

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
TUESDAY- -MARCH 20, 2012- -7:00 P.M.

Mayor Gilmore convened the meeting at 7:30 p.m.

ROLL CALL - Present: Councilmembers Bonta, deHaan, Tam and Mayor Gilmore – 4.

Absent: Councilmember Johnson – 1.

AGENDA CHANGES

(12-117) Mayor Gilmore announced that the resolution amending the Alameda City Employees Association Salary Schedule [paragraph no. 12-127] was continued to April 3, 2012.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY & ANNOUNCEMENTS

(12-118) Proclamation Declaring March through May 2012 as Historic Preservation Season.

Mayor Gilmore read and presented the Proclamation to Historical Advisory Board Member Judith Lynch.

Ms. Lynch thanked the Council and submitted information.

(12-119) Presentation by Alameda County Transportation Commission (ACTC) on the Alameda County Final 2012 Transportation Expenditure Plan. (TEP)

The Public Works Director noted that on the Consent Calendar, there is a related resolution approving the 2012 ACTC Expenditure Plan [paragraph number 12-126].

ACTC Executive Director, Art Dao, submitted information and ACTC Deputy Director, Tess Lengyel, gave a Power Point presentation.

Councilmember Tam inquired how many public meetings were held in Alameda.

Ms. Lengyel responded public meetings were not held in Alameda; stated meetings were held in each of the five County Board of Supervisor districts.

Councilmember Tam inquired whether the Broadway/Jackson project has been vetted through the [Planning] Board and [Transportation] Commission.

Mr. Dao responded said project has many possible solutions; both Oakland and Alameda will be engaged in the process.

The Public Works Director stated both cities and ACTC have been engaged in public outreach regarding the project; the project is not set in stone.

Mr. Dao stated the project started in 1997; ACTC has worked very closely with the Oakland Chinatown Advisory Committee.

Councilmember Tam inquired whether projects identified in Table 2 of the staff report were the result of a recommendation from the Transportation Commission in January, to which the Public Works Director responded in the negative.

Councilmember Tam stated that she understands the benefits Alameda would derive from the Measure; inquired what would be the absolute last date that Council could request the Alameda County Board of Supervisors to place the TEP on the November, 2012 ballot, to which Ms. Lengvel responded the ACTC is trying to get endorsements by May 22.

Councilmember deHaan stated Measure B has been extremely important to Alameda; inquired when the original tax would terminate.

Ms. Lengvel responded the plan presented tonight is the third TEP in Alameda County; stated in 1986, Alameda County took the opportunity of legislation that had been passed to approve a transportation sales tax measure for a fifteen year period which expired in 2002; in November 2000, voters were asked to approve a second TEP for a twenty year plan; the second TEP required a two-thirds voter approval; the twenty year plan has been delivered in terms of capital investments in a ten year period; the early investments will need to be paid off with the remaining ten years worth of funds; federal and State funds are not available now; the measure requires that voters approve plan but voters would not have to approve the tax every time.

Councilmember deHaan inquired whether AC Transit or BART are anticipating any tax measure in November, to which Ms. Lengvel responded that she does not know of any definitive action for placing anything on the ballot.

Speaker: Jon Spangler, Alameda, stated the I880/Broadway/Jackson project did not come from a public input driven process.

#### ORAL COMMUNICATIONS, NON-AGENDA

(12-120) Al Wright discussed parking violations on Park Street.

#### CONSENT CALENDAR

Mayor Gilmore announced that the resolution approving the 2012 ACTC Expenditure Plan [paragraph number 12-126] was removed from the Consent Calendar for discussion and the resolution amending the Alameda City Employees Association Salary Schedule [paragraph no. 12-127] was continued to April 3, 2012.

Vice Mayor Bonta moved approval of the remainder of the Consent Calendar.

Councilmember deHaan seconded the motion.

Mayor Gilmore noted that she would abstain from voting on the Minutes. The motion on the remainder of the Consent Calendar carried by unanimous voice vote – 4. [Absent: Councilmember Johnson – 1.] [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(\*12-121) Minutes of the Special and Regular City Council Meetings Held on February 21, 2012; and the Special City Council Meeting Held on February 23, 2012. Approved.

Note: Mayor Gilmore abstained from voting on the minutes.

(\*12-122) Ratified bills in the amount of \$5,659,565.86.

(\*12-123) Recommendation to Award a Contract in the Amount of \$112,400, Including Contingencies, to Waterworks Engineering for the Preparation of Engineering Documents for the Abandonment and Relocation of Existing Sanitary Sewer Main Along Lagoon Seawall and Sewer Line Along Clinton Avenue, No. P.W. 01-12-03.

(\*12-124) Recommendation to Adopt Plans and Specifications and Authorize Call for Bids for Repair and Resurfacing of Certain Streets, Phase 31, No. P.W. 02-12-04.

(\*12-125) Resolution No. 14661, “Approving a Ten-Year Master Programs Funding Agreement with the Alameda County Transportation Commission for Distribution and Receipt of Current Measure B Transportation Sales Tax Revenues and New Vehicle Registration Fee Revenues.” Adopted.

(\*12-126) Adoption of Resolution Approving the 2012 Alameda County Transportation Expenditure Plan and Request the Alameda County Board of Supervisors Place It on the November 6, 2012 Ballot. Not adopted.

Councilmember Tam stated that she would feel more comfortable if the item was moved to the May 15<sup>th</sup> Council meeting so that Council would have the benefit of the May 14<sup>th</sup> Planning Board meeting and public process for looking at the Broadway/Jackson project.

The Public Works Director stated staff has tentatively scheduled the May 28<sup>th</sup> Planning Board Meeting for the Broadway/Jackson project; removing the Broadway/Jackson from the TEP is not possible.

Councilmember Tam stated that she is not suggesting that the Broadway/Jackson project be removed; she would like to have some input from the Planning Board and Transportation Commission; that she understands that the Planning Board would

address the Broadway/Jackson project separately.

The Public Works Director stated that all stops would be pulled to place the matter the first Planning Board Meeting in May.

Vice Mayor Bonta stated that he understands that the full flesh and bones of the Broadway/Jackson project are yet to be decided; concurred with Councilmember Tam that it is important to get input from the Planning Board and Transportation Commission.

The Public Works Director stated the staff suggestion is to have the TEP approved tonight while knowing that there will be a lot of public input and there is no consensus among all stakeholders at this point.

Councilmember Tam stated that she is not fixated on the Broadway/Jackson project and trying to get consensus with Oakland Chinatown; her concern is with asking citizens to vote on the proposed tax in perpetuity; that she would like to have further discussion on the matter beyond tonight.

In response to the Assistant City Manager's inquiry, the Public Works Director stated the Broadway/Jackson project is scheduled for the second [Planning Board] meeting in May; reiterated that staff would try to place the matter on the first Planning Board meeting in May.

The Assistant City Manager stated staff reports for the May 15<sup>th</sup> Council meeting would have already gone out before the Planning Board meets; the staff report would not contain any comments from the Planning Board meeting.

Vice Mayor Bonta inquired whether the Planning Board is scheduled to only address the Broadway/Jackson project, to which the Public Works Director responded in the affirmative.

Vice Mayor Bonta inquired whether the Transportation Commission is scheduled to review the Broadway/Jackson project.

The Supervising Civil Engineer responded the Transportation Commission held a meeting last year on the TEP; stated the Transportation Commission was requested to provide priorities; the Broadway/Jackson project has been discussed in the past on many occasions.

The Public Works Director inquired whether there is time to have a Broadway/Jackson presentation before the first Planning Board meeting in May, to which the Supervising Civil Engineer responded a presentation could be done in April.

Councilmember deHaan questioned whether another meeting would be warranted.

Mayor Gilmore stated Council would be asking citizens to vote on the matter without

being educated if Council approves the staff recommendation.

Urged support of Councilmember Tam's suggestion: Jon Spangler, Alameda; and Bill Smith, Alameda.

Councilmember Tam moved that the item be put on the May 15<sup>th</sup> City Council meeting after the TEP is addressed at Planning Board and Transportation Commission meetings.

Vice Mayor Bonta seconded the motion.

Under discussion, Vice Mayor Bonta stated the process is important; public education and input is a critical component of the measure.

On the call for the question, the motion carried by unanimous voice vote – 4. [Absent: Councilmember Johnson – 1.]

(12-127) Adoption of Resolution Amending the Alameda City Employees Association (ACEA) Salary Schedule Establishing the Classification of Recreation Services Specialist. Not adopted. Continued to April 3, 2012.

#### REGULAR AGENDA ITEMS

(12-128) Resolution No. 14662, “Determining that the City Council Shall No Longer Serve as the Board of Commissioners of the Housing Authority of the City of Alameda; and

(12-128A) Resolution No. 14663, “Approving the Mayor’s Selection of Members to the Board of Commissioners of the Housing Authority of the City of Alameda.” Adopted.

The Housing Authority Executive Director gave a brief presentation.

Mayor Gilmore stated the staff report notes that specific Board Members may be removed by the Mayor with cause; inquired where cause is defined, to which the Housing Authority Executive Director responded possibly in the Health and Safety Code; stated that he would provide the definition.

Mayor Gilmore stated that she would also like to know whether the Mayor would be bound by definition and could not be more specific.

In response to Councilmember deHaan’s inquiry, the Housing Authority Executive Director stated the defined benefit package would be through PERS and is similar to the current PERS plan the City has which is 2% at 55 for miscellaneous employees; in the early 1980’s, the Housing Authority had the choice of being under social security or not; there is no backing out of the contract with social security; Housing Authority employees and the Housing Authority would pay into social security.

Councilmember deHaan stated the Housing Authority would be putting money into the defined benefits and social security; inquired why the City would pay into two pensions and not ask employees to pay into social security entirely.

The Housing Authority Executive Director stated employers pay one portion and employees pay another portion of social security.

Councilmember deHaan stated it would appear to be a very generous retirement package.

The Housing Authority Executive Director stated in the early 1980's, Congress imposed the windfall elimination provision, which reduces social security based upon quarterly earnings numbers.

Councilmember deHaan inquired whether the Housing Authority would continue to contract for the community-policing program.

The Housing Authority Executive Director responded in the affirmative; stated the Housing Authority would contract with an Emeryville firm for human relations services; the City will lose approximately \$64,000 annually from the General Fund.

Requested that the Housing Authority recognize Operating Engineers [OE] Local 3 as its bargaining unit and roll over the current Memorandum of Understanding [MOU] for at least one year: Dave Gossman, ACEA/OE Local 3.

Mayor Gilmore inquired whether OE Local 3 is the bargaining representative for Alameda City Employees Association (ACEA), to which Mr. Gossman responded in the affirmative.

In response to Mayor Gilmore's inquiry, Mr. Gossman stated OE Local 3 requests that the current contract roll over to the Housing Authority.

Councilmember Tam inquired what stipulations could be accommodated based on Mr. Gossman's request.

The Housing Authority Executive Director responded ACEA employees are not Housing Authority employees yet; stated Mr. Gossman is asking that the current ACEA contract be rolled over for Housing Authority employees if they become OE3 employees; that he is not aware that members have voted; benefits would be similar; benefits have been explained to OE Local 3 employees.

In response to Councilmember Tam's inquiry, the City Attorney responded that the Housing Commission would have the authority to negotiate with its employees as to what type of union or bargaining unit they would belong to or none at all; stated Council would not have the prerogative to do so.

Vice Mayor Bonta inquired whether separation could be made contingent on terms.

The City Attorney responded that she does not know what authority could be used; stated the Housing Authority has a structure within State law.

In response to Vice Mayor Bonta's inquiry, the Housing Authority Executive Director stated the Housing Authority has an employer/employee relations resolution which was adopted around 1991-1993 by the Council; the resolution describes the process regulated by the Meyer-Milias Brown Act regarding how employees go about getting organized to become a union; a draft personnel policy has been presented to the employees which explains the working conditions which are very similar to the ACEA and MCEA contract currently in place; no one is talking about union busting.

Councilmember deHaan inquired whether the intent is to transgress from one union to another, to which the Housing Authority Executive Director responded in the affirmative.

Mayor Gilmore stated Council cannot put any conditions on a new entity; it is important to be specific in letting employees know the change of status and what needs to be done.

The Housing Authority Executive Director concurred with Mayor Gilmore; stated that he has advised employees that once they leave City employment they would be unrepresented but there is a process that needs to be followed in order to be represented by a union.

Councilmember deHaan inquired what type of guidelines and procedures would govern labor management during said period of time.

The Housing Authority Executive Director responded a personnel policy would be adopted by the new Board of Commissioners that has provisions, which are very similar to provisions in the ACEA and MCEA MOU.

Vice Mayor Bonta inquired whether the personnel policy would be the placeholder until unions are organized, to which the Housing Authority Executive Director responded in the affirmative.

Vice Mayor Bonta inquired whether steps would be taken to negotiate a contract at that time, to which the Housing Authority Executive Director responded in the affirmative.

Spoke in support of the autonomous move: Judge C. Richard Bartalini, Alameda.

Following Judge Bartalini's comments, Councilmember Tam inquired whether there would be options to have employees remain City employees until the formation of a union [through the Housing Authority], to which the City Manager responded in the negative.

The City Attorney stated employees have the empowerment to decide what bargaining unit they want to represent them and form labor unions with a new entity; it is not up to the employer.

Councilmember Tam stated there would be an effective date when the Housing Authority would become autonomous; it is important to provide employees with assurances until they decide on their own how to organize.

The City Manager stated Mr. Gossman stated there has already been a vote; now it is just a matter of going through formalities; formalities would need to be accepted by the new independent body.

In response to Mayor Gilmore's previous inquiry, the Attorney stated California Health and Safety Code Section 34282 defines "cause" as "any inefficiency, neglect of duty, or misconduct in office, a commissioner may be removed"; a commissioner would need to be notified of such action ten days prior to the hearing.

Mayor Gilmore stated the terms "inefficiency, neglect of duty, or misconduct in office" are not very clear.

In response to Councilmember deHaan's inquiry, the Housing Authority Executive Director stated the Mayor would select the new members of the Board of Commissioners and the Council would approve the appointment.

Vice Mayor Bonta moved adoption of the resolutions.

Councilmember deHaan seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember Johnson – 1.]

The City Clerk administered the Oath of Office to the Board of Commissioners.

(12-129) Recommendation to Provide Direction on the Proposed Disposition and Development Strategy for Alameda Point.

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

Councilmember Tam stated only 3.2% of lease revenues would be bonded and a positive fund would still be generated for the reserves; inquired why staff could not just use lease revenues to fund planning; further inquired why staff could not use lease revenue bonds as seed money for capital improvements instead of planning.

The Chief Operating Officer - Alameda Point responded coming up with \$5 million over the next two years would be a much harder task and would diminish the fund balance.

Councilmember Tam stated that she is not convinced that \$5 million needs to be



identified up front for planning; decision points and timelines are needed.

The Chief Operating Officer – Alameda Point stated funds could be used for something else if Council decides to go in a different direction; there is flexibility.

Councilmember Tam stated that she is suggesting using lease revenues and not going in debt.

The City Manager stated the annual debt service payment would be \$400,000 per year; cash flow would be strapped and reserves would need to be used to come up with \$5 million over the next 24 months.

Mayor Gilmore stated the City would be in the market to look for someone to build out Alameda Point; developers are in the business of making a profit; the project has to be entitled in such a way that the profit would justify the risk that a developer would take; the City will not get any takers if the profit does not justify the risk; financial feasibility needs to be broken down; any developer looking for financing would need to do their own due diligence; questioned whether 1,425 homes pencil out to be financially feasible; stated building residential first would generate more value for the rest of the property; everything needs to be penciled out; a developer will promise anything to get a foot in the door, a developer could tie up the land based upon what the City wants to build, and then find things that need changed; the community would look at the situation as another developer that came in and did a bait and switch.

The City Manager stated the City would be subject to a bait and switch even more so without entitlements; a blank slate would be given and a developer would have control of the land; the City would be the development partner, regulator, and mediator between community interest versus the very real and unalterable pressure on the developer to meet a return on investment that would satisfy shareholders; the bait and switch problem exists any way the City goes; the way to control and mitigate the matter would be by controlling entitlements up front before selecting a developer.

Mayor Gilmore stated that she needs to wrap her head around a financing plan and underwriting plan; inquired at what point would the City get a sense of the numbers; suggested running several financial models in order to know what is feasible; stated the City has looked at the northern area as a place to put houses; a development advisor might suggest putting houses in a different area with better views to get more bang for the buck.

The City Manager stated staff would be looking for said answers from a development advisor; staff is trying to figure out a way to get all the benefits of a development team in terms of market knowledge without having profit motives.

Mayor Gilmore inquired whether it would be possible to run financial models based upon information collected over the last ten years before shelling out money for the Environmental Impact Report (EIR) and other things.

The Chief Operating Officer – Alameda Point responded that her first concern has always been how to get feasible development going, stated 1,425 homes is the number for the foreseeable future; the entitlement process would answer questions.

The City Manager stated numbers would need to be updated with some type of intellectual integrity looking forward when products actually get to market.

The Chief Operating Officer – Alameda Point stated the key to financial feasibility is phasing and knowing how much money is needed to seed the project.

Mayor Gilmore inquired how a smaller subset could pencil out if the project as a whole does not pencil out.

The Chief Operating Officer – Alameda Point responded the project is a 20-30 year project; stated getting something started is important; 1,425 houses would take five years to develop; entitlements might need to be changed in eight to ten years.

Councilmember deHaan stated the intention has never been to tie up massive pieces of property; the Lawrence Berkeley National Laboratory (LBNL) process provided a great deal of information; moving quickly is important.

Councilmember Tam stated that she does not disagree that a good strategy is needed to start quickly; the sum of the parts have to add up to the whole.

Mayor Gilmore stated one of her biggest concerns is piecemealing infrastructure; infrastructure can be phased but needs to be planned as a whole to figure out how everything will connect; that she needs to understand what the costs are and whether or not the project would play out in the financial market; she wants to know high end and low end costs.

The City Manager stated Mayor Gilmore is asking for what staff is proposing to do; staff would like to conduct the analysis with private sector help; entitlements would come to the Planning Board and Council and questions could be raised.

Mayor Gilmore stated that she is hearing a lot of emphasis on entitlements and less emphasis on the analysis and numbers.

Councilmember Tam stated the Public Works Director identified \$200 million worth of infrastructure when working with the prior master developer; the Mayor is asking what the overall project would look like to get \$200 million work of infrastructure.

The Public Works Director stated teeth have been cut on the Bayport project; the first step is to develop a master infrastructure plan for backbone infrastructure; then, larger parcels would be broken down into smaller parcels; staff would hiring an outside consultant with lots of Base experience.

Mayor Gilmore stated that she would like to have a road map.

The City Manager suggested that Council accept the strategy and direct staff to come back at the second Council meeting in April meeting with a critical path.

Mayor Gilmore requested that the critical path include the cost of each piece.

The Assistant City Manager stated the May 2<sup>nd</sup> Council meeting might be a better date because the second Council meeting in April is already full.

Councilmember Tam suggested coming back to Council with a Request for Proposals shaped based upon timelines and decision and cost points.

Councilmember deHaan stated in the past, lease activity information was provided on a quarterly basis.

The City Manager stated lease information would be provided on May 2<sup>nd</sup>.

In response to Vice Mayor Bonta's inquiry, the Chief Operating Officer – Alameda Point responded the land use options are overly simplified and would be based upon the zoning amendment and ultimate entitlement plan; the land use options would parallel the Planning Board efforts and allow input from Council and the public.

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(12-130) Vice Mayor Bonta moved approval of considering additional items past 10:30 p.m.

Councilmember deHaan seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember Johnson – 1.]

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Vice Mayor Bonta left the dais at 10:16 p.m. and returned at 10:18 p.m. Councilmember Tam left the dais at 10:20 p.m. and returned at 10:22 p.m. Vice Mayor Bonta left the dais and returned at 10:22 p.m.

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Urged approval of the staff recommendation: Diane Lichtenstein, Housing Opportunities Make Economic Sense, Doug Biggs, Alameda Point Collaborative.

Questioned the need for an EIR and where money would come from for infrastructure: Jon Spangler, Alameda.

Proposed taking advantage of flexibility with new land use plans: Bill Smith, Alameda.

Expressed concern with whether project revenues would cover infrastructure costs and community benefits: Karen Bey, Alameda.

Suggested spending the \$5 million on marketing the land in the southern area: Nancy Hird, Alameda Citizens Task Force.

Discussed South Shore Shopping Center and Marina Village vacancies: Gretchen Lipow, Alameda.

(12-131) Review the Closed Session Minutes Approval Process.

The City Clerk gave a brief presentation.

Mayor Gilmore inquired whether changes would be circulated to Council.

The City Clerk stated the change would be made and kept as part of the record.

Mayor Gilmore requested changes be circulated a second time to Council for review.

The City Clerk responded the revised final minutes could be circulated.

Councilmember deHaan inquired who would document a closed session if an item is intended for Council discussion only.

The City Clerk responded the only exemption in the Sunshine Ordinance is for Public Employee Performance Evaluation; otherwise, the City Clerk or designee would be in a closed session.

Councilmember Tam moved approval of the staff recommendation with an amendment to have the final set of minutes circulated if any changes are made.

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

#### CITY MANAGER COMMUNICATIONS

None.

#### ORAL COMMUNICATIONS, NON-AGENDA

(12-132) Lola Brown discussed the Salary Schedule Establishing the Classification of Recreation Services Specialist [paragraph no. 12-127].

(12-133) Bill Smith, Alameda, discussed the East Bay Regional Park District proposal for Alameda Point.

## COUNCIL REFERRALS

(12-134) Reconsider the City Council's February 21, 2012 Decision to Reduce the Expenditure of Approximately \$12,000 in Measure B Funds Intended to Increase the Size of 12 Trees from 24-Inch to 36-Inch Box, as Part of the First Amendment to the Contract with Suarez & Munoz, Inc. for the Park Street Streetscape Project, No. P.W. 10-09-30.

Councilmember Tam made a brief presentation.

The Public Works Director stated the contractor and landscape architect have advised staff that the proposed 36-inch box trees from Oregon have been infected with an insect; they do not believe the trees are healthy and questioned whether the trees would pass State inspection; the contractor and landscape architect have concerns with the health and structure of California trees; they feel the 24-inch box trees are healthier, better structured, and would perform better on Park Street; that he has asked the contractor and landscape architect to continue to look for healthy 36-inch box trees; requested that Council give staff the green light to continue to look for healthy 36-inch box trees, but if none are found structured 24-inch box trees would be used.

Mayor Gilmore inquired whether the only two sources are California and Oregon.

The Public Works Director responded that he has asked the contractor and landscape architect to look for other sources; stated the problem is the planting period is close to an end.

Spoke in opposition of 36-inch box trees: Al Wright, Alameda; Jon Spangler, Alameda.

Spoke in support of large trees: \_Lars Hanson, Park Street Business Association (PSBA); Barbara Mooney, Alameda, and Kate Pryor, Alameda.

Discussed patrons disappointment of tree removal: Nick Petrolakis.

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(12-135) Vice Mayor Bonta moved approval of continuing the meeting past 11:00 p.m.

Councilmember deHaan seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember Johnson – 1.]

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Councilmember Tam moved approval of restoring the \$12,000 in Measure B funds to give Public Works flexibility to use 36-inch trees.

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

The City Manager stated that the Council's vote on February 21<sup>st</sup> not to spend \$12,000 for larger trees was highly influenced by being told that the Park Street Business Association recommended smaller trees.

### COUNCIL COMMUNICATIONS

(12-136) Oral Report from Member deHaan, Restoration Advisory Board (RAB) Representative, on Highlights of March 1, 2012 Alameda Point RAB Meeting.

Councilmember deHaan stated that he did not have a report.

(12-137) Mayor Gilmore inquired about the status of the City Clerk's contract.

Councilmember deHaan responded a closed session would be scheduled.

(12-138) Councilmember deHaan submitted information on the proposed Measure C.

(12-139) Vice Mayor Bonta announced there would be a meeting regarding public participation on March 24<sup>th</sup> at the Boys and Girls Club.

### ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 11:05 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- -MARCH 20, 2012- -6:00 P.M.

Mayor Gilmore convened the meeting at 6:06 p.m.

Roll Call – Present: Councilmembers Bonta, deHaan, Tam and Mayor Gilmore – 4.

[Note: Councilmember Bonta arrived at 6:15 p.m.]

Absent: Councilmember Johnson – 1.

Public Comment

Urged having Council approve the East Bay Regional Park District (EBRPD) proposal to create a wildlife refuge: Leora Feeney, Friends of Alameda Wildlife Refuge/Audubon Society (submitted handout); Richard Bangert; Michael Lynes, Golden Gate Audubon Society; Donald Dvorak, Friends of Alameda Wildlife Refuge; Pat Gammon, Friends of Alameda Wildlife Refuge; and Joyce Larrick, Friends of Alameda Wildlife Refuge.

Discussed the need to reserve land for the youth: Ron Matthews, Alameda.

Expressed concern with the proposed deal with EBRPD to lease 150 acres of potential parkland for \$1 per year: Peter Holmes, Alameda.

Spoke about community involvement with the Alameda Futsal Club: Ed Owens, Alameda Futsal Club.

Provided background on Measure WW money: Pat Bail, Alameda.

Objected to EBRPD's actions: Griff Neal, Alameda Attack Lacrosse.

Discussed the need for development to help fund community benefits: Karen Bey, Alameda.

The meeting was adjourned to closed session to consider:

(12-115) Conference with Real Property Negotiator (54956.8); Property: Alameda Point Agency Negotiator: Jennifer Ott, Alameda Point COO; Negotiating parties: City of Alameda and East Bay Regional Park District; Under Negotiations: Price and Terms of Payment.

(12-116) Conference With Legal Counsel - Existing Litigation (54956.9); Name of Case: SCC Alameda Point, LLC, et al v. City of Alameda, et al. U.S. District Court Case No. CV-10-5178.

Following the closed session, the meeting was reconvened and Mayor Gilmore announced that regarding Existing Litigation, Council discussed strategy and gave direction to staff on how to proceed.

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Mayor Gilmore called a recess to hold the regular Council meeting at 7:22 p.m. and reconvened the closed session at 11:11p.m.

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Following the closed session, the meeting was reconvened and Mayor Gilmore announced that regarding Real Property, Council discussed strategy and gave direction to staff.

### Adjournment

There being no further business, Mayor Gilmore adjourned the special meeting at 11:31 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

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