; stakeholder interviews would be conducted; the School District is a major stakeholder.

Councilmember deHaan stated the gardens within schools are for educating the students; inquired whether community gardens are being discussed.

The Deputy City Manager – Development Services responded the plan is comprehensive, would not just look at community gardens, and would look at urban farming opportunities, including with schools.

In response to Councilmember deHaan's inquiry regarding Alameda Point, the Deputy City Manager – Development Services stated the Alameda Point Collaborative (APC) has Ploughshare Nursery, an urban farm, and a community garden; the City would learn

from APC's experiences.

Councilmember Johnson inquired whether the School District sells or transfers the land, to which the Acting City Manager responded that she believes the land is sold.

#### ORAL COMMUNICATIONS, NON-AGENDA

None.

#### COUNCIL REFERRALS

None.

#### COUNCIL COMMUNICATIONS

(11-112) Vice Mayor Bonta announced that he attended a new councilmember training put on by the League of California Cities in January.

(11-113) Councilmember deHaan stated there was a recent dedication at Mastick Senior Center.

Councilmember Tam stated approximately \$250,000 in funding for the renovations came from the Advisory Board.

Mayor Gilmore stated the ribbon cutting was well attended; Home and Garden Television (HGTV) also gave a charitable donation as a result of filming in town; outlined the improvements.

Councilmember deHaan suggested that a letter of appreciation be sent to HGTV and the Senior Center Advisory Board.

(11-114) Councilmember deHaan requested an update on the status of the golf course.

The Acting City Manager stated staff intended to have a special meeting on February 16<sup>th</sup>; a week before, she received information about the financing mechanism to make renovations; the mechanism is not going to work; that she is waiting for Kemper to provide information on alternate sources of funding before coming back to Council.

#### ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 9:15 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

MINUTES OF THE SPECIAL CITY COUNCIL MEETING  
TUESDAY- -MARCH 1, 2011- -7:01 P.M.

Mayor Gilmore convened the meeting at 9:16 p.m.

ROLL CALL – Present: Councilmembers Bonta, deHaan, Johnson, Tam and Mayor Gilmore – 5.

Absent: None.

AGENDA ITEM

(11-115) Discuss and Appoint the Community Stakeholders to Serve on a City Manager Interview Panel.

The Human Resources Director gave a brief presentation.

Mayor Gilmore noted the staff report lists the five community groups proposed by the subcommittee [Margie Sherratt, Board of Education; Jordan Battani, Alameda Hospital Board; Dr. Jannett Jackson, College of Alameda; Doug Biggs, Alameda Point Collaborative; and Jeff Cambra, Chamber of Commerce/WABA].

Councilmember Johnson stated that she has received questions regarding the Alameda Business Alliance (ABA); requested clarification about said organization.

Vice Mayor Bonta responded Mr. Cambra, the ABA representative, serves on the West Alameda Business Association (WABA) Board and Chamber of Commerce Board; the ABA was an ad hoc business group pulled together to discuss the School Parcel Tax; Mr. Cambra worked with members of the business community to find an acceptable tax structure.

Councilmember Johnson inquired whether someone just representing the business community was considered.

Mayor Gilmore responded Mr. Cambra was chosen because he is also on the Chamber Board and WABA Board; the subcommittee was thinking one person would be wearing different business hats.

Councilmember deHaan stated his concern is ABA is not an official body.

Vice Mayor Bonta stated the list could read Chamber of Commerce/WABA.

Councilmember deHaan stated using said listing makes more sense.

Mayor Gilmore stated the title could be changed; called for Councilmembers to provide the name of a representative.



Councilmember deHaan selected Jane Sullwold.

Councilmember Tam selected Kate Quick.

Vice Mayor Bonta selected Carl Chan.

Councilmember Johnson selected Robb Ratto.

Mayor Gilmore selected Brad Shook.

Councilmember deHaan noted WABA would have two representatives [Mr. Cambra and Mr. Shook].

Mayor Gilmore stated that she selected Mr. Shook as a business person/Chief Executive Officer type.

Vice Mayor Bonta moved approval of appointing the five members listed in the staff report and the members selected by each Councilmember.

Mayor Gilmore listed the names of the person selected by each Councilmember: Jane Sullwold, Kate Quick, Carl Chan, Robb Ratto, and Brad Shook.

Councilmember Johnson inquired whether the list includes someone from the real estate community; and questioned if not, should another spot should be added.

Vice Mayor Bonta responded Mr. Chan is a realtor.

Councilmember deHaan seconded the motion, which carried by unanimous voice vote – 5.

### ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 9:24 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

SPECIAL JOINT CITY COUNCIL, COMMUNITY IMPROVEMENT  
COMMISSION (CIC), AND HOUSING AUTHORITY  
BOARD OF COMMISSIONERS (HABOC) MEETING  
TUESDAY- -MARCH 1, 2011- -6:00 P.M.

Mayor Gilmore convened the meeting at 6:00 p.m.

Roll Call – Present: Councilmembers/Commissioners Bonta, deHaan,  
Johnson, Tam and Mayor/Chair Gilmore – 5.

Absent: Commissioner Allen – 1.

The meeting was adjournment to Closed Session to consider:

(11-096 CC/11-013 CIC/HABOC) Conference with Real Property Negotiators; Property:  
2428 Central Avenue (Islander Motel); Negotiating parties: Housing Authority and Stahl-  
Wooldridge Construction; under negotiation: Price and terms

(11-097 CC) Conference with Legal Counsel – Anticipated Litigation; Significant  
exposure to litigation pursuant to subdivision (b) of Section 54956.9; Number of cases:  
One

Following the closed session, the meeting was reconvened and Mayor/Chair Gilmore  
announced that regarding Real Property, the legislative bodies gave direction to staff;  
and regarding Anticipated Litigation, Council provided direction to the attorneys.

Adjournment

There being no further business, Mayor/Chair Gilmore adjourned the meeting at 7:40  
p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk  
Secretary, CIC

The agenda for this meeting was posted in accordance with the Brown Act.