

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -FEBRUARY 21, 2012- -7:00 P.M.

Acting Mayor Bonta convened the meeting at 7:08 p.m.

ROLL CALL – Present: Councilmembers deHaan, Johnson, Tam and Acting Mayor Bonta – 5.

Absent: Mayor Gilmore – 1.

AGENDA CHANGES

(12-065) The City Clerk announced the Public Hearing to consider an appeal [paragraph no. 12-077] would not be heard because the appeal was withdrawn and the City Manager announced the recommendation to approve “Opting-Out” [paragraph no. 12-080] was withdrawn by staff.

The City Manager outlined the reasons for withdrawing the item.

Councilmember Johnson stated that she is in support of the ordinance but is not in favor of the process; cities have not been provided an opportunity for public input.

Councilmember deHaan stated the Council and community should have had an opportunity to discuss the matter.

Councilmember Tam stated that she is happy that the City is opting in on the ordinance.

Acting Mayor Bonta and Councilmember Johnson concurred with Councilmember Tam.

Councilmember Tam stated Alameda High School students requested the City Council to implement a ban on single-use plastic bags two years ago; at that time, Councilmember Johnson stated that the State or county would be moving forward on the issue; an Environmental Impact Report (EIR) was performed; certification was delayed in the hopes of conducting public outreach; the ordinance includes the opportunity for ten months of public outreach between now and January 1, 2013.

Councilmember Johnson stated that she was very supportive of the concept when she was a Stop Waste representative; Alameda has a Styrofoam ban and is a leader in environmental issues.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY & ANNOUNCEMENTS

None.

ORAL COMMUNICATIONS, NON-AGENDA

(12-066) Jon Spangler, Alameda, thanked Council for opting in on the single-use bag ordinance; stated ten months would provide plenty of time for outreach.

CONSENT CALENDAR

Councilmember Tam moved approval of the Consent Calendar, including approval of a revised exhibit provided for the recommendation to approve and transmit the Initial and Second Recognized Obligation Payment Schedules [paragraph no. 12-070].

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

(*12-067) Minutes of the Regular City Council Meeting and the Special Joint City Council and Community Improvement Commission Meeting Held on January 17, 2012. Approved.

(*12-068) Ratified bills in the amount of \$2,644,680.88.

(*12-069). Recommendation to Support the Friends of the Parks Fit City Challenge Program. Accepted.

(*12-070) Recommendation to Approve and Transmit the Initial and Second Recognized Obligation Payment Schedules to the Oversight Board, State Department of Finance, and Alameda County Auditor-Controller. Accepted with revised schedule.

(*12-071) Recommendation to Adopt the Legislative Program for 2012. Accepted.

(*12-072) Recommendation to Accept Staff's Responses to the Regional Sustainable Communities Strategy - Alternative Scenarios. Accepted.

(*12-073) Resolution No. 14655, "Supporting the FOCUS Priority Development Area Application for the Northern Waterfront." Adopted.

(*12-074) Resolution No. 14656, "Rescinding Resolution No. 12611, Which Amended Resolution No. 12567 Establishing Rules of Order Governing the Proceedings and Order of Business of City Council Meetings, By Amending Section 1(k) Pertaining to the Adjournment of City Council Meetings." Adopted.

REGULAR AGENDA ITEMS

(12-075) Resolution No. 14657, "Appointing Michael Radding as a Member of the Social Service Human Relations Board." Adopted.

Councilmember Johnson moved adoption of the resolution.

Councilmember Tam seconded the motion, which carried by unanimous voice vote – 4.

[Absent: Mayor Gilmore – 1.]

The City Clerk administered the Oath of Office and presented Mr. Radding with a certificate of appointment.

(12-076) Public Hearing to Consider Approving Amendment One to the Fiscal Year 2011-2012 Community Block Grant Action Plan and a Housing and Community Development Needs Statement for the Community Development Block Grant Annual Plan for Fiscal Year 2012-2013, and Authorize the City Manager to Negotiate and Execute Related Documents, Agreements, and Modifications.

The Community Development Block Grant (CDBG) Program Manager and Social Service Human Relations Board (SSHRB) Chair gave a Power Point presentation.

Councilmember deHaan inquired how income is generated, to which the CDBG Program Manager responded from the Residential Revolving Loan Fund.

Councilmember Tam inquired whether a decline in funding is expected to continue.

The CDBG Program Manager responded in the affirmative; stated the proposed allocation for Fiscal Year 2012 – 2013 is expected to be reduced by 7.2%.

Councilmember deHaan stated having food as the second highest priority is shocking; inquired whether food was expected to be such a high priority.

The SSHRB Chair responded the [Community Needs] Survey was conducted differently this year and included a different group of people; stated many children are living in poverty in Alameda.

Acting Mayor Bonta inquired when the Survey would be conducted again, to which the SSHRB Chair responded hopefully in three years.

Spoke about increased needs and urged increasing program funding: Liz Varela, Building Futures with Women and Children; Erin Scott, Family Violence Law Center; Hank Leeper, Alameda Food Bank; Doug Biggs, Alameda Point Collaborative and SSHRB Member.

Councilmember Tam stated the matter is something that should be taken into consideration during budget discussions scheduled for next Thursday; perhaps General Fund support is needed.

Councilmember Tam moved approval of the staff recommendation.

Councilmember Johnson seconded the motion.

Under discussion, Councilmember Johnson stated the SSHRB does a lot of work in

analyzing information and making recommendations to Council; every year, there is less money and more need.

Acting Mayor Bonta stated affirmative steps need to be taken to ensure a social service safety net is free of holes and not shredded; the City should explore funding from federal, State and County grants or General Fund trade offs; revenue generating should be part of safety net discussions and should be included as part of budget discussions.

Councilmember deHaan stated that he does not see any additional funding in the budget.

The City Manager stated the General Fund is \$4.4 million in the red; cautioned the Council to be very careful before taking on governmental functions that cannot be funded at levels needed; the County is the provider for social services; the State has pushed responsibilities down to the County; the County will try to push responsibilities down to cities.

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

(12-077) Public Hearing to Consider an Appeal of the Planning Board Action to Approve a Third Amendment and Development Plans, PLN11-0328, and Street Improvement Plans for a Retail Center at Alameda Landing (Tract 7884). Not heard; and

(12-077A) Adoption of Resolution Upholding Planning Board Resolution PB-12-01 Planning Board Action to Approve a Third Addendum and Development Plans PLN11-0328 and Street Improvement Plans for a Retail Center at Alameda Landing (Tract 7884). Not heard.

(12-078) Recommendation to Approve a First Amendment to the Contract with Suarez & Munoz for the Park Street Streetscape Project, No. P.W. 10-09-03, for a Total Contract Amount of \$1,576,583, Including Contingencies, and Appropriate \$34,000 from Measure B (Fund 215.1), \$41,000 from the Parking Meter Fund (Fund 224), and \$25,000 from the Parking In-Lieu Fund (Fund 223).

The City Engineer gave a brief presentation.

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Councilmember Tam left the dais at 8:00 p.m. and returned at 8:02 p.m.

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In response to Councilmember Johnson's inquiry, the City Engineer responded the trees would have 36-inch boxes instead of 24-inch boxes.

Councilmember Johnson inquired what was the size of the trees in the previous phase, to which the City Engineer responded 15 and 24-gallon containers.

Councilmember Johnson inquired what is the difference in cost between the 24-inch box and 36-inch box trees, to which the City Engineer responded \$12,000.

In response to Councilmember Johnson's inquiry, the City Engineer stated the \$12,000 would come from Measure B; parking kiosks would be funded by the Parking Meter Fund.

Councilmember Johnson stated something else could be done with \$12,000; questioned whether larger trees would make a significant difference.

The City Engineer stated businesses and residents feel that the streetscape lost its character because of the tree removal.

Councilmember Johnson stated Measure B funds can be used for other things; trees grow rapidly.

Acting Mayor Bonta inquired how growth rate differs; to which the City Engineer responded growth rate depends upon species.

In response to Councilmember Tam's inquiry regarding funding constraints, the City Manager stated the money [for the Suarez & Munzo Contract amendment] would come from funds set aside specifically for infrastructure projects; \$34,000 would come from Measure B, \$41,000 from the Parking Meter Fund, and \$25,000 from the Parking In-Lieu Fund; Council would be unable to reprogram the money into different functions.

The Assistant City Manager stated other transportation related projects could be done with the \$12,000.

Councilmember Tam inquired whether the \$12,000 could be used for paratransit programs, to which the Assistant City Manager responded in the negative.

The City Engineer stated the \$12,000 could be used for resurfacing, bus shelters, and sidewalks.

Councilmember Tam inquired what would be displaced if Measure B funds were used for the trees.

The Public Works Director responded the money being allocated is currently in the reserves; stated if programmed, the money would most likely be used for sidewalk repair; approximately 30 sidewalks could be repaired.

In response to Councilmember Johnson's inquiry the City Engineer stated businesses and patrons expressed concern that there were too few parking kiosks for longer blocks; the manufacturer suggested increasing the number of kiosks in certain areas.

In response to Acting Mayor Bonta's inquiry, the Public Works Director a mature tree could mean a fully grown tree; planting a fully grown tree would not be possible; the largest possible tree would be a 36-inch box tree; within a year, a 24-inch box tree would look the same as a 36-inch box tree; a 24-inch box tree would do better because it would have more time to adjust to its surroundings.

Councilmember Johnson stated the City has a lot of deferred maintenance; spending \$41,000 for additional parking kiosks makes sense; that she would prefer having 24-inch box trees and letting the trees grow.

Councilmember deHaan inquired whether the \$41,000 [for additional parking kiosks] could be used for the \$25,000 change order, to which the Public Works Director responded not the full \$25,000.

Urged installing additional kiosks and smaller trees: Robb Ratto, Park Street Business Association.

Urged using Measure B funding for sidewalk repairs, installing smaller trees, and increasing the number of bike racks: Jon Spangler, Alameda,

Acting Mayor Bonta stated Park Street is a very special part of the community; that he is in favor of investing in Park Street; the proposed investments help the businesses; people have requested mature trees.

Councilmember Johnson moved approval of the staff recommendation with an amendment not to spend \$12,000 for larger trees.

Councilmember deHaan seconded the motion, which carried by the following voice vote: Ayes: Councilmembers deHaan, Johnson and Tam – 3. Noes: Acting Mayor Bonta – 1. [Absent: Mayor Gilmore – 1.]

(12-079) Recommendation to Accept a Report on the Status of the City's Athletic Fields.

The Recreation and Parks Director gave a brief presentation.

Councilmember Johnson requested an update on the swimming pools.

The Recreation and Parks Director stated the City has a shortage of swimming pools; high school pools are used for all swimming activity; some facilities are over fifty years old.

Councilmember Tam requested clarification on the City's access to the all weather field at the College of Alameda and how said field could be turned into a resource for the City.

The Recreation and Parks Director stated the City does not have access to said field;

the City has access to the hardball field through a joint agreement; staff is working with the College of Alameda regarding having access to the all weather field.

Councilmember Tam stated staff has been working on the issue for quite a while; inquired how Council could help.

The Recreation and Parks Director responded hopefully, some progress will be made in the next few months; stated staff will advise Council as soon as more details are known.

Acting Mayor Bonta inquired why the City does not have access to the all weather field.

The Recreation and Parks Director responded the Peralta College District has a complicated set of use policies; stated cost is the main issue; custodial and gardening staff would need to be paid overtime; the City has been able to get around the issue on a case-by-case basis.

Acting Mayor Bonta inquired whether any thought has been given to potential all weather field locations.

The Recreation and Parks Director responded potential sites include Alameda Point, Beltline property, and the North Loop Road property.

Urged the report not be adopted: Joe Van Winkle, Alameda.

Councilmember Johnson moved approval of the staff recommendation.

Councilmember Tam seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Johnson, Tam and Acting Mayor Bonta – 3. Noes: Councilmember deHaan – 1. [Absent: Mayor Gilmore – 1.]

(12-080) Recommendation to Approve “Opting-Out” of the Alameda County Waste Management Authority (ACWMA) Ordinance Prohibiting the Use of Free Single-Use Carry Out Bags to Allow Additional Time for Public Outreach; and Consider Related Resolution; and

(12-080A) Recommendation to Reject “Opting-Out” of the ACWMA Ordinance Relating to Mandatory Recycling for Certain Commercial Businesses, Multi-Family Properties With at Least Five Units, and Self Haulers; and Consider Related Resolution. Not heard.

CITY MANAGER COMMUNICATIONS

None.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

(12-081) Consider Waiving Confidential Attorney-Client/Work Product Privilege on a November 11, 2011 Memo, Which Offers a Legal Analysis of Article XXII, Section 12 of the City Charter regarding the Preservation of Parkland Through Sale or Exchanges.

Councilmember Tam gave a brief presentation.

Councilmember Tam moved approval of waiving attorney-client/work product privilege with any appropriate redactions made by the City Attorney.

Councilmember Johnson seconded the motion.

Under discussion, Councilmember deHaan stated that he wholeheartedly supports the Council Referral; he initially requested the opinion in 2010; the community is entitled to a full interpretation of the opinion.

Councilmember Johnson stated that she concurs with the motion because the City Attorney might not have any redactions; the City Attorney should have the opportunity to make redactions if appropriate.

The City Attorney stated the opinion was not intended to be public but was written to provide Council with risk analysis; that she would prefer to be able to redact some things before releasing the opinion.

Acting Mayor Bonta inquired whether the waiver could be limited to tonight's Council Referral without any greater waiver precedence, to which the City Attorney responded in the affirmative.

Vice Mayor Bonta recommended that the motion be amended to have the waiver be limited to tonight's Council Referral.

Councilmember Tam accepted the amendment to the motion; requested that the City Attorney summarize the opinion if the Council waives the confidential, attorney-client/work product privilege by majority vote.

Urged release of the memo: Jon Spangler, Alameda.

Urged release of the memo without any redaction: Jane Sullwold, Alameda.

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

The City Attorney gave a brief summary of the memo.

Councilmember deHaan stated the concern is how the Charter is interpreted

(12-082) Consider Directing Staff to Place a Charter Amendment on the November 2012 Ballot that would Amend Charter Section 22-12 Regarding Sale of Public Parks.

Councilmember deHaan gave a brief presentation.

Councilmember Johnson stated that she has always been under the impression that a super majority vote would be needed [for selling of park land].

Acting Mayor Bonta stated the land swap proposal would be addressed at the March 6, 2012 City Council meeting; requested clarification from the City Attorney regarding the Council Referral.

The City Attorney stated the Referral does not address whether there should be a land swap for the Mif Albright Course for some North Loop Road land; an initiative is being circulated within the community; the City Attorney's office received a request to prepare a title and summary so that petitioners could begin collecting signatures in the hopes that enough signatures would be collected to place the matter on the ballot; Councilmember deHaan's Council Referral requests Council to put the measure on the ballot without the signature requirement; voter approval is not necessary for leases, concessions, or swapping City park land for similar park land.

Councilmember Tam inquired whether said exceptions were in the Charter when approved by 83% of the voters 31 years ago, to which the City Attorney responded in the affirmative.

Acting Mayor Bonta stated since 1992, signatures have always been gathered for citizens' initiatives; inquired why an exception should be made for the time honored practice.

The City Attorney stated a 2001 case required California Environmental Quality Act (CEQA) compliance in order for Council to put an initiative on a ballot; voter initiatives do not require CEQA compliance; staff would need to provide Council with a timeline on how quickly a CEQA report could be done and said report would need to be certified before Council could take action to place the matter on the ballot.

Acting Mayor Bonta inquired whether any decision made by Council on March 6th would not be impacted by any potential Charter amendment on the November ballot, to which the City Attorney responded in the affirmative.

Councilmember deHaan stated tonight is the first time he has heard of the CEQA requirement; that he would like to receive a briefing on the matter before March 6th.

Acting Mayor Bonta inquired whether Councilmember deHaan's proposal is identical to the citizen's petition, to which Councilmember deHaan responded in the affirmative.

Addressed the potential land swap: David Macy, Alameda; Valerie Newman, Alameda; Ashley Jones, Alameda; James Leach, Alameda; Dana Sack; and Red Wetherill, Alameda.

Urged having the Council place a measure on the ballot: Sandy Sullivan, Alameda; Cecilia Herrera, Alameda; former Councilmember Bill Withrow, Alameda; Marie Kane, Alameda; Cathy Leong, Alameda; Reyla Graber, Alameda; Patricia Gannon, Alameda; Gretchen Lipow, Alameda; former Councilmember Lil Arnerich, Alameda; Joe Van Winkle, Alameda; and Jane Sullwold, Alameda.

Urged the Council not to place the measure on the ballot because it is not necessary to prevent the land swap: Jon Spangler, Alameda.

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Acting Mayor Bonta left the dais at 9:58 p.m. and returned at 10:00 p.m.

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The City Attorney read the following from the Municipal Law Handbook: "The submittal of proposals to a vote of the people of the State or particular community is not considered a project under the California Environmental Quality Act; thus environmental review of initiatives is not required under CEQA before putting a voter initiated measure on a ballot; however, an initiative generated and placed on a ballot by a City Council is considered a discretionary project under CEQA and thus an environmental review under CEQA is required"; stated that she strongly feels that a CEQA analysis needs to be done; if Council decides to approve the Memorandum of Agreement on March 6th, the project would not necessarily impact a vote in November.

The City Manager inquired whether the CEQA analysis would not be a full blown environmental review, to which the City Attorney responded in the affirmative.

The City Manager inquired whether the City Attorney has not issued an opinion or determined what level of review would be required, to which the City Attorney responded in the affirmative.

In response to the City Manager's inquiry, the City Clerk responded the second Council meeting in July would be the last date to place a measure on the November ballot; in order to meet the Sunshine Ordinance requirement, initiative signature gathers would need to have their item on the agenda twelve days before the meeting date; the Registrar's office would have thirty working days to check signatures using the random sample counting method; the Council could place the matter on the ballot up until the first week in August.

The City Manager inquired whether the March 6th matter could be addressed and after that decision there would be enough time for Council to place a measure on the November ballot, to which the City Clerk responded in the affirmative.

In response to Acting Mayor Bonta's inquiry, the City Clerk stated additional costs would include approximately \$3,000 for typesetting, printing, and translation and approximately \$2,500 for signature checking.

Councilmember deHaan moved approval of Council taking the leadership to place the Charter amendment for the November election and have the City Attorney draft the necessary documents to place the matter on the November ballot; stated problems could have developed if a CEQA analysis for needed for Charter amendments place on the ballot two years ago.

Councilmember Tam stated that she and then Councilmember Gilmore were part of the subcommittee that involved Charter cleanup language; the City Attorney made a determination that the cleanup language was exempt from CEQA; SunCal was told that an exhaustive CEQA analysis would be needed if Council put a measure on the ballot to amend Measure A but a CEQA analysis would not be needed if SunCal put the initiative on the ballot through a signature gathering process.

Acting Mayor Bonta stated a City led effort is different than a citizen led effort; signatures have been gathered for citizen led initiatives since 1992; inquired whether Councilmember deHaan would support a citizen group effort to put a modification to Measure A and then requested a Councilmember to place the matter on a ballot as a City led initiative.

Councilmember deHaan responded Council placed Section 22.12 on the ballot, which is not like Measure A; stated that he is moving forward with requesting Council to put the initiative on the ballot.

Councilmember Johnson inquired whether Councilmember deHaan disagrees with the City Attorney [regarding CEQA requirements], to which Councilmember deHaan responded that tonight is the first time he has heard about CEQA requirements.

Councilmember Johnson stated the purpose of Council Referrals is to obtain more information.

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(12-083) Councilmember Tam moved approval of hearing Vice Mayor Bonta's referral past 10:30 p.m.

Councilmember Johnson seconded the motion.

On the call for the question, the motion carried by unanimous voice vote – 4. [Absent Mayor Gilmore – 1.]

Councilmember Tam stated that on February 2nd, a citizen's group filed a notice of intention to circulate with the City Attorney; Council has until August to put the initiative

on the ballot; that she does not see a rush for Council to put the initiative on the ballot; between now and August, the City Attorney could advise Council on the CEQA and other Charter amendments to be considered; it is not a foregone conclusion that the land swap will happen; having the Mayor request options and alternatives to a land swap would suggest that a land swam would not happen; that she has not had a chance to review the exhaustive history of the initiative; that she is not ready to second Councilmember deHaan's motion since Council has until August to place the initiative on the ballot.

Councilmember deHaan stated having the community trust that the Council will do something by August could be a disaster if the signature gathering process were stopped.

Acting Mayor Bonta stated a democratic process has been in place for a long time; there has not been an exception to having citizens gather signatures for a citizen led initiative.

The motion failed due to lack of second.

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Acting Mayor Bonta called a recess at 10:33 p.m. and reconvened the meeting at 10:43 p.m.

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(12-084) Consider Initiating the Process for the City to Adopt a Prevailing Wage Resolution/Ordinance/Policy.

Acting Mayor Bonta gave a brief presentation.

Councilmember Johnson inquired what the City currently has in place.

The City Attorney responded Charter cities have the ability to pass laws but are pre-empted by the federal and State government; any construction contract that is done with federal funding needs to comply with the Davis-Bacon Act; construction that uses State money requires prevailing wages; Alameda has had the ability to determine whether or not to pay prevailing wages if a construction project is fully funded with City funds; circumstances have come up that question whether Charter cities should comply the same as General Law cities; a Supreme Court decision should be forthcoming as to whether or not prevailing wages are a matter of Statewide concern which would mean that the City would have to pay prevailing wages consistent with State code; Council could pass an ordinance or resolution to require that the City operate differently.

Councilmember Johnson stated that she understands that the City has a prevailing wage provision in place.

The Assistant City Manager stated staff found information from 2004 in which Council

chose to send a letter regarding the issue being one of statewide concern.

In response to Councilmember deHaan's inquiry, the City Attorney stated prevailing wage has to do with funding sources; staff has been unable to determine that Council adopted a prevailing wage ordinance; Alameda has wanted to retain the ability to have self-determination.

The Assistant City Manager stated a Council Referral was submitted by former Councilmember Matarrese and then Councilmember Gilmore regarding project labor agreements.

Councilmember Tam stated it is important for the City to be clear on the issue since redevelopment is gone.

Urged passage of a prevailing wage policy: Mike Croll, Operating Engineers, Local 3; Andreas Cluver; Philip Deeff, Alameda resident; Juan Caldron, Alameda resident and Painters and Allied Trades; Andy Slivkin, Alameda resident and Carpenters Local Union 713; Alan Brohard, Alameda resident; Gary Damele, Alameda resident; Ajit Rana; and Dave Mello, Alameda resident.

Urged a prevailing wage ordinance be adopted: former Councilmember Frank Matarrese, Alameda.

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(12-085) Councilmember Johnson moved approval of continuing the meeting past 11:00 p.m.

Councilmember deHaan seconded the motion, which carried by the following voice vote: Ayes: Councilmembers deHaan, Johnson and Acting Mayor Bonta. Abstention: Councilmember Tam – 1.

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The City Manager stated that he is shocked that the [1996] resolution [Mr. Slivin read] is so clear and the matter is a problem at all; he is looking for Council direction on how to proceed; he would have no problem issuing an Administrative Instruction (AI) clarifying the resolution in the next ten days; an alternative would be to draft an ordinance.

Acting Mayor Bonta stated that his goal is to get the strongest and fastest tool to enforce a prevailing wage provision; an AI could be issued initially and then an ordinance could be adopted in perpetuity.

Councilmember Johnson stated Acting Vice Mayor Bonta's suggestion is a good way to go; that she is concerned about how the language was subject to interpretation; there should be a process to ensure that Council policies are not disregarded.

Councilmember Tam moved approval of having an Administrative Instruction and

ordinance.

Councilmember deHaan questioned whether another ordinance would be needed.

Acting Mayor Bonta stated the City does not have a prevailing wage ordinance.

The City Attorney stated ordinances are codified in the Municipal Code.

Councilmember deHaan seconded the motion.

Under discussion, Councilmember Johnson complying with resolutions is not optional.

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

COUNCIL COMMUNICATIONS

(12-086) Consideration of Mayor's Nomination for Appointment to the Housing Commission.

Acting Mayor Bonta announced that Nan E. Joesten is Mayor Gilmore's nominee for appointment to the Housing Commission.

ADJOURNMENT

There being no further business, Acting Mayor Bonta adjourned the meeting at 11:20 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -FEBRUARY 21, 2012- -6:30 P.M.

Acting Mayor Bonta convened the meeting at 6:50 p.m.

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

Absent: Mayor Gilmore – 1.

The meeting was adjourned to closed session to consider:

(12-064) Conference with Labor Negotiators (54957.6); Agency Negotiators: Holly Brock-Cohn, Human Resources Director, and Masa Shiohira, Contract Labor Negotiator; Employee Organizations: International Brotherhood of Electrical Workers; Anticipated Issues: All (Wages, Hours, Benefits, and Working Conditions).

Following the closed session, the meeting was reconvened and Acting Mayor Bonta announced that Council met in closed session to discuss the Contract with the International Brotherhood of Electrical Workers which was ratified by the Union membership and will be considered by Council for approval at its March 7, 2012 special meeting; the Union ratified Contract is posted to the website and available for public review in advance of Council's public vote on March 7, 2012. .

Adjournment

There being no further business, Acting Mayor Bonta adjourned the meeting at 6:56 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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