

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

Mayor Gilmore convened the meeting at 8:28 p.m.

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

Absent: Councilmember Johnson – 1.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY & ANNOUNCEMENTS

None.

ORAL COMMUNICATIONS, NON-AGENDA

(11-049) Michael John Torrey, Alameda, presented a plaque to Mayor Gilmore.

(11-050) Jenny Lee, Oakland, discussed problems with her use of the Library and submitted information.

(11-051) Kathy Moehring, Alameda, discussed the West Alameda Business Association cutting the Executive Director position.

(11-052) Adam Gillitt, Alameda, discussed correspondence received from the City Attorney's office being posted to a blog.

CONSENT CALENDAR

Mayor Gilmore announced that the Bills [paragraph no. 11-054] and the Resolution Opposing the Governor's Proposal [paragraph no. 11-059] were removed from the Consent Calendar for discussion.

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

Vice Mayor Bonta seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember Johnson – 1.] [Note: Mayor Gilmore abstained from voting on the Minutes.] [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*11-053) Minutes of the Regular City Council Meeting Held on January 18, 2011. Approved.

Mayor Gilmore abstained from voting on the Minutes.

(11-054) Ratified bills in the amount of \$4,964,627.05.

The speaker withdrew his speaker slip.

Councilmember Tam moved approval of the bills.

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

(*11-055) Recommendation to Award a Contract in the Amount of \$234,000 to Columbia Electric, Authorize a Twenty Percent Contingency to Implement the Woodstock to Webster Street Neighborhood Improvement Project, and Authorize the Acting City Manager to Execute the Contract and Related Documents. Accepted.

(*11-056) Recommendation to Award a Contract in the Amount of \$185,831, including Contingencies, to Waterworks Engineers for the Preparation of Engineering Documents for the Upgrade of the City of Alameda Sewer Pump Stations, Phase 3: Bay Farm Island Pump Station Rehabilitation, No. P.W. 12-10-35. Accepted.

(*11-057) Resolution No. 14547, “Appointing an Engineer and an Attorney for Island City Landscaping and Lighting District 84-2. Adopted.

(*11-058) Resolution No. 14548, “Appointing an Engineer and an Attorney for Maintenance Assessment District 01-1 (Marina Cove).” Adopted.

(11-059) Resolution No. 14549, “Opposing the Governor’s Proposal to Abolish Redevelopment Agencies in California.” Adopted.

The Deputy City Manager – Development Services gave a brief presentation.

Councilmember Tam requested staff to address whether schools would benefit if redevelopment funds were not preserved.

The Deputy City Manager – Development Services stated currently, funding is based upon attendance; there is no direct relationship between property tax generated and how much money schools receive.

Councilmember Tam stated the 2010 budget reflects that the State took \$2 million; the School District indicated it receives less money from the State; School Board Member Mike McMahon stated the State would have given the School District less money if the City gave the School District funding for the Woodstock Child Redevelopment Program.

The Acting City Manager stated the State would have withdrawn a proportionate

amount of funding to the School District if the City was able to give the School District money for the Woodstock Child Redevelopment Program.

Speaker: Trish Herrera Spencer, Alameda; Gretchen Lipow, Alameda (submitted handout); Robb Ratto, PSBA; and Ashley Jones, Alameda.

Mayor Gilmore requested that redevelopment information be posted on the City's website.

Councilmember deHaan stated many funding streams and programs are in question at this time; mandated programs are fighting against social programs; the City has paramount projects moving forward; SunCal wanted \$200 million for infrastructure to come from bonding.

Councilmember Tam stated that she and the Acting City Manager attended a briefing with Senator Loni Hancock and State Treasurer Bill Lockyer; the dire strait of the State's budget was discussed; the State budget will be in a downward spiral without job creation; the City is trying to position itself to attract the America's Cup, create infrastructure, and be competitive for the Lawrence Berkeley National Laboratory project; pitting one major important cause against another is unfortunate; Council is very supportive of the School District.

Councilmember Tam moved adoption of the resolution.

Vice Mayor Bonta seconded the motion, with the caveat to add language regarding the State's budget difficulty and some expression of support for exploring appropriate ways to resolve the issue.

Under discussion, Mayor Gilmore stated the Governor used redevelopment successfully in Oakland; proposing such a drastic cut is a little disingenuous.

Councilmember deHaan stated the climate is not getting better; the City cannot afford to lose the momentum.

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

REGULAR AGENDA ITEMS

(11-060) Public Hearing to Consider Introduction of Ordinance 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. Introduced.

The Planning Services Manager gave a brief presentation.

Speaker: Chris Buckley, Alameda Architectural Preservation Society (AAPS).

Mayor Gilmore stated the window picture handout would be extremely useful.

Councilmember deHaan inquired how many AAPS recommendations have been incorporated in the ordinance, to which the Planning Services Manager responded all.

Councilmember deHaan inquired whether the suggested indexing would be worthwhile.

The Planning Services Manager responded the Guide to Residential Design needs an overhaul; stated staff would ensure internal consistency between the Guide and the ordinance.

Vice Mayor Bonta inquired whether staff disagrees with anything recommended by AAPS.

The Planning Services Manager responded staff needs to study the Secretary of Interior Standards section regarding the window replacement handout; stated a historic building would be held to a different standard; the Secretary of Interior Standards is an interesting document and is Statewide; an addition to a historic building should not look original so as not to create false historicism; the question is whether a bungalow window replacement designed to look the same would be considered false historicism.

Councilmember deHaan stated garages couldn't mimic historical architecture.

Councilmember Tam stated some people do not think there is enough outreach to the realty community or to people who speak a second language; inquired how information could be provided.

The Planning Services Manager responded the Building Official provides newspaper articles; stated that he could co-write articles on things to consider when buying a home and on architectural preservation; effectively communicating in another language is very challenging.

Councilmember Tam stated ethnic media, such as the World Journal, would be happy to translate the article in a different language.

The Planning Services Manager stated staff would look into the matter.

Vice Mayor Bonta stated posting handouts in different languages on the website would be helpful; making the experience more pleasant, less time consuming, and simpler would be good; staff should continue to find ways to improve the experience.

The Planning Services Manager stated staff is starting to provide one-page handouts.

Mayor Gilmore stated packets should be sent to large realty companies; staff should talk to head brokers because realty companies often have agents who specialize in

older homes.

The Planning Services Manager stated the Community Development Department has a Customer Service Improvement Committee that is in the loop and can help.

Councilmember Tam moved introduction of the ordinance, with changes suggested by AAPS.

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

(11-061) Introduction of Ordinance Amending the Alameda Municipal Code by Adding Section 3-7 at Article I, (Finance) of Chapter III (Finance and Taxation), Regulating Holders of State Video Franchises. Introduced.

The Public Works Director gave a presentation.

Mayor Gilmore inquired whether funds could be used to upgrade the Chamber's audio equipment, to which the Public Works Director responded staff is looking into the matter.

The Acting City Manager stated the City Clerk's Office is putting forth a request to do some significant audio/visual upgrades; band-aids are not working.

Councilmember Tam moved introduction of the ordinance.

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

Vice Mayor deHaan stated AT&T is starting to provide Internet services.

The Acting City Manager stated staff has a conference call scheduled tomorrow with AT&T to discuss broadcasting the public channel.

The Public Works Director stated the City has received its first franchise check from AT&T in the amount of \$200.

Councilmember deHaan stated Comcast has a local studio in Hayward; having AT&T provide a local studio would be nice.

The Public Works Director stated the State issues franchises; providing a local studio is no longer required.

CITY MANAGER COMMUNICATIONS

(11-062) Overview of SB 375, the Regional Sustainable Communities Strategy and the

Opportunities for Involvement by the City of Alameda

The Planning Services Manager gave an overview of the regional process.

Councilmember Tam stated SB 375 has become a very controversial issue with the League of California Cities; inquired how the City would meet regional goals and obligations under the Sustainable Communities Strategy in light of the status of Alameda Point; stated the City does not have a certified Housing Element.

The Planning Services Manager responded Alameda Point and regional planning efforts are happening simultaneously; stated planning Alameda Point will be easier once the State regional housing numbers come out; Alameda Landing is entitled; the Northern Waterfront is more difficult to predict; Alameda Point is the big issue; all processes are in the same timeframe.

Mayor Gilmore stated the City has always felt that the Association of Bay Area Government's (ABAG's) obligated number has been disjointed; the new process allows more input.

The Planning Services Manager concurred with Mayor Gilmore; stated Oakland understands how housing in Alameda would affect its transportation system.

Mayor Gilmore inquired when the City's next Housing Element would be due, assuming the process stays on schedule.

The Planning Services Manager responded that he is not sure; stated the current cycle is for 2007-2014; the City will not know its allocation until late 2012 or early 2013 and cannot start the process without knowing said allocation.

Vice Mayor Bonta stated the City has a current allocation but does not have a certified Housing Element; having a certified Housing Element should be a priority.

The Planning Services Manager stated the Planning Board has requested a status report; a draft Housing Element has been prepared and has been sent to the State.

Councilmember deHaan inquired whether ABAG came back with a modified position.

The Planning Services Manager responded the housing allocation for the current cycle is approximately 2,000 units which is about as aggressive as the last cycle; stated the number of units is not the tough issue; the issue is affordability; 1,000 of the 2,000 units have to be affordable; the change between the 1993 Housing Element and the current Housing Element is that the State assumes affordability would be possible with 30 units; by nature, high density housing is affordable.

Councilmember deHaan stated 2,000 homes is not that aggressive considering the Northern Waterfront, Alameda Point, and Alameda Landing.

The Deputy City Manager – Development Services stated the 2,000 units is for 2007-2014.

The Planning Services Manager stated the City has always been able to show that it has land; affordability is the issue.

Councilmember deHaan inquired whether all County cities are seated and participating in the new process, to that the Planning Services Manager responded in the affirmative.

(11-063) Presentation on Redevelopment Funding

The Deputy City Manager – Development Services gave a brief presentation.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(11-064) Consideration of Mayor's Nomination for Appointment to the Planning Board.

Mayor Gilmore nominated Charles Patrick Wallis for appointment to the Planning Board.

(11-065) Mayor Gilmore gave a report on her trip to Washington D.C. to attend the U.S. Conference of Mayors.

(11-066) Councilmember Tam gave a report on the Environmental Quality Policy Committee, the ABAG presentation on the 50th anniversary, the League of California Cities East Bay Division meeting, and a briefing given by Senator Loni Hancock and California Treasurer Bill Lockyer.

ADJOURNMENT

(11-067) There being no further business, Mayor Gilmore adjourned the meeting in memory of former School Board Member Berresford Bingham at 10:23 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- -FEBRUARY 1, 2011- -5:30 P.M.

Mayor Gilmore convened the meeting at 5:30 p.m.

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

Absent: None.

Speakers: Domenick Weaver, Alameda Firefighters; Jeff Del Bono, Alameda City Firefighters 689; and Lance Leibnitz, Alameda Police Department.

The meeting was adjourned to Closed Session to consider:

(11-043) Conference with Labor Negotiators; Agency negotiators: Joe Wiley, Craig Jory and Human Resources Director; Employee organizations: Alameda City Employees Association, Alameda Fire Managers Association, Alameda Police Managers Association, Alameda Police Officers Association, Alameda Police Officers Non-Sworn, International Association of Firefighters, International Brotherhood of Electrical Workers, and Management and Confidential Employees Association.

Following the Closed Session, the meeting was reconvened and Mayor Gilmore announced that the Labor Negotiators discussed bargaining issues related to the International Association of Fire Fighters and Council provided direction; Labor Negotiators discussed bargaining issues related to the Alameda Police Officers Association and Council provided direction.

Adjournment

There being no further business, Mayor Gilmore adjourned the meeting at 7:40 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 JOINT CITY COUNCIL,
ALAMEDA REUSE AND REDEVELOPMENT AUTHORITY (ARRA),
COMMUNITY IMPROVEMENT COMMISSION (CIC), AND HOUSING
AUTHORITY BOARD OF COMMISSIONERS (HABOC) MEETING
TUESDAY- -FEBRUARY 1, 2011- -6:59 P.M.

Mayor/Chair Gilmore convened the meeting at 7:47 p.m. Commissioner Allen led the Pledge of Allegiance.

ROLL CALL - Present: Commissioner Allen, Councilmembers / Board Members/Commissioners Bonta, deHaan, Tam and Mayor/Chair Gilmore – 5.

Absent: Councilmember/Board Member/Commissioner – Johnson - 1.

CONSENT CALENDAR

Mayor/Chair Gilmore announced that the Fiscal Year 2009-2010 Audited Financial Statements [paragraph no. 11-046 CC/11-009 ARRA/11-006 CIC] was removed from the Consent Calendar for discussion.

Councilmember/Board Member/Commissioner deHaan moved approval of the remainder of the Consent Calendar.

Councilmember/Board Member/Commissioner Tam seconded the motion, which carried by unanimous voice vote – 5. [Note: Mayor/Chair Gilmore abstained from voting on the Minutes.] [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*11-044 CC/11-004 CIC/HABOC) Minutes of the Special Joint City Council, CIC and Housing Authority Board of Commissioners Meeting Held on January 18, 2011. Approved.

Mayor/Chair Gilmore abstained from voting on the Minutes.

(*11-045 CC/11-008 ARRA/11-005 CIC) Recommendation to Accept the Quarterly Financial Report through September 30, 2010. Accepted.

(11-046 CC/11-009 ARRA/11-006 CIC) Recommendation to Accept the Fiscal Year 2009-2010 Audited Financial Statements and Compliance Reports. Accepted.

The Controller gave a brief presentation.

Speaker: Kevin Kearney, City Auditor.

Councilmember/Board Member/Commissioner Tam inquired how the City is paying down the Other Post Employment Benefit (OPEB) liability.

The Controller responded the City is taking the “pay as you go” approach; stated Fiscal Year 2009-2010 payments totaled approximately \$2 million.

Councilmember/Board Member/Commissioner Tam stated the City has a significant [General Fund] fund balance; inquired whether the fund balance could be used to pay the OPEB liability.

The Controller responded the General Fund can be used for anything; stated the unrestricted reserve is approximately \$15 million which is approximately 20% of the budget; Council might want to consider beefing up the set aside reserves in the Internal Service Funds; the funds could be used to pay down some of the OPEB liability.

Mayor/Chair Gilmore stated the General Fund reserve balance has gone up because maintenance projects have stopped; two years ago, the General Fund balance was \$6 million; the balance has more than doubled in two years; questioned how the increase happened in the middle of the worst depression since the 1930's; stated property transfer tax and sales tax revenues have gone down; the Planning and Building Department's salary savings should have been a net neutral.

The Controller responded that he would research [the reason for the increase in the General Fund] and come back to Council.

Councilmember/Board Member/Commissioner deHaan inquired how deferred maintenance is addressed in the Comprehensive Annual Financial Report (CAFR); stated deferred maintenance totals \$79 million.

The Controller responded Governmental Accounting Standard Board 34 has changed how financials are presented; stated cities need to perform a complete infrastructure inventory; the City took an estimated cost approach to determine the useful life on various types of infrastructure and assets; page 45 has a line for enterprise activity related to ferry services, the Golf Course, and Sewer Fund; depreciation should be funded at a bare minimum in order to keep operation levels the same.

Councilmember/Board Member/Commissioner deHaan stated the Fiscal Sustainability Committee came up with a \$79 million figure [for deferred maintenance]; that he does not see the amount referenced in the report; inquired whether reporting is required.

The Controller responded depreciation could be reported in two ways: as an estimated cost or modified approach.

Councilmember/Board Member/Commissioner deHaan stated that he does not see anything reflected in the report.

The Controller stated depreciation is reflected in the budget.

The Acting City Manager stated the CAFR has to follow specific guidelines.

Mayor/Chair Gilmore stated the Internal Service Funds have been running \$800,000 to \$1 million in the negative; questioned how the negative has been reduced to \$200,000.

Councilmember/Board Member/Commissioner Tam stated that she is looking for clues on why the General Fund doubled; the Charter requires Alameda Municipal Power (AMP) to transfer excess earnings to the General Fund; AMP did not have excess earnings in Fiscal Year 2009/2010 but still transferred \$2.8 million.

The Acting City Manager stated the Public Utilities Board (PUB) has an interest in supporting the City.

The Acting City Attorney stated the PUB has made the same transfer over the past several years.

The Controller stated an \$800,000 one-time catch up payment was made this year.

Councilmember/Board Member/Commissioner deHaan moved approval of the staff recommendation.

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

(*HABOC) Recommendation to Authorize the Acting Chief Executive Officer to Negotiate and Execute a Purchase and Sale Agreement for the Islander Motel Property Located at 2428 Central Avenue. Accepted.

AGENDA ITEMS

(11-047 CC) Resolution No. 14545, “Approving and Authorizing Execution of a Public Improvements Reimbursement Agreement between the City of Alameda and Community Improvement Commission for the Alameda Point Improvement Project Area.” Adopted;

(11-007 CIC) Resolution No. 11-175, “Approving and Authorizing Execution of a Public Improvements Reimbursement Agreement between the City of Alameda and

Community Improvement Commission for the Alameda Point Improvement Project Area.” Adopted;

(HABOC) Resolution No. 826, “Approving and Authorizing Execution of an Affordable Housing Reimbursement Agreement Between the Housing Authority and the Community Improvement Commission for the Alameda Point Improvement Project Area.” Adopted; and

(11-007A CIC) Resolution No. 11-176, “Approving and Authorizing Execution of an Affordable Housing Reimbursement Agreement Between the Housing Authority and the Community Improvement Commission for the Alameda Point Improvement Project Area.” Adopted.

The Deputy City Manager – Development Services submitted a handout and gave a brief presentation.

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

Councilmember/Board Member/Commissioner Tam moved adoption of the resolutions; stated the encumbrance of tax increment dollars is critical for the City to preserve the ability to control the redevelopment of Alameda Point.

Vice Mayor/Board Member/Commissioner Bonta seconded the motion, which carried by unanimous voice vote – 5. [Absent: Councilmember/Commissioner Johnson – 1.]

(11-048 CC) Resolution No.14546, “Approving and Authorizing Execution of a Public Improvements Reimbursement Agreement between the City of Alameda and Community Improvement Commission for the Business and Waterfront Improvement Project/West End Community Improvement Project Areas.” Adopted;

(11-008 CIC) Resolution No. 11-177, “Approving and Authorizing Execution of a Public Improvements Reimbursement Agreement between the City of Alameda and Community Improvement Commission for the Business and Waterfront Improvement Project/West End Community Improvement Project Areas.” Adopted;

(HABOC) Resolution No. 827, “Approving and Authorizing Execution of an Affordable Housing Reimbursement Agreement Between the Housing Authority and the Community Improvement Commission for the Business and Waterfront Improvement Project/West End Community Improvement Project Areas.” Adopted; and

(11-008A CIC) Resolution No. 11-178, “Approving and Authorizing Execution of an Affordable Housing Reimbursement Agreement Between the Housing Authority and the Community Improvement Commission for the Business and Waterfront Improvement Project/West End Community Improvement Project Areas.” Adopted.

The Deputy City Manager – Development Services gave a brief presentation.

Speaker: Robb Ratto, PSBA.

Councilmember / Board Member / Commissioner deHaan moved adoption of the resolutions.

Vice Mayor/Board Member/Commissioner Bonta seconded the motion, which carried by unanimous voice vote – 5. [Absent: Councilmember/Board Member/Commissioner Johnson – 1.]

ADJOURNMENT

There being no further business, Mayor/Chair Gilmore adjourned the meeting at 8:27 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk
Secretary, CIC

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