

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -JUNE 2, 2015- -6:00 P.M.

Mayor Spencer convened the meeting at 6:01 p.m.

Roll Call – Present: Councilmembers Daysog, Ezzy Ashcraft, Matarrese, Oddie and Mayor Spencer – 5.

[Note: Councilmember Daysog arrived at 6:28 p.m.]

Absent: None.

The meeting was adjourned to Closed Session to consider:

(15-356) Conference with Real Property Negotiators (54956.8); Property: 707 West Tower Avenue (Building 9 at Alameda Point) and 651 West Tower Avenue (Building 91 at Alameda Point); Negotiator: Nanette Mocanu, Assistant Community Development Director Negotiating party: Ridge Capital, Inc. and SRMErnst Development Partners; Under negotiation: Price and terms of payment

(15-357) Conference with Labor Negotiators (54957.6); City Negotiator: Stephanie Garrabrant-Sierra; Employee Organizations: Electric Utility Professional Association of Alameda (EUPA) and Alameda Municipal Power Unrepresented Management Employees (AMPU); Under Negotiation: Salaries and terms of employment

Following the Closed Session the meeting was reconvened and Mayor Spencer announced that regarding Labor, direction was given to staff.

Mayor Spencer called a recess at 7:07 p.m. and reconvened the meeting at 12:03 a.m.

Following the Closed Session the meeting was reconvened and Mayor Spencer announced that regarding Real Property, direction was given to staff.

Adjournment

There being no further business, Mayor Spencer adjourned the meeting at 12:32 a.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE SPECIAL JOINT CITY COUNCIL
AND THE SUCCESSOR AGENCY TO THE
COMMUNITY IMPROVEMENT COMMISSION (SACIC) MEETING
TUESDAY- -JUNE 2, 2015- -7:01 P.M.

Mayor/Chair Spencer convened the meeting at 9:07 p.m.

Roll Call - Present: Councilmembers/Agency Members Daysog, Ezzy Ashcraft, Matarrese, Oddie and Mayor/Chair Spencer – 5.

Absent: None.

Oral Communications

None.

Consent Calendar

Agency Member Oddie moved approval of the Consent Calendar.

Agency Member 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.]

(*15-009) Minutes of the Successor Agency to the Community Improvement Commission (SACIC) Meeting Held on March 17, 2015; and the Special Joint City Council and SACIC Meeting Held on April 7, 2015. Approved.

Agenda Items

(15-377) Resolution No. 15048, “Approving and Adopting the City of Alameda Operating and Capital Budget for Fiscal Years (FY) 2015-16 and 2016-17.” Adopted; and

(15-010) Resolution No. 15-03, “Approving and Adopting the Successor Agency to the Community Improvement Commission Budget for FY 2015-16 and 2016-17.” Adopted.

The Interim City Manager stated revised pages were provide on Other Post-Employment Benefits (OPEB) and made brief comments.

The Finance Director gave a Power Point presentation and responded to questions.

Mayor Spencer inquired whether the annual operating results for the coming year is \$1.2 million positive, but \$5.2 million deficit after five years.

The Finance Director responded the City has been prudent in forecasting moving forward; stated; deficits are attributed to increases in retirement contributions that cannot be easily changed; the City is working with bargaining groups on long term solutions for Other Post Employment Benefits (OPEB); structural deficit issues have to be reviewed and corrected; anytime budget forecasts go further out in years, it is best to assume where the economy will go based on what is known now; staff is doing its best to estimate; the budget is conservative and there are a multitude of items that need to be addressed.

Councilmember Ezzy Ashcraft stated one-time large transfer funds are referenced; inquired what the plan is moving forward.

The Interim City Manager responded a portion of the transfer tax is one-time; eliminating the transfer tax from the Balance Revenue Index (BRI) was discussed and needs to be negotiated with bargaining units.

Vice Mayor Matarrese inquired whether one-time fund transfers have been used to balance revenue in budget, to which the Interim City Manager responded in the affirmative.

Vice Mayor Matarrese stated there are no other outstanding loans; solutions for fixing structural problems needs discussion; budgeting is not exact and projections are variable; the City has the benefit of history to make projections tighter; that he would like checkpoints after the first year to address the gap.

The Finance Director stated the loan repayment from Alameda Municipal Power (AMP) is \$2.2 million; there was a swap of revenue: AMP prepaid a portion of its franchise with an advance, which is already in the General Fund; AMP will repay the \$2.2 million in full in FY15-16 instead of trying to eliminate it; the net increase one-time money is \$1.2 million added to the fund balance in FY15-16; Council agreed to use the fund balance toward FY16-17.

The Interim City Manager stated staff met with an attorney who specializes in utility users tax to determine an estimate of what is being left on the table; the five year projections show the need to continue belt tightening; continuing to be frugal and making adjustments would help fiscal sustainability.

Councilmember Daysog stated the chart is helpful; when comparing annual expenditure increases to conservative revenue estimates, the annual rate of change almost doubles; staff is being conservative; the chart shows the structural deficit in summary form; he questioned what happened to the programs being considered to decrease fund balance from 30% to 20%.

In response to Councilmember Oddie's inquiry regarding PERS smoothing, the Finance Director stated the PERS Chief Actuary does not expect rates to go down.

Councilmember Oddie stated increases in expenses are expected to level off in five years.

The Finance Director stated PERS is trying to address liabilities; the City cannot control whether PERS will revise assumptions; the City will have to contribute what PERS requires; PERS is just one component; there is a combination of factors to review, focusing on one is not prudent.

Councilmember Oddie stated PERS is the main root of the annual operating result deficit; the City should focus on ways to be more efficient in controlling costs moving forward.

In response to Mayor Spencer's inquiry, the Finance Director stated a deficit reduction is not anticipated because operating expenses are locked in; some components of salaries and benefits could be controlled; other ideas regarding contracts may come up in five years.

The Finance Director continued the presentation.

In response to Mayor Spencer inquiry, the Library Director stated \$100,000 represents adding hours on Wednesdays to offer more programming and class visits; \$40,000 is to extend hours, and \$60,000 goes toward the materials budget.

In response to Councilmember Daysog's inquiry, the Finance Director stated the County grant is for additional limited term Fire Department positions; elimination of the ambulance is not on the list for FY16-17.

Councilmember Daysog inquired whether costs are rolled into the five year projections, to which the Finance Director responded in the affirmative.

In response to Councilmember Ezzy Ashcraft's inquiry, the Fire Chief stated the Community Paramedicine Pilot Program grant funds are for two years; once funds run out, the program will be dissolved if no other funding is found; lots of people could benefit from the program, including Alameda Hospital.

Councilmember Oddie stated pilot programs are not continued if they do not work.

In response to Mayor Spencer's inquiry, the Interim City Manager stated filling positions saves overtime costs.

The Finance Director concurred with the Interim City Manager; stated Fire Department vacancies are reviewed to determine realistic timeframes to fill the positions; estimated vacancy savings would be based on hire dates; estimates are based on known vacancies.

Mayor Spencer inquired whether the budget addresses overtime of public safety.

The Interim City Manager responded the Fire Department's SAFER Grant expired; positions were no longer funded and were filled with overtime; the Fire Department submitted a grant application for a \$500,000 SAFER Grant which will reduce overtime.

Mayor Spencer inquired whether staffing levels will be reviewed as part of the budget, to which the Interim City Manager responded it would be the Council's decision to review staffing levels.

Mayor Spencer inquired whether the staffing level issue is in the parking lot of items, to which the Interim City Manager responded in the negative; stated the issue could be added to the parking lot.

Councilmember Ezzy Ashcraft stated the problem for the budget and for personnel is that overtime increased; there needs to be a balance so personnel is not stretched; new members could be added, but there is a lot to be considered in addition to salary and new employment benefits.

In response to Councilmember Oddie's inquiry, the Interim City Manager stated the SAFER Grant funds two years.

The Interim City Manager noted overtime will never be eliminated 100%.

Mayor Spencer stated Council and staff should be looking at everything.

Vice Mayor Matarrese inquired what would happen if the City does not get the SAFER Grant; stated a plan is needed for when the grant expires; suggested reviewing other cities' models like Sunnyvale and Rohnert Park.

The Finance Director responded the current budget does not assume the City will get the SAFER Grant which is \$2.2 million over two years.

The Finance Director continued the presentation.

Mayor Spencer inquired whether the Emergency Water Supply (EWS) could fall under Community Improvement Projects (CIP), to which the Public Works Director responded in the negative; stated EWS falls under the Fire Department budget and is a parking lot issue.

Councilmember Ezzy Ashcraft noted the Fire Department has a fire boat which is capable of pumping water from bay.

The Interim City Manager stated the Fire Department does not have water tanks; training for use of the fire boat is being done; water from the fire boat cannot reach the entire town; an alternate system needs to be researched and brought back.

In response to Councilmember Ezzy Ashcraft's inquiry, the Fire Chief stated alternate systems could be researched and a report would be brought back in four months.

The Interim City Manager stated parking lot issues could be discussed after the budget.

(15-378) Mayor Spencer stated a motion is needed to consider the remaining agenda item adoption of the appropriations limit [paragraph no. 15-380].

Vice Mayor Matarrese moved approval [of considering the remaining item].

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

Councilmember Daysog stated West Enders feel shortchanged in CIP items; pavement and new streets being well distributed across town should be made part of the discussion.

Councilmember Oddie noted Bay Farm Island is not on the budget map.

The Finance Director continued the presentation.

In response to Councilmember Ezzy Ashcraft's inquiry regarding State legislation, the Chief Operating Officer – Alameda Point stated the City has a State lobbyist identifying ways to improve bills and find financing tools for Alameda Point's \$600 million infrastructure.

Vice Mayor Matarrese stated the State infrastructure bills are impractical for Alameda.

The Chief Operating Officer - Alameda Point stated mitigating the impacts to the General Fund reduces ability to fund infrastructure through a special tax.

Mayor Spencer inquired whether Council is being asked to approve the budget without addressing the parking lot issues, to which the Interim City Manager responded in the affirmative; stated parking lot issues are reserves that do not affect the budget and can be addressed any time.

Mayor Spencer stated the budget could be affected if additional cuts are made to fund parking lot items.

The Interim City Manager stated cuts were already discussed; there will be no additional cuts; the parking lot is a laundry list.

Mayor Spencer stated the part time employee issue has not been discussed and cannot be funded with reserves.

The Interim City Manager stated staff is not prepared to discuss the part time employee issue at this time.

Mayor Spencer stated that she has been waiting to have the conversation on part time employees for a long time; there may be other items in the parking lot that would be considered ongoing.

Councilmember Ezzy Ashcraft stated staff needs time to address the part time employee issue; the parking lot issues are not part of the two-year budget; that she would like to have a priority setting workshop to address parking lot issues after the budget and the August recess; she is content to know the items are still on the parking lot.

In response to Mayor Spencer's inquiry, the Interim City Manager stated parking lot items include: Alameda Point buildings, PERS smoothing, OPEB trust for current employees, part time employees, abandoned estuary vessels, and public safety issues; the items are not listed with any priority.

Vice Mayor Matarrese stated the parking lot items were not voted on.

The Interim City Manager stated Councilmembers raised parking lot items and she made note of them.

Vice Mayor Matarrese stated the list could be agendaized for public discussion; acting on items tonight would be inappropriate; that he would advocate restricting the General Fund balance on some of the items; there is no inordinate risk of failing to operate the City.

Councilmember Ezzy Ashcraft inquired whether the participatory process would continue to be done in the future, to which the Interim City Manager responded in the affirmative; stated there is better participation when the show is taken on the road.

Expressed support for the proposed budget: Robb Ratto, Park Street Business Association.

Councilmember Daysog stated that he is happy with the budget process and the assumptions are reasonable.

In response to Councilmember Oddie's inquiry, Vice Mayor Matarrese stated he is proposing a 20% restriction on the fund balance.

Mayor Spencer inquired whether the money could be set aside in another fund, to which the Interim City Manager responded in the negative; stated any amount above the 20% reserve would become restricted, which means staff would have to come back to Council for approval to spend it.

The Finance Director stated \$3 million was restricted for a specific purpose; any amount above 20% has to be specifically restricted; staff is not ready to say where funds would be applied.

(15-379) Mayor Spencer stated a motion is needed to continue the meeting past 11:00 p.m.

Vice Mayor Matarrese moved approval [of continuing the meeting].

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

Councilmember Oddie stated that he wants to be clear on what can be done today, including the mechanics.

Vice Mayor Matarrese stated that he would like to have Council consider restricting anything above 20% to be used for capital needs which have been deferred, or to fund other capital assets, such as salt water pumps and non-operational expenditures.

Councilmember Ezzy Ashcraft stated the issues are all worthy to consider, but not tonight; that she would like input from staff; she cannot vote on something so specific without information.

Councilmember Daysog stated the whole point of the budget process is to identify and budget CIP needs; questioned why an account would be created that specifies where to park or spend money; the budget process already in place deals with current needs and long term unfunded needs.

Mayor Spencer stated that she cannot support a budget where parking lot items would be neglected unless it is a CIP item.

The Interim City Manager stated spending reserve money on one-time issues is just best practice.

Councilmember Ezzy Ashcraft stated tonight is not the time to decide the parking lot issue; suggested bringing the items back since they have not come before the Council or the public.

The Interim City Manager concurred with Councilmember Ezzy Ashcraft; stated there are other ways to fund the parking lot issues; using the General Funds is not recommended; finding the best use of funds would be evaluated and brought back to Council.

Vice Mayor Matarrese stated not using reserves for operations over and above 20% is the point; he would like to cut revenues gathered from one-time events, and apply funds on a priority basis; specifics could be discussed once items are separated.

Councilmember Oddie concurred with Vice Mayor Matarrese; stated anything over 20% or 25% should be set aside for discussion at a later meeting.

Councilmember Daysog stated the straightest line approach is to develop a strategy on how to treat unfunded capital; once the strategy is known, details can be discussed; the process is backwards now.

Mayor Spencer stated that she cannot support the process if items on the parking lot could not be discussed.

Councilmember Ezzy Ashcraft stated Council is not making any decision one way or the other; discussions will take place at later date with agendaized items; staff needs breathing room; she does not expect the item to come back before August; inquired what would be a realistic time frame and format.

The Interim City Manager responded staff could do a more thorough job if a report could be brought back in September.

Mayor Spencer stated it sounds like Council is being asked to set aside a certain amount for certain things like one-time expenses.

Councilmember Oddie stated that he is open to developing a strategy as suggested by Councilmember Daysog; staff should have until September; Council could come up with a number tonight, then give staff direction.

In response to Mayor Spencer's inquiry, the Interim City Manager stated the current Council policy is 25%; all Council is doing tonight is giving direction.

Mayor Spencer stated Council is being asked to approve a budget; deciding the percentage does not need to be done at this point.

The Interim City Manager stated setting reserves at a certain level is good practice; tonight Council is being asked to do two things: 1) approve the budget as proposed, and 2) give staff direction to come back with a plan on spending the amount above the 25% reserves.

Mayor Spencer stated she thought all the parking lot items would be addressed then Council would decide how to proceed.

Councilmember Ezzy Ashcraft stated the parking lot items will be addressed, just not tonight; suggested sticking with the 25% reserve policy; stated Council will address all items of concern; having full discussion is prudent and responsible.

The Interim City Manager stated the same budget exercise was done in November with the prior Council; the process is a proven method separate and aside from the budget.

Councilmember Daysog moved approval of the staff recommendation [adoption of the City Council resolution].

Councilmember Member Oddie seconded the motion.

Under discussion, Councilmember Oddie stated issues discussed were important, including deferred maintenance and restoring some of the cuts made during the recession; the budget reflects his values and those of the City; growth in public safety was due to PERS smoothing and needs to be addressed long-term; the budget overall has strong values including no cuts to public safety; he is honored to cast a vote in his first budget approval.

Mayor Spencer stated approval of the budget is a step in the right direction for serving the City at large and corrects departments that have been left behind.

Vice Mayor Matarrese stated he intends to support the budget but would like to address an inflated General Fund reserve; there have been years of deferred maintenance and he would like to evaluate allocating one-time funds to that purpose; that he is looking forward to more discussion.

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

Vice Mayor Matarrese moved approval of directing the Interim City Manager to provide a strategy that involves allocating the excess of 25% of the current General Fund balance to items that fall under non-operations activities.

Councilmember Daysog stated the mechanics will be ironed out by City staff, but are still unknown; rather than chasing money and figuring out how to spend it, a strategy to address needs and wants is more appropriate; the issue is too substantive to not have a detailed discussion.

Councilmember Oddie stated allowing the surplus to absorb operating deficits is not an appropriate use; Council should set a policy at 25% and use the excess to address important issues; Council and staff should develop a strategy to identify options; the 25% should be the amount at the end of FY16-17.

Vice Mayor Matarrese stated the fund balance is already being chipped away; he is prepared to support the budget because the delta is so small and projections are so conservative; at the end of the year, the City will be in better shape than the projections; new development will add to the property tax roll and transfer tax; the margin of error could be worked with.

Councilmember Ezzy Ashcraft seconded the motion.

Under discussion, Mayor Spencer requested clarification on Vice Mayor Matarrese's motion; stated she would not be able to support a restriction.

Councilmember Daysog stated that he would vote no because the whole point of the month-long budgeting process was to identify the long-term unfunded capital needs, which are already known; to suddenly say a policy needs to be created to begin to address projects does not make sense; understanding the needs and bending accordingly is the straightforward approach.

Vice Mayor Matarrese modified the motion to approve directing the Interim City Manager to provide a strategy that involves allocating the excess of 25% of the current General Fund balance at the end of FY 15-16.

Councilmember Ezzy Ashcraft seconded the motion.

On the call for the question, the motion carried by the following voice vote: Ayes: Councilmembers Ezzy Ashcraft, Matarrese and Oddie – 3. Noes: Councilmember Daysog and Mayor Spencer – 2.

Agency Member Matarrese moved adoption of the SACIC resolution.

Agency Member Ezzy Ashcraft seconded the motion.

Under discussion, Chair Spencer requested clarification on approving the SACIC resolution.

The Finance Director stated the Council is acting as the governing body of the SACIC

approving the SACIC budget.

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

(15-380CC) Public Hearing to Establish the Proposition 4 (Appropriations) Limit for Fiscal Year (FY) 2015-16; and

(15-380A CC) Resolution No. 15049, “Establishing the Appropriations Limit for FY 2015-16.” Adopted.

Councilmember Ezzy Ashcraft moved adoption of the resolution.

Councilmember Oddie seconded the motion.

Under discussion, the Finance Director gave a brief presentation.

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

Adjournment

There being no further business, Mayor/Chair Spencer adjourned the meeting at 11:58 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk
Secretary, SACIC

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -JUNE 2, 2015- -7:00 P.M.

Mayor Spencer convened the meeting at 7:11 p.m. and led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Daysog, Ezzy Ashcraft, Matarrese, Oddie and Mayor Spencer – 5.

[Note: Councilmember Ezzy Ashcraft arrived at 7:13 p.m.]

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(15-358) Proclamation Declaring May 30 through June 7, 2015 as Alameda Elks' Bike Safety Week.

Mayor Spencer read and presented the Proclamation to Dean Seaquist with the Alameda Elks.

Mr. Seaquist made brief comments.

ORAL COMMUNICATIONS, NON-AGENDA

(15-359) Gretchen Lipow, Alameda, submitted information; urged providing Senior Housing at Alameda Point, which generates less traffic; expressed concern over CalTrans' seismic standards.

(15-360) Jim Heggart, Alameda, expressed concern over lighting.

Mayor Spencer requested staff to review issue; stated the project might not have had permits.

(15-361) Michael John Torrey, Alameda, announced the upcoming Relay for Life Event and Armature Radio Club Field Day Event.

(15-362) Ken Peterson, Alameda, expressed concern over juvenile justifications be used at Council meetings.

CONSENT CALENDAR

Councilmember Ezzy Ashcraft moved approval of the Consent Calendar.

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

(*15-363) Minutes of the Special and Regular City Council Meeting Held on May 5, 2015; and the Special City Council Meeting Held on May 6, 2015. Approved.

(*15-364) Ratified bills in the amount of \$1,771,504.10.

(*15-365) Recommendation to Approve the Agreement between the Housing Authority and the City of Alameda to Provide Housing Services for the City and Additional Policing Services for the Housing Authority and Authorize the Interim City Manager to Execute the Agreement. Accepted.

(*15-366) Resolution No. 15048, “Amending the Alameda Municipal Power Unrepresented Management Employees (AMPU) Salary Schedule by Revising the Salary Ranges for the Classifications of Assistant General Manager - Administration, Assistant General Manager - Energy Resources Planning, Assistant General Manager - Customer Resources, and Assistant General Manager - Engineering & Operations.” Adopted.

(*15-367) Ordinance No. 3126, “Revising the City’s Sewer Service Charge.” Finally passed.

REGULAR AGENDA ITEMS

(*15-368) Recommendation to Receive Update on City's Water Reduction Plan.

Councilmember Daysog left the dais at 7:27 p.m. and returned at 7:29 p.m.

The Management Analyst and Doug Linney, East Bay Municipal Utility District (EBMUD), gave a Power Point presentation.

Councilmember Daysog inquired whether businesses receive recognition for outstanding improvement in water use reduction.

Mr. Linney responded EBMUD has a program for businesses that discover new ways to save water, and notices are sent to customers for outstanding efforts.

In response to Councilmember Ezzy Ashcraft’s inquiry regarding Lincoln Avenue work, Mr. Linney stated Alameda’s main water main runs down Lincoln Avenue; replacement of 60 to 70 year-old pipes on Lincoln Avenue is important to provide greater assurance for reliable water supply in a disaster.

Councilmember Ezzy Ashcraft inquired whether the emergency water supply would be drinking water or to fight fires, to which Mr. Linney responded both drinking water and to fight fires.

In response to Councilmember Ezzy Ashcraft's inquiry, Mr. Linney stated purple pipes are separate pipes with recycled water which is filtered and cleaned; purple pipe water can be used for landscaping but is not potable.

Councilmember Ezzy Ashcraft inquired whether purple pipes will be added to newer development.

Mr. Linney responded there are no details yet but a master plan could spread the use of recycled water through the District; purple pipes could be used for the landscaping portion of new development.

Councilmember Oddie stated that he is encouraged by Alameda citizens' progress of cutting 14% of water usage; receiving citizen emails to help the fight and be prepared is important; 50% water use is environmental; consumers can make the difference by being vigilant.

Mr. Linney concurred with Councilmember Oddie; stated water is not just for residents, it is also for animals, fish, wildlife and to conserve for the future.

In response to Mayor Spencer's inquiry, the Management Analyst stated the 25% water savings has then been translated by EBMUD to 20% of the 2013 baseline; Alameda has achieved the goal and will continue going forward.

In response to Mayor Spencer's inquiry, Mr. Linney stated the overall savings goal is divided by District depending on performance; EBMUD has a 20% goal.

Mayor Spencer inquired whether there will there be an increase in cost for the same amount of water.

Mr. Linney responded the EBMUD is in the process of adjusting conservation rates to purchase additional water supply and to make up for 80% of the cost to replace and repair pipes.

Mayor Spencer requested an estimate of the rate increase and the effective date.

Mr. Linney responded the rate increases will start at the end of July, depending when meters are built.

Sherrie Hong, EBMUD, noted an 8% rate increase is scheduled for July 1st; there will be a drought surcharge of 25% on volume.

In response to Mayor Spencer's inquiry regarding the rate increase impact on the budget, the Interim City Manager stated staff received advanced notice and the 25% increase is in the budget.

In response to Mayor Spencer's inquiry, Mr. Linney stated EBMUD did a past-bills comparison during the last drought cycle; a comparison will not be done this drought cycle; the more people save, the less they will be impacted.

(15-369) Recommendation to Authorize the Interim City Manager to Negotiate and Execute a Five Year Agreement with Taser International for the Acquisition, Support and Maintenance of 80 Body Worn Digital Video Cameras and a Digital Evidence Management System and Appropriate \$424,752.61 from the Police Departments' Fiscal Year (FY) 2014-15 Budget to Finance the Acquisition.

The Police Chief gave a brief presentation.

Councilmember Ezzy Ashcraft stated the agreement should not have come to Council without a draft use policy; a full blown forum is not necessary, but the body camera issue is a high profile item; the Council and public want to know what the City is acquiring and how the equipment will be used; the City of San Leandro purchased the same type of equipment and had a use policy; the City of San Jose is simultaneously developing their policy; she appreciates the Police Chief's offer to bring the use policy back to Council, but does not want to put the cart before the horse; she understands the grant money process and does not want to disadvantage the department, but in order to have her vote, a draft policy needs to come back to Council before the end of the Fiscal Year and before cameras are used in the field.

Vice Mayor Matarrese stated the policy should include the use of the camera and access to the data the camera collects; that he would like assurance in writing that the data is stored and protected and Taser International can prove the data is protected.

The Police Chief stated the data belongs to the City; Taser is simply holding it; data would be deleted on the City's schedule based on the retention policy.

Vice Mayor Matarrese inquired whether the use policy would include the Freedom of Information or Public Records Act rules, to which the Police Chief responded in the affirmative.

In response to Councilmember Oddie's inquiry, Councilmember Ezzy Ashcraft stated she would prefer not to deploy the equipment until a use policy is brought before the Council by the end of the Fiscal Year.

Councilmember Oddie stated it is an issue of civil rights; that he is sympathetic to the timeline to develop policy; there is nationwide debate and policy makers know what is going on; Assembly Bill (AB) 66 would create Statewide standards; keeping the public

safe and protecting the Police Department is important; that he supports the item and will vote to move it forward today.

Councilmember Daysog stated Alameda is a safe City because of effective law enforcement; the equipment is practical; that he supports the Police Chief's position that Alameda needs the equipment to protect citizens and the department.

In response to Councilmember Ezzy Ashcraft's inquiry, the Police Chief stated Alameda will get new cameras if a better camera is available in the 5 year period and if cameras break, they will be replaced.

Councilmember Ezzy Ashcraft noted Evidence.com cloud based storage is a subsidiary; stated that she hopes the parameters of what can be done with the data is included in the agreement.

The Police Chief stated there is no possibility that the City's data would be given or disclosed to anyone; the City owns the data and the storage security is military grade; there have not been any data breaches countrywide.

In response to Mayor Spencer's inquiry, the Police Chief stated the use policy will be submitted for Council acceptance when it is ready; the policy could be put on the City website for the public to view; there are no plans to have public meetings similar to the License Plate Readers (LPRs).

Mayor Spencer stated that she would like to have an informal process and give the public an opportunity to discuss the issue.

Councilmember Ezzy Ashcraft stated the item could come back as a regular agenda item instead of on the consent calendar to allow Council and public input.

Councilmember Daysog stated that he supports what the Police Chief thinks is best.

Councilmember Ezzy Ashcraft stated the body cameras are an important purchase; the LPRs were different in that there was a lot of concern of infringement of civil liberties since the LPRs are non-discriminating; the American Civil Liberties Union (ACLU) were skeptical of LPRs but support body cameras; that she supports a robust discussion but questioned why the discussion could not happen at a Council meeting.

Mayor Spencer stated if Councilmembers are not interested in holding a public forum, she would reach out to other community organizations like Alameda Citizens Taskforce (ACT) to hold a public forum in the library; inquired whether the Police Chief would be interested in addressing the public.

Councilmember Oddie stated that he leaves it to the Police Chief's discretion on how he wants to proceed.

Mayor Spencer commended the Police Chief and officers for attending a County event to improve relations of police and community members; stated that she fully supports funding the item, but that she does want to work on policy.

The Police Chief stated having control of the data does not make people feel better about how the data is managed; nothing is hidden; trying to balance privacy and technology, and still instill confidence in the public is a hard conversation.

Mayor Spencer inquired whether review is built into the policy, to which the Police Chief responded in the affirmative; stated the LPR policy follows federal and State law; any policy changes would be made to reflect current law.

Mayor Spencer inquired whether the Council has ability to review the policy, to which the Police Chief responded in the affirmative; stated former Councilmember Chen requested additional internal policy review for the LPRs; assured Council a similar provision would be included in the use policy on the body cameras.

Stated that she questioned the automatic license plate readers, which are indiscriminate and track people's movement; body cameras differ and do not require as much attention; there should be public disclosure of being filmed and some oversight: Carol Gottstein, Alameda.

Councilmember Oddie moved approval of the staff recommendation to authorize the Interim City Manager to negotiate and execute a Five Year Agreement with Taser International for the acquisition, support and maintenance of 80 body worn digital video cameras and a digital evidence management system and appropriate \$424,752.61 from the Police Departments' FY 2014-15 budget to finance the acquisition, with the caveat that it not be deployed until Council reviews the policy before the last meeting in July.

Councilmember Ezzy Ashcraft seconded the motion.

Under discussion, Mayor Spencer inquired whether Council approves or just reviews the policy.

The Interim City Manager responded typically the Police Chief develops the policy for review by the Council.

Mayor Spencer stated that she would like Council to approve the policy.

The City Attorney stated the policy is operational and the Police Chief has control of his department; Council does not manage or operate the Police Department.

Vice Mayor Matarrese inquired whether the Council could vote to not approve the contract if they do not like the policy, to which the City Attorney responded in the affirmative.

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

CITY MANAGER COMMUNICATIONS

(15-370) The Interim City Manager discussed the City's progress in meeting regional housing requirements; stated Alameda scored second to last for the period 2007 through 2014; clarified the requirements for an Engineer to approve plans for City projects, including the Shoreline cycle track; discussed Public Works staff qualifications.

Councilmember Daysog commended the Public Works Director for his work on the Main Library.

Councilmember Ezzy Ashcraft inquired whether the Interim City Manager would clarify the wireless telecommunications facility report [addressed on May 19].

The Interim City Manager stated the Radio Frequency (RF) study for 1777 Shoreline Drive was included in the Engineer's report, which was included in the staff report.

Councilmember Daysog stated the report was 350 pages which included two RF studies for 1801 Shoreline Drive; it was reasonable for him to think the second RF study was the RF study for 1777 Shoreline Drive.

Councilmember Oddie commended the Public Works Director.

Councilmember Ezzy Ashcraft expressed concern over personal attacks; urged decorum.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(15-371) Councilmember Oddie announced that he attended a Stopwaste.org meeting and would be asking the Council for a position on the plastic bag ban.

(15-372) Councilmember Daysog announced that he attend the League of California Cities Easy Bay Division meeting with Mayor Spencer and Councilmember Ezzy Ashcraft at which the City's Community Development Director gave a presentation.

Councilmember Ezzy Ashcraft stated the Community Development Director gave the Walnut Creek Community Development Director a tour of Harbor Bay Business Park to help the renovation process of their old business park.

(15-373) Vice Mayor Matarrese stated a delegation from Dumaguete, Philippines would be hosted this weekend.

(15-374) Consideration of Mayor's Nominations to the Civil Service Board, Commission on Disabilities, Golf Commission, Library Board, Planning Board, Public Art Commission, Public Utilities Board, Recreation and Park Commission, Social Service Human Relations Board, and Transportation Commission; and Mayor's Appointment to the Rent Review Advisory Committee.

Stated that hopes to continue serving on the Transportation Commission: Chris Miley, Alameda.

Mayor Spencer made brief comments on the candidates and process; nominated Jan Brandt and Cookie Robles-Wong for appointment to the Civil Service Board; Edward Downing and Ronald Carlson for appointment to the Golf Commission; and Karin Lucas for appointment to the Rent Review Advisory Committee.

The City Clerk clarified that the Rent Review Advisory Committee appointment would not return to Council.

Mayor Spencer stated members of the public could continue submitting applications.

Councilmember Ezzy Ashcraft expressed support for Mr. Miley and encouraged diversity.

Councilmember Oddie expressed support for Mr. Miley and urged he be reappointed.

Mayor Spencer stated the City has a diverse pool of applicants and that she is working with staff and the community; she welcomes more board and commission applications.

ORAL COMMUNICATIONS, NON-AGENDA

(15-375) Linda Weinstock, discussed the drought and water saving measures that should be implemented in new development and urged implementation of rebates.

Mayor Spencer inquired whether staff could look into the matter.

The Interim City Manager stated EBMUD has rebates.

(15-376) Ken Peterson, Alameda expressed his appreciation for the Police and Fire budget presentations; discussed the amount of money spent on public safety; stated Joe Ernst gave a presentation to the Alameda Citizens Task Force; discussed energy efficiency and clean energy.

ADJOURNMENT

(15-377) Councilmember Oddie requested the meeting be adjourned in memory of School Board member Neil Tam; made brief comments.

Councilmember Ezzy Ashcraft made brief comments to honor Mr. Tam.

Councilmember Daysog extended his condolences to the family and made brief comments.

Vice Mayor Matarrese stated it is fitting to adjourn the meeting in Mr. Tam's memory.

Mayor Spencer stated she was honored to serve with Neil Tam on the School Board.

There being no further business, Mayor Spencer adjourned the meeting in memory of Mr. Tam at 9:06 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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