

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -FEBRUARY 5, 2013- -7:00 P.M.

Mayor Gilmore convened the meeting at 7:29 p.m. Vice Mayor Ezzy Ashcraft led the Pledge of Allegiance.

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

(13-035) Proclamation Welcoming Students and Honored Officials from Wuxi, China.

Mayor Gilmore read and presented the proclamation to Robin Hom, Chinese Christian School; and presented City glasses and pins to the youth delegates.

Councilmember Chen expressed his happiness that the delegation consisted of citizens; students and teachers.

(13-036) Proclamation Declaring February 5, 2013 as Friends of the Alameda Animal Shelter (FAAS) Day.

Mayor Gilmore read and presented the proclamation to Nancy Evans-Bianchi and Mim Carlson, FAAS.

Ms. Evans-Bianchi presented the Council and staff with a t-shirt.

The Police Chief stated Ms. Evans-Bianchi and Ms. Carlson have done an excellent job; FAAS has developed a great partnership with the Police Department

Ms. Carlson summarized the FAAS's accomplishments.

(13-037) Proclamation Honoring Berresford Augustus Bingham.

Mayor Gilmore read and presented the proclamation to Brian and Kenya Bingham.

Ann Taylor representing House of Representative Barbara Lee made comments on behalf of the Congresswoman.

ORAL COMMUNICATIONS, NON-AGENDA

(13-038) Jim Franz, Social Service Human Relations Board and Alameda Collaborative for Youth their Families, read the Season for Non-Violence word of the day.

CONSENT CALENDAR

Vice Mayor Ezzy Ashcraft moved approval of the Consent Calendar.

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

(*13-039) Minutes of the Regular City Council Meeting Held on January 2, 2013. Approved.

(*13-040) Ratified bills in the amount of \$3,854,413.78.

(*13-041) Recommendation to Accept the Work of Sport Court Tennis for Rehabilitation of Tennis Courts (Various Locations), No. P.W. 05-11-10. Approved.

(*13-042) Resolution No.14764, “Appointing an Engineer and an Attorney for Island City Landscaping and Lighting District 84-2.” Adopted.

(*13-043) Resolution No.14765, “Appointing an Engineer and an Attorney for Maintenance Assessment District 01-1 (Marina Cove).” Adopted.

(*13-044) Resolution No.14766, “Supporting Extended Producer Responsibility Whereby Producers Assume Financial Responsibility for Management of Waste Products.” Adopted.

(*13-045) Resolution No.14767, “Authorizing the City Manager to Apply to the State of California Department of Boating and Waterways for a Grant to Renovate the Encinal Boat Ramp Under the Harbor and Watercraft Revolving Fund.” Adopted.

(*13-046) Resolution No.14768, “Approving Workforce Changes in the City Manager's Office to Eliminate One Deputy City Manager Position and Add One Assistant City Manager Position.” Adopted.

(*13-047) Resolution No.14769, “Supporting Assembly Bill (AB) 59.” Adopted.

REGULAR AGENDA ITEMS

(13-048) Public Hearing to Consider Resolution No.14770, “Amending Resolution No. 12191 to Change Recreation and Parks Fees.”

The Recreation Director gave a brief presentation.

In response to Councilmember Tam's inquiry, the Recreation Director stated the fees for the athletic fields do not cover maintenance costs; approximately \$175,000 a year is spent on maintaining the fields; capital for new fields would have to be raised elsewhere, most likely through private or corporate donations; there is still a need for fields which is outlined in the park assessment; there is potentially the need for hardball fields, football, and lacrosse fields.

Councilmember Tam inquired about the need for all-weather lit fields like Thompson, to which the Recreation Director responded that all-weather lit fields are beneficial for tournaments and night play; upfront cost are higher; synthetic fields will be explored; there is the potential for generating revenue through tournaments.

The City Manager noted the fees will never create capital for expansion.

Councilmember Chen inquired how fees compare to other cities.

The Recreation Director responded Alameda is on the far low end; cities in the County have fees of \$20-30 an hour for youth leagues.

Vice Mayor Ezzy Ashcraft inquired if Alameda is charging enough and whether the fees should be raised slowly and incrementally.

The Recreation Director responded the goal is to change the system first and then work towards incrementally increasing fees; doing everything all at once would be unfair to the leagues.

Vice Mayor Ezzy Ashcraft stated fees in almost all categories are going up, but the Alameda Point Gym \$1000 refundable security deposit is being reduced to \$500; inquired why.

The Recreation Director responded \$1000 is high and discourages rentals for the low risk activities of a gym rental; the amount makes more sense for something like a large wedding party at the Officers' Club because of the higher rate of damage and cleanup.

Vice Mayor Ezzy Ashcraft inquired if calculating the amount of volunteer hours is based on an honor system.

The Recreation Director responded in the affirmative; stated supplies require receipts; volunteers complete a form ahead of time to estimate cost, but staff does not check on the projects; that she is open to making adjustments to either take the volunteer part off the table or lower the cost.

Vice Mayor Ezzy Ashcraft inquired whether there are diving boards in Alameda, to which the Recreation Director responded in the affirmative; stated the diving boards are

at Emma Hood and Encinal pools; diving lessons are offered and there are school diving teams who use the diving boards as well.

Councilmember Daysog noted changing the fees to an hourly rate encourages more efficient use of space and time, which is a great approach.

Mayor Gilmore thanked the Recreation Director and staff for collecting the data and putting the report together.

Councilmember Tam moved adoption of the resolution.

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

(13-049) Public Hearing to Consider Resolution No. 14771, “Amending the Alameda Historical Monument Designation of the Naval Air Station Alameda Historic District Consistent with the United States Navy’s Nomination of the Historic District to the National Register of Historic Places and Amending the Guide to Preserving the Character of the Naval Air Station Alameda Historic District to Include Design Review Guidelines for the Historic Designed Landscape.” Adopted.

The Chief Operating Officer – Alameda Point submitted information and gave a brief presentation.

In response to Councilmember Tam’s inquiry, the Chief Operating Officer – Alameda Point stated the City Council did adopt a guide to preserving the character of the historic district in 1999; staff is suggesting amending the guide to include cultural landscape guidelines; inquired if Councilmember Tam is asking how the City would deal with issues when reusing and redeveloping properties if the guidelines are not realistic and the City cannot find a matching window or something similar.

Councilmember Tam responded in the affirmative; stated the Chief Operating Officer – Alameda Point addressed the heart of the question; that she assumed the matter would be addressed because the City would receive a guide for new construction within the historic district in the future.

The Chief Operating Officer – Alameda Point stated Councilmember Tam is correct.

Councilmember Tam inquired if issues would be addressed in the new construction guide.

The Chief Operating Officer – Alameda Point responded the new construction guide would address any new construction within the district; for example previous plans suggested redeveloping the taxi ways as an exercise to develop new construction guidelines that would indicate how redevelopment in the historic district does not undermine the integrity of the district; guidelines would be put together; professionals would be hired to help balance historic issues with the desire to use the property.

The Acting City Planner stated the City would be pursuing design guidelines for new construction; the City and the Navy have always understood there would be new construction in the historic district; changes to and/or rehabilitation of a number of the historic buildings is anticipated; buildings have disintegrated badly the last 15 years, which is a challenge because original materials can no longer be found; Saint Joseph's school recently replaced all windows on a historic building with a modern material designed to look historic, which worked out; challenges can be overcome in both new construction and rehabilitation.

In response to Councilmember Tam's inquiry regarding moving disintegrating buildings, the Acting City Planner stated the City is receiving the property with a district listed on the National Register; challenges include eliminating buildings that cannot be reused, fixing buildings, or building new buildings within the district; guidelines are important and should help; guidelines have been helpful elsewhere in the City; the City works with the Historic Advisory Board and historic community to establish guidelines and reach agreement about what is acceptable and what may not be acceptable.

Vice Mayor Ezzy Ashcraft stated the staff report indicates the Navy determined that none of the individual buildings were eligible for the National Register of Historic Places in 1996, however 86 buildings qualify as a historic district; inquired whether the distinction makes a difference and allows more flexibility.

The Acting City Planner responded the distinction is important, the City is dealing with a historic district in which none of the individual buildings are individually eligible for listing; California Environmental Quality Act (CEQA) asks whether the changes meet a certain threshold; the district has to maintain eligibility to be on the National Register; dealing with new construction and changes to individual buildings should be a little easier.

The Chief Operating Officer – Alameda Point stated an example is the Alameda Theater, which is not a historic property, but contributes to the Park Street Historic District; the City jumped through hoops to build the Cineplex and parking garage because of the historic district designation.

Vice Mayor Ezzy Ashcraft noted the language assumes there will be new construction in the historic district.

Councilmember Chen inquired if CEQA would treat the property as a historic district whether or not Council passes the proposal, to which the Chief Operating Officer – Alameda Point responded in the affirmative; stated the nomination will be accepted at some point and under CEQA, the City would have to treat the resources as historic.

Councilmember Chen inquired if declaring the historic district is in line and more consistent with the National Register.

The Chief Operating Officer – Alameda Point responded in the affirmative; stated implications would be easier for developers to understand; having the local monument designation be consistent [with the National Register] will help staff be more effective and efficient as well.

Councilmember Daysog noted the reports detail the history of Naval Air Station (NAS) Alameda; the new costs associated with expansion are worthwhile because preservation recognize people like Jimmy Doolittle and the men and women who served.

Stated that he was pleased to hear the bulkhead can be modified: Richard Bangert, Alameda.

Councilmember Daysog moved adoption of the resolution.

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

(13-050) Resolution No. 14772, “Approving a Reduced Work Time Option Policy for Fair Labor Standards Act Exempt Employees.” Adopted; and

(13-050 A) Resolution No. 14773, “Approving an Alternative Work Arrangement Policy for Fair Labor Standards Act Non-Exempt Employee.” Adopted.

The Senior Management Analyst gave a brief presentation.

Mayor Gilmore inquired how the policy changes would be assimilated throughout the organization.

The Senior Management Analyst responded employees would be informed of the policy changes in a variety of ways, including working in conjunction with the employee associations; stated the policies would be provided to employee associations and department heads.

Councilmember Chen noted he was satisfied with the revisions which address the Council’s initial concerns.

Vice Mayor Ezzy Ashcraft inquired if an employee applies for a second alternative work agreement and someone else is applies for the first time, would the decision take into account the previous time awarded, or is the decision simply based on the date of the submission.

The City Manager responded staff is simply concerned about whether the request can be accommodated and makes sense for the City; positions are supposed to be full time jobs, somebody submitting a request for a second year would not be encouraged.

In response to Vice Mayor Ezzy Ashcraft's inquiry, the City Manager stated unless a department has over 20 employees, there would not be more than one accommodation and accommodations are not intended to be permanent.

Councilmember Chen inquired how many employees are intending to request the reduced time schedule.

The City Manager responded one employee; noted to avoid arguing whether or not the existing policy is appropriate under the Charter, staff decided to bring a new policy to Council.

Councilmember Tam inquired what types of benefits would not be provided resulting from provider limitations or restrictions.

The Senior Management Analyst responded that the City's long term disability carrier requires employees to work above 30 hours per week; employees with schedules below 30 hours per week would not be offered long term disability; stated an employee has to work 20 hours per week to qualify for PERS health.

Councilmember Chen moved adoption of the resolution.

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

(13-051) Ordinance No. 3062, "Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of the Lease with the Pacific Pinball Museum for Five Years in a Portion of Building 13 Located at Alameda Point, 2100 Ferry Point." Finally passed.

Councilmember Daysog recused himself.

Vice Mayor Ezzy Ashcraft stated she visited both the Pinball Museum and Building 13 at Alameda Point on January 25th and the owner gave her the tour.

Councilmember Tam moved final passage of the ordinance.

Vice Mayor Ezzy Ashcraft seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember Daysog – 1.]

CITY MANAGER COMMUNICATIONS

(13-052) The City Manager announced several Councilmembers attended the East Bay Economic Development Alliance Event; two Alameda firms won East Bay Innovation

awards: Punumbra Inc. received the Life Science Award and Saint George Spirits received the food award; Alameda also had two semi-finalists firms recognized: Deep Ocean Exploration and Research and Perforce Software.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(13-053) Councilmember Tam stated the Community Development Director and staff did an outstanding job in putting together the nominations for the East Bay Economic Development Alliance event; announced that she attended the January 24 League of California East Bay Division meeting and was elected to the executive board again.

(13-054) Mayor Gilmore stated that she and the City Manager were at the Mayor's Conference in Washington D.C. in January; met with Congresswoman Lee and her chief of staff and the chiefs of staff of Senators Boxer and Feinstein to brief them on Alameda Point; the number one topic at the Mayor's Conference was gun violence.

(13-055) Vice Mayor Ezzy Ashcraft announced that she attended the league of California Cities academy for new mayors and councilmembers.

(13-056) Councilmember Chen announced that he attended the League of California Cities new council bootcamp in Sacramento as well.

(13-057) Councilmember Chen stated that he wanted to present the City Manager with a draft resolution supporting Alameda Wildlife Refuge at the Alameda Point.

Mayor Gilmore noted a Council Referral is the method to provide direction to staff.

Councilmember Daysog stated that he and Councilmember Chen were approached by members of the public regarding the wildlife refuge; that he definitely wants to have staff's input about the draft resolution.

Mayor Gilmore stated the Referral would come to Council on February 19th and the Council would decide to direct staff to review the issue and to come back with a recommendation.

(13-058) Councilmember Daysog stated he was invited to a West End neighborhood meeting at Saint Barnabas facilitated by Steve and Judy Gerstle; people talked about west Alameda issues and also discussed traffic safety.

ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 9:28 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- -FEBRUARY 5, 2013- -6:00 P.M.

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

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

[Note: Councilmembers Ezzy Ashcraft and Tam arrived at 6:02 p.m.]

Absent: None.

The meeting was adjourned to Closed Session to consider:

(13-032) Conference with Legal Counsel – Existing Litigation (54956.9); Name of Case: East Bay Regional Park District, a Special District, and Angela Fawcett v. City of Alameda and City of Alameda City Council; Alameda County Superior Court Case No. RG12655685

(13-033) Conference with Labor Negotiators (54957.6); Agency Negotiators: Human Resources Director; Employee Organizations: Alameda City Employee Association (ACEA); Executive Management (EXME); Management and Confidential Employees Association (MCEA); and Police Officers Association (Non-Sworn) (PANS); Issue Under Negotiation: Side letter to existing Memorandums of Understanding (MOUs) regarding vacation cash-out. Not heard.

(13-034) Public Employee Performance Evaluation (54957); Title: City Attorney

Following the Closed Session the meeting was reconvened and Mayor Gilmore announced that regarding Existing Litigation, the Council gave direction to staff.

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Mayor Gilmore called a recess at 7:24 p.m. and reconvened the meeting at 9:33 p.m.

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Following the Closed Session the meeting was reconvened and Mayor Gilmore announced that regarding Performance Evaluation, the Council gave direction to the City Attorney.

Adjournment

There being no further business, Mayor Gilmore adjourned the meeting at 10:41 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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