

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
TUESDAY- -MARCH 19, 2013- -7:00 P.M.

Mayor Gilmore convened the meeting at 7:11 p.m. Vice Mayor Ezzy Ashcraft led the Pledge of Allegiance.

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

Absent: None.

AGENDA CHANGES

(13-101) Mayor Gilmore announced that the Public Hearing [paragraph no. 13-112] was being continued to April 2, 2013.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY & ANNOUNCEMENTS

(13-102) Mayor Gilmore read a statement regarding the season of non-violence word of the day: Honor.

ORAL COMMUNICATIONS, NON-AGENDA

(13-103) Ken Peterson, Alameda, expressed concern with the upcoming budget, inquired about estimates being used for post-employment benefits.

CONSENT CALENDAR

Mayor Gilmore announced that the resolution waiving Bay-Friendly requirements [paragraph no. 13-109] was removed from the Consent Calendar for discussion.

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

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

(\*13-104) Minutes of the Special and Regular City Council Meetings Held on February 19, 2013. Approved.

(\*13-105) Ratified bills in the amount of \$6,372,515.25.

(\*13-106) Recommendation to Accept the Work of MCK Services Inc. for the Repair and Resurfacing of Certain Streets, Phase 31, No. P.W. 02-12-04. Accepted.

(\*13-107) Recommendation to Approve an Agreement between the Department of the

Army and the City of Alameda for the Bay Farm Island Shoreline Protection Feasibility Study, Allocate \$22,710 from the Urban Runoff Fund (Fund 351), Provide a Local Match of \$382,710, and Authorize the City Manager to Execute All Required Documents. Accepted.

(\*13-108) Recommendation to Authorize the City Manager to Enter into a Memorandum Of Understanding with the East Bay Collection System Advisory Committee Regarding Sharing Cost of Consultant Services Not to Exceed \$50,000 per Year, and to Execute all Necessary Documents to Implement the Project. Accepted.

(13-109) Resolution No. 14781, "Waiving Bay-Friendly Landscape Requirements in Accordance with Section 30-59.3 of the Alameda Municipal Code for Renovations of the Golf Greens at the Chuck Corica Golf Course." Adopted.

Mayor Gilmore stated that she pulled the item in order for the new Councilmembers and public to hear about Greenway Golf's advanced turf management techniques.

The Recreation and Parks Director stated environmental consciousness is one of Greenway's main tenets; Greenway strives to reduce chemical input into turf and reduce water usage; Greenway's turf management has more uniform and suitable grasses to allow consistent watering instead of having to water to sustain the weakest grasses; Greenway has already reduced chemical output by about 62% and golfers are very happy with the quality of the greens.

Vice Mayor Ezzy Ashcraft stated Bay Friendly Landscaping Program Manager Teresa Eade has explained that golf courses rely on different surfaces; Alameda made a sensible turf choice and will come out ahead.

Councilmember Chen stated that he visited the golf course and was very impressed with the field supervisor; he plays golf, but never thought about what is underneath turf and now has a different perspective.

Vice Mayor Ezzy Ashcraft moved adoption of the resolution.

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

(\*13-110) Resolution No. 14779, "Amending the City of Alameda Management and Confidential Employees Association (MCEA) Salary Schedule Establishing the Classifications of Library Circulation Coordinator and Fire Administrative Services Supervisor." Adopted.

(\*13-111) Ordinance No. 3064, "Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a Lease Amendment with the Artemis Racing, USA Extending Their Current Lease for Up to One Year in Building 12 Located at 1050 West Tower, a Portion of Taxiway H and Access to the Seaplane Lagoon at Alameda Point." Finally passed.

## REGULAR AGENDA ITEMS

(13-112) Public Hearing to Consider Adoption of Resolution Certifying the Final Environmental Impact Report (EIR) for the North Park Street Regulating Code (State Clearinghouse #2011052058);

(13-112 A) Introduction of Ordinance Amending Various Sections of the Alameda Municipal Code Contained in Chapter XXX (Development Regulations) Related to the North Park Street Planning Area; and

(13-112 B) Adoption of Resolution “Approving Citywide Design Manual Amendments. (This project regulates development within the area bounded by the Oakland-Alameda Estuary, Tilden Way, Lincoln Avenue, and Oak Street).

Continued to April 2, 2013.

(13-113) Resolution No. 14780, “Affirming Support for Creation of a Nature Reserve at Alameda Point.” Adopted.

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

Councilmember Chen stated that he likes the term nature reserve more than federal facilities, open space or wildlife refuge; he has studied the resolution and is very happy with the revisions; encouraged Councilmembers to approve the resolution.

Stated US Fish and Wildlife Service will manage the area, not the Veterans Administration (VA); the resolution seeks to set a zoning designation, sets broad goals and creates opportunities; provided an example: Richard Bangert, Alameda.

Expressed support for the resolution; stated the map should reflect what is really there; the resolution sets a goal of where to go in the future; the term nature center signifies a cross between people and wildlife; a VA representative indicated the VA cares about and wants to work with the community: Irene Dieter, Alameda.

Councilmember Tam stated the City and County of San Francisco has jurisdiction over the southwest corner of the area; Alameda hopes jurisdiction will be transferred; inquired whether the boundary is where the County line is at low tide.

The Chief Operating Officer – Alameda Point responded in the affirmative; stated the County line runs along the southwest corner of the property; some submerged property, which is in the City and County of San Francisco, will come to the City of Alameda as part of the first phase conveyance; Alameda will be the land owner of the submerged parcel but will not have Police authority or land use control; some of the land will also be transferred to the VA.

Councilmember Tam inquired whether San Francisco is supportive of the transfer.

The Chief Operating Officer – Alameda Point responded that she understands a letter from the City and County of San Francisco indicates San Francisco does not care about the property or have any designs on it, which implies that San Francisco would not care if Alameda keeps the land or transfers the land back [to the federal government]; stated the matter is not high on Alameda's priority list but needs to be resolved at some point.

Vice Mayor Ezzy Ashcraft read resolution language about the reason Alameda would create the nature reserve: "Whereas the proposed 511 acre refuge area offers a rare and vast inner urban opportunity for limited public access and education, a rest and retreat from the built environment, introduction of native plant species, expansion of wetlands and wildlife recovery and protection efforts consistent with the existing or any future biological opinion listed by the Fish and Wildlife Service."

Mayor Gilmore stated the VA is holding an additional meeting based on residents' concerns; inquired about the meeting details.

The Chief Operating Officer – Alameda Point responded the meeting will be held April 10<sup>th</sup> at the Officer's Club from 4 to 7 p.m.

The City Manager stated the information is on the City website; the VA extended the deadline for comments to April 19<sup>th</sup> based on comments from the previous Council meeting.

Mayor Gilmore complemented the VA for listening to the concerns of Alameda citizens and scheduling the meeting.

Councilmember Daysog thanked Mayor Gilmore and the City Manager for holding the VA's feet to the fire.

Councilmember Chen concurred with Mayor Gilmore; stated the VA will continue to be a good partner; the resolution is a fitting conclusion to the letter of support given to the VA at the last Council meeting.

Councilmember Chen moved adoption of the resolution.

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

#### CITY MANAGER COMMUNICATIONS

(13-114) The City Manager stated budget sessions have been scheduled for April 18<sup>th</sup> and May 28<sup>th</sup>; budget adoption is anticipated for June 11<sup>th</sup>; June 25<sup>th</sup> is being held as a backup meeting date if more time is needed; staff will present updated five-year projections; the budget is a two-year budget.

## ORAL COMMUNICATIONS, NON-AGENDA

None.

## COUNCIL REFERRALS

None.

## COUNCIL COMMUNICATIONS

(13-115) Consideration of Mayor's Nominations for Appointments to the Planning Board and Social Service Human Relations Board (SSHRB).

Mayor Gilmore nominated Dania Alvarez-Morrone and Stanley Tang for appointment to the Planning Board and Michael Robles-Wong for appointment to the SSHRB.

Councilmember Chen commended the Mayor on her appointments; stated making the Planning Board and SSHRB more diverse and bringing in different skill sets will improve both Boards.

## ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 7:37 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 19, 2013- -6:00 P.M.

Mayor Gilmore convened the meeting at 6:09 p.m.

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

Absent: None.

Although not required to recuse herself due to a legal conflict of interest, Councilmember Tam recused herself from participating in the Existing Litigation in an abundance of caution.

The meeting was adjourned to Closed Session to consider:

(13-099) Conference with Legal Counsel – Existing Litigation (54956.9) Name of Case: USA/Baykeeper v. City of Alameda; United States District Court, Northern District of California Case No. CV09-05684 RS

(13-100) Conference with Labor Negotiators (54957.6); Agency Negotiators: Human Resources Director; Employee Organizations: Alameda City Employee Association (ACEA); Executive Management (EXME); Management and Confidential Employees Association (MCEA); and Police Officers Association (Non Sworn) (PANS); Issue Under Negotiation: Discussion of Administrative Policy to Allow for Vacation Cash Out to Existing Memorandums of Understanding (MOUs). Not heard.

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

Adjournment

There being no further business, Mayor Gilmore adjourned the meeting at 6:55 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 JOINT CITY COUNCIL AND  
SUCCESSOR AGENCY OF THE COMMUNITY IMPROVEMENT  
COMMISSION (SACIC) OF THE CITY OF ALAMEDA MEETING  
TUESDAY- -MARCH 19, 2013- -7:01 P.M.

Mayor/Chair Gilmore convened the meeting at 7:38 p.m.

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

Absent: None.

ORAL COMMUNICATIONS, NON-AGENDA

(13-116 CC/13-005 SACIC) Ken Peterson, Alameda, stated financial presentations, which can be very misleading, should be easily understandable; Fremont's budget presentation is a good model; that he questions the \$11 million debt that the redevelopment agency put upon the City before being terminated.

CONSENT CALENDAR

Councilmember/Agency Member Tam moved approval of the Consent Calendar.

Vice Mayor/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.]

(\*13-117 CC/13-006 SACIC) Minutes of the Special Joint City Council, and SACIC Meeting Held on January 14, 2013. Approved.

(\*13-118 CC/13-007 SACIC) Recommendation to Accept the Fourth Quarter Financial Report for the Period Ending June 30, 2012. Accepted.

(\*13-119 CC/13-008 SACIC) Recommendation to Accept the FY11-12 Audited Financial Statements and Compliance Reports. Accepted.

AGENDA ITEM

(13-120 CC/13-009 SACIC) Recommendation to Accept the Second Quarter Financial Report for the Period Ending December 31, 2012 and Approve the Mid-Year Budget Adjustments for Fiscal Year 2012-13.

The Controller gave a Power Point presentation.

Councilmember/Agency Member Chen stated that the City is six months into the fiscal year and has spent only 10% of the budget for capital and maintenance projects; inquired whether most repairs and improvements are typically done in the latter half of

the year.

The Public Works Director responded in the negative; stated there is a combination of factors, including the Department being down one staff member, which decreases the amount of work that can be done; staff is working diligently to bring projects to bid; unlike most operating budgets, capital project budgets include facility maintenance and span fiscal years; once a project is funded, developing the plans, going out to bid, and awarding the contract all take time; construction may actually occur in the next fiscal year.

The Controller stated that the budget for capital and maintenance projects is in a separate capital improvement fund, which is excluded from budget actuals because the fund is project oriented instead of fiscal year oriented.

Councilmember/Agency Member Tam noted license and permit revenues are accelerating; inquired whether revenues will exceed the \$1.7 million amount in the budget by the end of the fiscal year.

The Controller responded in the negative; stated the revenue from business licenses and permits will be at the [\$1.7 million amount] budgeted.

Councilmember/Agency Member Tam inquired whether the \$11 million debt from the Redevelopment Agency mentioned by the speaker is obligated specifically to the Islander Hotel and Jack Capon Villa.

The Controller responded in the affirmative; stated the bulk of the \$11 million was used to purchase the Islander Hotel and convert the hotel to affordable housing units; the funds were used as matching grant funds; the matching funds had a time limit and the City did not want to lose the opportunity.

Councilmember/Agency Member Tam stated that in past years the City has earmarked \$400,000 for the planning and replacement of Fire Station 3; 23% of the \$400,000 has been spent and project funding has not been identified; inquired how much of the \$400,000 would be used by the end of the fiscal year.

The Public Works Director responded that he does not have an exact number, but would provide information to the Council; stated the public engagement process and preliminary design are completed, and a consultant has been hired to do initial work.

The City Manager stated the Fire Chief provided a preliminary report and the budget would not be brought forward until the project can be afforded.

Councilmember/Agency Member Tam inquired whether the \$400,000 funding would be exhausted by end of fiscal year, to which the City Manager responded in the negative.



Mayor Gilmore noted that the Islander Motel and Jack Capon Village projects were the last two projects the City completed under redevelopment; stated similar opportunities would be more difficult to fund going forward since redevelopment funds are no longer available.

Councilmember/Agency Member Daysog stated as a matter of practice, staff should consider distinguishing important economic development revenues in budget reports.

The Controller stated that said line items could be separated out in the next quarter report.

Councilmember/Agency Member Daysog inquired whether the Transfer Occupancy Tax (TOT) is under other local taxes, to which the Controller responded in the affirmative.

Councilmember/Agency Member Tam moved approval of the staff recommendation.

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

#### ADJOURNMENT

There being no further business, Mayor/Chair Gilmore adjourned the meeting at 7:59 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

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