

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -MAY 21, 2013- -7:00 P.M.

Mayor Gilmore convened the meeting at 7:17 p.m.

ROLL CALL - Present: Councilmembers Chen, Daysog, Ezzy Ashcraft, Tam and Mayor Gilmore – 5.

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY & ANNOUNCEMENTS

(13-239) Proclamation Declaring May as Older Americans Month; and

(13-239 A) Presentation of the Mastick Senior Center Annual Report.

Mayor Gilmore read and presented the proclamation to Joy Pratt, Mastick Senior Center Advisory Board President and Mariam Schiffman, Alameda County Commission on Aging.

Ms. Pratt and the Mastick Senior Center Director gave a Power Point presentation.

ORAL COMMUNICATIONS, NON-AGENDA

(13-240) Elizabeth Wright, Alameda, suggested that a Police substation and medical clinic be opened on Webster Street.

(13-241) Laurent Armand, Alameda, and Mike Connelly, San Lorenzo, discussed the situation at Nelson Marine; expressed that boat owners would like to work with the City to move boats out of the closed facility.

(13-242) Ken Peterson, Alameda, discussed the budget.

CONSENT CALENDAR

Mayor Gilmore announced that the recommendation to execute the Amended Patient Transportation Services Agreement [paragraph no. 13-247] and the recommendation to appropriate \$1,441,000 in Measure B funds [paragraph no. 13-249] were removed from the Consent Calendar for discussion.

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

Vice Mayor Ezzy Ashcraft seconded the motion, which carried by unanimous voice vote –

5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*13-243) Minutes of the Regular City Council Meeting and the Joint City Council and Successor Agency Meeting Held on April 16, 2013. Approved.

(*13-244) Ratified bills in the amount of \$2,747,641.40.

(*13-245) Recommendation to Set June 18, 2013, for a Hearing to Consider Collection of Delinquent Business License Fees and Delinquent Integrated Waste Management Accounts Via the Property Tax Bills. Accepted.

(*13-246) Recommendation to Set June 18, 2013 for a Hearing to Consider Collection of Delinquent Administrative Citation Fees and Vacant Building Assessments Via the Property Tax Bills. Accepted.

(13-247) Recommendation to Authorize the City Manager, or His Designee, to Execute the Amended Patient Transportation Services Agreement with the Alameda Health Care District, and Amend or Add Subcontracts as Necessary to Fulfill the Terms of the Amended Agreement.

Councilmember Tam inquired about the financial status of the program, how the program compares to private providers, and whether the City is competitive in retaining market share.

The Fire Chief responded in the affirmative; stated the program is competitive; the program could be very beneficial and be a permanent program; private providers are throughout the Bay Area and nationwide; once the City started the program, there was an increase in call volume and many private providers sought additional contracts with the Health District; some were successful in taking away some business; call volume declined in October and November; the Department did not realize the scope of the District's need for services; staff met with the District's Chief Executive Officer to amend the agreement; approximately \$317,000 has been billed through April; with the approximately 24% adjustment made by Medicare and insurance companies, the City anticipates about \$242,000 will be collected; to date, expenses are approximately \$195,000; further stated around 40% of the calls are redirected to subcontractors because the Department does not have the capacity to respond to all calls.

Vice Mayor Ezzy-Ashcraft inquired where in the report is the amended language that ensures that Alameda Fire Department Basic Life Support (BLS) will be called first.

The Fire Chief responded due to Medicare provisions, the City cannot have an exclusive contract; stated the contract states Alameda will be a primary provider and will be called first for all services listed; if staff cannot provide the service, one of the City's subcontractors will be called to provide that service.

Vice Mayor Ezzy Ashcraft inquired where revenues go, to which the Fire Chief responded revenues go into the General Fund and also go back into the program for future expansion.

In response to Vice Mayor Ashcraft's further inquiry, the Fire Chief stated approximately 40% of calls for service are handed off to subcontractors and private providers because the Department does not have enough ambulances or staff to handle the calls.

Councilmember Chen inquired about BLS staffing, to which the Fire Chief responded the Department hired part-time Emergency Medical Technicians (EMT) for the program, which is below paramedics; two employees have been hired as firefighters elsewhere and a third will soon be leaving to become a firefighter.

Councilmember Tam moved approval of the staff recommendation.

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

(*13-248) Recommendation to Award Contract in the Amount of \$78,000 to MV Transportation, Inc. for the Operation of the Alameda Paratransit Shuttle. Accepted.

(13-249) Recommendation to Appropriate \$1,441,000 in Measure B, \$495,000 in Vehicle Registration Fees, and \$700,000 in Marina Village Assessment District 89-1 Funds, Allocate \$313,296 in Contingencies and Award a Contract in the Amount of \$3,132,961 to MCK, Inc. for Repair and Resurfacing of Certain Streets, Phase 32, No. P.W. 11-12-20.

The Public Works Director gave a brief presentation.

Councilmember Daysog stated that he wanted the matter pulled for discussion to celebrate the improvements being made; moved approval of the staff recommendation.

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

(*13-250) Resolution No. 14808, "Approving the Joint Exercise of Powers Agreement Creating the Energy Council and Agreeing to Become a Member of the Energy Council." Adopted.

(*13-251) Resolution No. 14809, "Amending the Memorandum of Understanding Between the City of Alameda and the Alameda Police Managers Association, June 30, 2013 through June 24, 2017, Section 26.7 Desirable Qualifications for Promotion and Approve First Amended Appendix A, Salary Schedule." Adopted.

(*13-252) Recommendation to Approve Workforce Changes in the Human Resources Department, Eliminating the Position of Human Resources Director, Establishing the Classification and Position of Human Resources Manager, Eliminating Two Senior Management Analyst Positions, Adding an Administrative Management Analyst Position.

Accepted; and

(*13-252 A) Resolution No. 14810, "Amending the Alameda Management and Confidential Employees Association Salary Schedule Establishing the Classification of Human Resources Manager." Adopted.

(*13-253) Ordinance No. 3073, "Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a Lease Amendment with Bay Ship and Yacht Co., Inc. for One Year in Building 292 located at 1450 Ferry Point at Alameda Point." Finally Passed.

(*13-254) Ordinance No. 3074, "Amending Alameda Municipal Code by Amending Section 30.7.15a (Bicycle, Motorcycle and Pedestrian Facilities) of Article I (Zoning Districts and Regulations) of Chapter XXX (Development Regulations) to Comply with the City's Bicycle Facility Design Standards." Finally Passed.

REGULAR AGENDA ITEMS

(13-255) Public Hearing to Consider Adoption of Resolution Confirming Business Improvement Area Report for Fiscal Year 2013-14 and Levying an Annual Assessment on the Park Street Business Improvement Area of the City of Alameda for Fiscal Year 2013-14. **[Continued to June 4, 2013]**

(13-256) Resolution No. 14811, "Authorizing the City Manager to Accept, Execute, and Record Conveyance Documents in Substantial Conformance with Certain Phase 1 Property and Conveyance Documents from the United States of America, Acting by and Through the Department of the Navy, to Implement the Economic Development Conveyance Agreement for the Former Naval Air Station, Alameda (Phase 1 Alameda Point Conveyance)." Adopted.

The Chief Operating Officer - Alameda Point gave a Power Point presentation.

Mayor Gilmore inquired how many acres in Phase 1 are clean and suitable for development, including residential.

The Chief Operating Officer - Alameda Point responded approximately 482 acres.

Mayor Gilmore inquired if the 482 acres have restricted land use.

The Chief Operating Officer - Alameda Point responded in the affirmative; stated there will be restrictions for digging and using ground water for drinking.

Mayor Gilmore stated it is very important for residents to know that the team and the Restoration Advisory Board (RAB) have worked very hard and held the Navy's feet to the fire in terms of clean up; the partnership between the City's consultants, RAB, the community and staff has made Phase 1 conveyance occur.

Councilmember Daysog commended staff, the team of experts and previous Councils for bringing Phase 1 conveyance to fruition; outlined the Navy's clean-up process; stated residents and businesses should feel comfortable that Alameda Point is moving forward in an orderly manner with safeguards against any potential downsides.

Vice Mayor Ezzy Ashcraft thanked the Chief Operating Officer - Alameda Point for heading the decades-long conveyance effort; thanked City staff, previous Councils, the City Attorney's office and outside counsel, George Schlossberg; stated that she looks forward to an exciting future.

Councilmember Tam echoed her appreciation to the entire team; stated that she hopes that the community realizes conveyance is a major milestone for Alameda, particularly in trying to make Alameda Point suitable for redevelopment without redevelopment funding.

Councilmember Chen inquired the size of each of the 22 biological areas.

The Chief Operating Officer - Alameda Point responded each area varies in size, from 10 to 60 acres.

Councilmember Chen inquired if the lighting, noise, and traffic restriction of each area is outside the development zones.

The Chief Operating Officer - Alameda Point responded in the negative; stated the restrictions overlay the development and are based on the biological opinion; for example, Fish and Wildlife Services has listed avoidance and minimization measures; the submerged parcel has a restriction on development, including a no wake zone during the Least Tern season; marinas are prohibited; restrictions were captured in each of the 22 areas so that property owners would know exactly which restrictions apply to their property.

Councilmember Chen inquired if restrictions, other than biological restrictions, would also be spelled out.

The Chief Operating Officer - Alameda Point responded the declaration of restrictions, which includes biological restrictions, are separate from the deeds, which include all other restrictions.

Mayor Gilmore inquired if a developer who purchases a parcel will receive a package that includes a deed, the land use restrictions on the parcel, and a separate document which outlines the biological restrictions on the parcel.

The Chief Operating Officer - Alameda Point responded in the affirmative; stated developing legal descriptions for each parcels is key to minimizing risk, helping developers understand what they are buying, making the property more marketable, and leveraging value for the City and its infrastructure needs.

Councilmember Chen inquired if there are any restrictions on the 104 acres of petroleum sites.

The Chief Operating Officer - Alameda Point responded in the affirmative; stated there is a notification in the deed which says the 104 acres of petroleum sites are separate parcels that have not been closed and have certain housing restrictions; developers are very accustomed to dealing with petroleum; the Navy has committed to cleaning up the petroleum sites post-transfer.

Councilmember Chen inquired if the over 100 acres can be easily addressed, to which the Chief Operating Officer - Alameda Point responded in the affirmative.

Councilmember Chen stated that he is excited conveyance is finally happening; it has taken a collective effort from staff, community members, RAB, and the current and prior administrations; congratulated everybody.

Stated the City finally having control of the land at Alameda Point is very exciting and HOMES will continue to offer its services and do whatever possible to help move ahead: Diane Lichtenstein, HOMES.

Discussed the process the City went through to get to this point: Former Councilmember Doug deHaan, Alameda.

Expressed support for the aggressive schedule presented; stated that she is excited about the next steps: Karen Bey, Alameda.

Mayor Gilmore stated the schedule is aggressive, but staff has shown the ability to work diligently and thoroughly to meet aggressive time schedules in partnership with the community; bring Alameda Point to the marketplace in a relatively short period of time is important in order to take advantage of the excellent timing.

Vice Mayor Ezzy Ashcraft moved adoption of the resolution.

Councilmember Daysog seconded the motion, which carried by the following roll call vote: Councilmembers Chen: Aye; Daysog: Aye; Ezzy Ashcraft: Aye; Tam: Aye; and Mayor Gilmore: Aye. Ayes: 5. Noes: 0.

(13-257) Recommendation to Authorize the City Manager to Enter into a Three-Month Agreement with the Alameda Unified School District for the Operation of the District Swimming Pools.

The Recreation Director gave a brief presentation.

Councilmember Tam stated the City estimates \$308,000 in revenue would be generated from swim programs; the City's share is \$154,000; inquired if the City generates more

revenues then its share.

The Recreation Director responded the aquatics programs generate a net revenue of approximately \$10,000.

Councilmember Tam inquired what the City does with the net revenue.

The Recreation Director stated the net revenue goes into the Recreation Fund and back into programs.

Councilmember Tam inquired what kind of revenue the School District could expect to generate if it implemented such a program.

The Recreation Director responded every aquatic program is different; stated the School District would not offer the same aquatics programs as the City; therefore, the District would not have the associated expenses; rent revenue would generate approximately \$27,000.

Councilmember Tam moved approval of the staff recommendation.

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

CITY MANAGER COMMUNICATIONS

(13-258) The City Manager encouraged Alameda businesses to renew licenses by the July 31st deadline; reminded everyone renewal can be done on-line; announced five pinball machines would be at City Hall from May 28th to July 1st.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(13-259) Written Communication from the League of California Cities Requesting Designation of a Voting Delegate and Alternates for the Annual Conference.

Vice Mayor Ezzy Ashcraft moved approval of designating Councilmember Tam as the voting delegate and Councilmember Daysog as the alternate.

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

(13-260) Vice Mayor Ezzy Ashcraft announced that she attended: the Annual Affordable Housing Week kickoff in Oakland on May 10th; the ribbon cutting of Park Alameda, which is on the former Islander Motel site, on May 15th; and the Harvey Milk Celebration at Encinal High School on May 20th.

Councilmember Tam stated soon-to-be Interim Police Chief was also in attendance; several of the organizers and community members expressed appreciation for the Alameda Police Department's presence and indicated they are reassured that the Police Department will be there when there is a hate crime.

(13-261) Councilmember Chen announced a flag raising ceremony on June 8th recognizing Filipino Independence Day.

(13-262) Councilmember Daysog announced that he attended the Not Your Mothers Garden Party hosted by the Alameda Point Collaborative.

(13-263) Mayor Gilmore announced that she attended the annual International Council of Shopping Centers conference in Los Vegas; the Alameda Landing project got a huge boost as Target is slated to open in October 2013; she met with several Alameda Landing retail tenants; the following businesses indicated stores would be opening in Alameda: Corner Bakery Cafe, Michaels, Safeway, Sleep Train and Habit Burger Grill; stated additional business indicated a desire to locate in Alameda, but deals are not finalized.

The City Manager stated Catellus plans on completing construction of all Phase 1 buildings by mid-2014.

ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 8:57 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Sunshine Ordinance.

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -MAY 21, 2013- -6:00 P.M.

Mayor Gilmore convened the meeting at 6:02 p.m.

Roll Call – Present: Councilmembers Chen, Daysog, Ezzy Ashcraft, Tam and Mayor Gilmore – 5.

Absent: None.

The meeting was adjourned to Closed Session to consider:

(13-238) Public Employee Performance Evaluation (54957); Titles and names: City Manager John Russo, City Clerk Lara Weisiger

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Mayor Gilmore called a recess to hold the regular meeting at 7:05 p.m. and reconvened the Closed Session at 9:00 p.m.

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Following the Closed Session, the meeting was reconvened and Mayor Gilmore announced that the City Manager and City Clerk performance evaluations were continued.

Adjournment

There being no further business, Mayor Gilmore adjourned the meeting at 10:15 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Sunshine Ordinance.

MINUTES OF THE ANNUAL INDUSTRIAL DEVELOPMENT
AUTHORITY (IDA) MEETING AND THE ALAMEDA PUBLIC
IMPROVEMENT COMMISSION (APIC) AND
CITY OF ALAMEDA FINANCING AUTHORITY (CAFA) MEETING
TUESDAY- -MAY 21, 2013- -6:59 P.M.

Chair Gilmore convened the meeting at 7:13 p.m. Authority Member/Commissioner Tam the Pledge of Allegiance.

ROLL CALL – Present: Authority Members/Commissioners Chen, Daysog, Ezzy Ashcraft, Tam and Chair Gilmore – 5.
Absent: None.

MINUTES

(13-01 IDA, 13-01 APIC, 13-01 CAFA) Minutes of the APIC Meeting Held on February 7, 2012; the IDA Meeting Held on May 17, 2011, and the Joint City Council, CAFA and Successor Agency to the Community Improvement Commission Meeting Held on December 18, 2012. Not approved.

Chair Gilmore inquired how the prior minutes are approved since the majority of the body has changed.

The City Clerk responded members not previously on the body can watch the video of the meeting in order to vote on the minutes.

Authority Member/Commissioner Tam moved approval of the minutes.

Authority Member/Commissioner Daysog offered to review the meetings in order to be able to vote on the minutes.

Chair Gilmore stated the matter would come back for approval.

ORAL COMMUNICATIONS

None.

AUTHORITY/COMMISSION COMMUNICATIONS

None.

ADJOURNMENT

There being no further business, Chair Gilmore adjourned the meeting at 7:17 p.m.

Respectfully submitted,

Lara Weisiger, Secretary
IDA, APIC and CAFA

The agenda for this meeting was posted in accordance with the Sunshine Ordinance.