

MINUTES OF THE REGULAR CITY COUNCIL MEETING
WEDNESDAY- -JUNE 6, 2012- -7:00 P.M.

Mayor Gilmore convened the meeting at 7:12 p.m. Councilmember deHaan led the Pledge of Allegiance.

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

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY & ANNOUNCEMENTS

(12-265) Proclamation Declaring the Month of June as Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Month.

Mayor Gilmore read and presented the proclamation to Christina Pence and Debra Arbuckle.

(12-266) Proclamation Declaring June 6, 2012 as Rhythmix Cultural Works Day.

Mayor Gilmore read and presented the proclamation to Janet Koike and Tina Blaine, Rythmix Cultural Works.

(12-267) Proclamation Declaring June 23 and 24, 2012 as Relay for Life of Alameda Days.

Mayor Gilmore read and presented the proclamation to Michele Langford, Cobbie Uolla, Jennifer Uolla, Lisa Leverton and Joan Jensen, Relay for Life.

(12-268) Public Utilities Board (PUB) Update on Alameda Municipal Power (AMP) Work Plan Initiatives, Annual Planning Workshop, and Financial and Budget Workshop.

PUB Chair Greg Hamm gave a brief presentation.

(12-269) Commendation to AMP Receiving the Reliable Public Power Provider Designation from the American Public Power Association.

Mayor Gilmore presented the award to PUB Members Hamm and McMahon and the AMP General Manager.

(12-270) Presentation to the City of Alameda by the League of American Bicyclists Designating Alameda a Bicycle Friendly Community (Bronze Level).

Bonnie Wehmann, League of American Bicyclists, gave a brief presentation and presented the award to the Mayor.

ORAL COMMUNICATIONS, NON-AGENDA

(12-271) Richard Bangert, Alameda, urged Council to comment on the proposed fence at Alameda Point.

(12-272) Al Wright, Alameda Resident and Business Owner, discussed the Park Street streetscape and thanked staff for their work; urged that posts be put up on the new lights to allow the American flags to be hung for the 4th of July.

(12-273) Ken Peterson, Alameda, commented on the City's budget.

(12-274) Bill Smith, Sierra Club, discussed the Wildlife Refuge at Alameda Point; urged the City to reengage with East Bay Regional Park District; submitted a letter.

CONSENT CALENDAR

Mayor Gilmore announced that the recommendation to continue participation in the Alameda County Lead Poisoning Prevention Program [paragraph number 12-278] was removed from the Consent Calendar for discussion.

Councilmember moved approval of the remainder of the Consent Calendar.

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

(*12-275) Minutes of the Special and Regular City Council Meetings Held on May 1, 2012 and the Special Meetings Held on May 8, 2012. Approved.

(*12-276) Ratified bills in the amount of \$2,498,235.57.

(*12-277) Recommendation to Set June 19, 2012, for a Public Hearing to Consider Collection of Delinquent Administrative Citation Fees and Vacant Building Assessments Via the Property Tax Bills. Accepted.

(12-278) Recommendation to Authorize the City of Alameda's Continued Participation in the Alameda County Lead Poisoning Prevention Program (ACLPPP) for FY 12-13/FY 14-15.

Councilmember Johnson suggested amendment to not require the matter to come to

Council every three years.

In response to Mayor Gilmore's inquiry about what established the requirement, Mark Allen, ACLPPP, stated the original Joint Powers Agreement (JPA) required approval every year, which was changed to 3 years in 2006.

Mayor Gilmore inquired whether Council could take said action tonight.

The City Attorney responded the title indicates the agreement is for three years.

The Development Manager stated that the proposed change could be brought back.

Councilmember Tam stated the agreement has been renewed ten times; inquired about the related grant.

The Development Manager responded the grant is separate and is through Housing and Urban Development (HUD).

Councilmember Tam inquired whether the City Council would continue its role even though the Housing Authority is now separate, to which the Development Manager responded in the affirmative.

The City Attorney inquired whether the agreement should continue indefinitely when the matter is brought back, to which Councilmember Johnson responded in the affirmative.

Councilmember Tam moved approval of the staff recommendation; noted Council would consider continuing indefinitely when staff brings the matter back.

Vice Mayor Bonta seconded the motion, which carried by unanimous voice vote – 5.

(*12-279) Recommendation to Adopt Plans and Specifications and Authorize a Call for Bids for Urban Forest Maintenance Services (Citywide), No. P.W. 06-11-16. Accepted.

(*12-280) Recommendation to Adopt Plans and Specifications and Authorize a Call for Bids for Sewer Point Repairs and Asphalt Concrete Replacement within the City of Alameda, No. P.W. 05-12-09. Accepted.

(*12-281) Recommendation to Adopt Plans and Specifications and Authorize a Call for Bids for Vegetation Management, Debris Management, and Water Quality Monitoring for the South Shore Lagoons, No. P.W. 05-12-11. Accepted.

(*12-282) Recommendation to Accept Work of Weber Tractor Service for Repair of Portland Cement Concrete. Accepted.

(*12-283) Resolution No. 14678, "Approving and Amending Part Time Emergency Medical Technician Salary Schedule." Adopted.

(*12-284) Resolution No. 14679, “Resolution in Support of Assembly Bill 1648 (Brownley), a Bill Related to Disclosures on Political Advertisements.” Adopted.

(*12-285) Resolution No.14680, “Calling an Election in the City of Alameda on November 6, 2012, for the Purpose of Submitting to the Electors an Initiative Entitled ‘Charter Amendment Changing Requirements for When a Citywide Ballot Measure is Needed to Authorize Certain Sales or Disposals of City Parks.’” Adopted.

(*12-286) Ordinance No.3046, “Amending Article II (Boards and Commissions) of Chapter II (Administration) of the Alameda Municipal Code by Amending Sections 2-13.2(a); 2-15.2(a); 2-21.2(a) to Reduce the Membership of the Golf, Economic Development, and Youth Advisory Commissions; Amending Section 2-17 through 2-17.5 to Change the Name of the Housing and Building Code Hearing and Appeals Board to Commission, and Repealing Section 2-20 to Dissolve the Film Commission.” Finally passed.

(*12-287) Ordinance No.3047, “Amending the Alameda Municipal Code to Revise the Regulations Governing the Location of Massage Therapists and Associated Uses Including Tattoo in the Community Commercial District.” Finally passed.

REGULAR AGENDA ITEMS

(12-288) Public Hearing to Consider Resolution No.14681, “Confirming the Park Street Business Association (PSBA) Business Improvement Area for FY12-13 and Levy an Annual Assessment on the Park Street Business Association Business Improvement Area (BIA).” Adopted;

(12-288 A) Public Hearing to Consider Resolution No.14682, “Confirming the West Alameda Business Association (WABA) Business Improvement Area for FY12-13 and Levy an Annual Assessment on the West Alameda Business Association Business Improvement Area.” Adopted.

The Community Development Director gave a brief presentation.

In response to Councilmember Johnson’s inquiry about membership, the Community Development Director stated there are approximately 430 members in PSBA and 140 in WABA; the precise count is difficult due to business turn over.

Urged revisions to the PSBA program: Al Wright, Alameda Resident and Business Owner; Dr. Michael Torres, Alameda Resident and Business Owner; Barbara Mooney, Alameda Resident and Business Owner; and Kate Pryor, Alameda Business Owner.

Urged approval of the staff recommendation: Lars Hansson, PSBA; Carolyn Lantz, WABA; Donna Layburn, PSBA; Bruce Reeves, PSBA; Deb Knowles, PSBA; and former Councilmember Hadi Monsef, Alameda.

In response to Councilmember Tam's inquiry about Council oversight, the City Attorney stated the Council selects the managing organization and has the authority to include things in the by-laws, such as the Brown Act.

Councilmember Tam inquired whether Council decides the specific types of events, to which the City Attorney responded in the negative; stated the organization provides the plan and budget; BIA funds can be used for activities that are in the categories in the Municipal Code and State Code; Council can change boundaries, rates and other similar things.

Vice Mayor Bonta inquired whether Council authority includes the board election process, to which the City Attorney responded Council could select a different board.

Vice Mayor Bonta inquired whether the matter is time sensitive, to which the City Attorney responded the time sensitivity has to do with collection of the business license tax.

The Community Development Director noted the ordinance requires that the matter be resolved within 30 days of the hearing.

Councilmember Johnson encouraged members to raise issues with their board; recused herself and left the dais.

In response to Councilmember deHaan's inquiry, the City Manager stated staff met with PSBA regarding the publication of by-laws and audits, meeting notices, and elections; PSBA leadership reacted positively; staff is confident changes would be implemented and rebuild trust.

Councilmember Tam inquired whether the changes are encapsulated in modifications to the bylaws, to which the Community Development Director responded election oversight is in the work program; stated PSBA completed and submitted an audit; WABA will do an audit next year; there will be an annual report next year to show how the money was spent and whether the work plan was followed.

Vice Mayor Bonta stated concerns were raised by business owners; requested the changes be outlined.

The City Manager stated the four changes are: 1) bylaws will be posted on the web; 2) accounting statements and audits will be posted on the web; 3) meeting notices have to be distributed via hardcopy, not just electronically; and 4) elections will be supervised by the City Clerk's office.

Mayor Gilmore stated the City's role is to ensure funding is spent in the acceptable categories and the organizations prioritize spending; the City should try to get the business communities to work efficiently and hear all members, but should not

micromanage.

The Community Development Director noted that the PSBA protests are at 1%.

Councilmember deHaan moved adoption of the resolution for PSBA, with the caveats put forward from City staff [1) bylaws posted on web; 2) accounting statements and audits posted on web; 3) meeting notices distributed via hardcopy; and 4) elections supervised by the City Clerk's office].

Vice Mayor Bonta inquired whether the concerned business owners are happy with the proposal, to which the City Manager responded that he does not know; stated staff met with protesting parties first and then, discussed changes with the PSBA leadership.

Vice Mayor Bonta inquired whether the matter would come back in a year, to which the City Manager responded in the affirmative.

In response to Councilmember Tam's inquiry whether oversight would be complaint driven, the City Manager stated staff would be able to observe whether changes are occurring.

In response to Mayor Gilmore's inquiry regarding the 30 day requirement, the Community Development Director stated the ordinance requires the matter be resolved within 30 days if Council is not ready to adopt the resolution.

Mayor Gilmore inquired whether an option would be not moving forward and naming a successor organization within the 30 days.

The Community Development Director responded at the hearing, businesses can request to be added or omitted, boundary changes can be made, or assessment level changes can be made; stated the 30 days allows staff time to ensure noticing is done before the changes go into effect and are voted on.

In response to Councilmember deHaan's inquiry regarding the hearing noticing, the Community Development Director stated a letter was mailed to all members.

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

Councilmember deHaan moved adoption of the resolution for WABA.

Vice Mayor Bonta seconded the motion.

Under discussion and in response to Councilmember deHaan's inquiry regarding WABA, the Community Development Director stated both boards are going to do the same reporting and have the same transparency.

Vice Mayor Bonta inquired whether the same changes would be implemented for WABA, to which the Community Development Director responded in the affirmative.

Vice Mayor Bonta inquired whether there was one protest from WABA, to which the Community Development Director responded there were two: one letter and one call.

In response to Vice Mayor Bonta's further inquiry, the Community Development Director stated one did not like the streetscape project; the other did not want to participate.

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

(12-289) Provide Direction on Disposition and Development Strategy for Alameda Point Based on a Presentation of Alternatives.

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

Vice Mayor Bonta stated the enhanced entitlement certainty proposal does not include Town Center entitlement; inquired whether the Metropolitan Transportation Commission (MTC) grant would provide said entitlements.

The Chief Operating Officer – Alameda Point responded in the affirmative; stated detailed residential entitlements would be the only thing not funded by the grant.

In response to Mayor Gilmore's inquiry regarding what the MTC grant would fund, the Chief Operating Officer – Alameda Point stated the grant would fund detailed entitlements for the Town Center and waterfront area, but would not fund detailed entitlements for the residential area.

Mayor Gilmore inquired whether the MTC grant would fund a marketing and site plan and transaction documents for the employment area needed to market a site for a potential commercial opportunity, to which the Chief Operating Officer – Alameda Point responded in the negative; stated the work does not require a lot of funding and would be funded under the scaled down proposal.

Mayor Gilmore inquired whether the grant would fund the development plan, including form-based code, needed to implement Town Center development, to which the Chief Operating Officer – Alameda Point responded in the affirmative.

Mayor Gilmore inquired whether the City would not be getting the third part [detailed engineering analysis and large-lot subdivision map needed to sell "super pads" for residential and Town Center development].

The Chief Operating Officer – Alameda Point responded in the affirmative; stated having one developer for the Town Center is less likely, which means outside source funding would be a great benefit to the City; having a Master Developer fund the residential would be easier.

Councilmember Johnson inquired about the amount of the MTC grant, to which the Chief Operating Officer – Alameda Point responded \$200,000; stated the City has to match the grant funding, which works within the current budget.

Councilmember Johnson requested staff to compare the difference in readiness between the two plans.

The City Manager stated the scaled back plan only makes a difference for the residential area.

The Chief Operating Officer – Alameda Point stated staff recommends doing the residential work because residential has a greater market; the form based code and engineering for large lot subdivisions would be used to sell super pads; the difference is a developer would have to fund said work.

Councilmember Johnson inquired whether the California Environmental Quality Act (CEQA) would be Base wide and include non-residential, to which the Chief Operating Officer – Alameda Point responded in the affirmative.

The City Manager stated there would be CEQA review, but there would not necessarily be an Environmental Impact Review (EIR).

In response to Councilmember Johnson's further inquiry, the City Manager stated not having residential plans more complete means the developer would have to do work and expend money up front, which would impact the value; having the EIR for the entire Base is the most critical.

Councilmember Johnson inquired whether the residential developer would have to do CEQA work, but would not have to do an EIR, to which the Chief Operating Officer – Alameda Point responded in the affirmative.

The City Manager noted CEQA review does not necessarily have to be an EIR.

The Chief Operating Officer – Alameda Point stated the intent is to do the EIR and have very little CEQA work needed when a residential developer comes forward.

Vice Mayor Bonta inquired if Council went with [staff report] Option 2, a second step could be taken later to close the delta between [staff report] Options 1 and 2 for the residential component, to which the Chief Operating Officer – Alameda Point responded in the affirmative.

The City Manager stated trimming back the detailed entitlements on the residential area saves several million dollars and eliminates the need for bonding.

Vice Mayor Bonta thanked staff and stated that he is ready to move forward.

Mayor Gilmore inquired whether the funds could be used for the additional work if a commercial opportunity creates land sale proceeds, to which the Chief Operating Officer – Alameda Point responded in the affirmative.

In response to Councilmember Johnson's inquiry about the impact on the value, the Chief Operating Officer – Alameda Point stated the amount is not known at this point.

Councilmember deHaan inquired whether the residential area would not be marketed, to which the Chief Operating Officer – Alameda Point responded in the affirmative.

In response to Councilmember deHaan's inquiry about impacts of not completing the residential work, the City Manager stated staff was betting that having all the residential work done would draw people in because the process would be so streamlined; however, not completing the work would allow more flexibility.

Councilmember deHaan inquired how the City would balance interest in pads, to which the Chief Operating Officer – Alameda Point responded the City would hold the cards as the property owner.

In response to Councilmember deHaan's inquiry, Mayor Gilmore stated the master infrastructure work would be complete; further stated previous attempts have shown developers want to develop housing at Alameda Point, due to the location and fantastic views; getting the commercial aspect to work is harder; the commercial development would also create jobs.

Councilmember Tam stated both options include the master infrastructure plan which is critical to understanding cost exposure; inquired whether the EIR is required as part of the Oakland Chinatown Settlement Agreement.

The Chief Operating Officer – Alameda Point responded in the affirmative; stated the Settlement Agreement requires a project level EIR before construction can start; programmatic level EIRs have been performed.

Councilmember Johnson stated residential is the one part that can be removed; going forward with the commercial is focusing on job creation; doing the residential part would give the City more control.

Speakers: Ken Peterson, Alameda, encouraged proceeding incrementally to not lock in poor ideas and suggested ideas for earlier scoping sessions be included; Paul Kibel, Center on Urban Environmental Law, expressed support for a City led process, made suggestions for proceeding and submitted information; Diane Lichtenstein, Housing Opportunities Make Economic Sense (HOMES), urged the Council to proceed with Option 1; Doug Biggs, Alameda Point Collaborative, expressed support for Option 1; Helen Sause, HOMES; Karen Bey, Alameda, expressed concerns with Option 1 and urged a Master Plan be prepared; former Councilmember Tony Daysog, Alameda,

encouraged clean types of industry in the inner harbor area.

Councilmember Johnson stated that her preference remains proceeding with Option 1, which has a lot of advantages; other ways have not been successful.

Councilmember Tam stated that her preference is Option 2; the master infrastructure plan would minimize fragmentation; a project level EIR is needed, would include housing, is required by the Settlement Agreement and deals with integration; finding residential should not be hard when the market is conducive.

In response to Councilmember deHaan's inquiry about the amount of the existing bond, the Chief Operating Officer – Alameda Point stated the bond was \$13 million; the debt is \$350,000 per year.

Councilmember deHaan stated that he supports Option 1; the entitlement process takes a long time and the City has missed market opportunities; not going forward in a timely manner would not put the City in a good position.

Councilmember Johnson stated spending \$3 million more is very small for such a large project; inquired about proceeding on a cash basis.

The City Manager responded a staff report attachment outlines moving forward without bonding.

The Chief Operating Officer – Alameda Point stated Exhibit 4 shows the fund balance would drop to \$2.6 million at the end of Fiscal Year 2012-13 and \$1.17 million at the end of Fiscal Year 2013-14; proceeding on a cash basis would draw down on the fund balance.

Councilmember Johnson stated the City cannot keep up with deferred maintenance; the Base continues to deteriorate, which will accelerate as time passes; the extra \$3 million needs to be spent to try to be ready to go when the economy turns around.

Mayor Gilmore stated that she objects to going forward with the bonds; she responds in the opposite to crumbling infrastructure concerns; shovels will not be in the ground for several years; questioned what would happen if telephone or sewer lines have an issue during said time and where the City would come up with funds for repairs.

Councilmember Johnson expressed concern about spending money on infrastructure that needs to be replaced.

Mayor Gilmore stated existing tenants' lease revenues would be used to pay for the bond, which is why she is in favor of Option 2.

Vice Mayor Bonta inquired what the City could lose by waiting to complete the detailed residential entitlements.

The City Manager responded staff recommendations regarding the residential area came from discussions with developers; there is a lot of vacant commercial space; commercial development is unlikely to come back before residential; therefore, focus would be on doing detailed residential entitlements in order not to lose out on the next development opportunity.

Vice Mayor Bonta inquired whether a private developer could do the entitlements if the market gets hot, to which the City Manager responded in the affirmative.

The Chief Operating Officer – Alameda Point stated the EIR has the longest timeframe; Council could revisit funding the residential work in six months and still catch up with the EIR; waiting too long could cause the City to miss a window of opportunity.

Councilmember Tam noted previous master developers never caught opportunity waves.

Councilmember deHaan stated the areas of clean land are an issue.

Councilmember Johnson stated the developers have had difficulty going through the entitlement process; Option 1 would allow the community to control the process.

Mayor Gilmore stated the City would be getting the same control with Option 2.

Councilmember Johnson stated the City should proceed sooner and not repair infrastructure that needs to be replaced.

Mayor Gilmore stated the developer would only pay for new infrastructure and not other areas; funds are needed to patch existing infrastructure for tenants.

Councilmember Tam stated that she does not see Option 1 as necessarily buying more time; Option 2 would allow the City to get a better bonding rate in the event infrastructure fails or there is another \$2 million fire, like at the Fleet Industrial Supply Center.

Councilmember Johnson moved approval of Option 1, on a cash basis.

Councilmember deHaan seconded the motion.

Under discussion, Mayor Gilmore clarified that the motion is to do the entire entitlement process using \$5 million on a cash basis.

On the call for the question, the motion FAILED by the following voice vote: Ayes: Councilmembers deHaan and Johnson – 2. Councilmembers Bonta, Tam and Mayor Gilmore – 3.

Vice Mayor Bonta moved approval of Option 2.

Councilmember Tam seconded the motion.

Under discussion, Mayor Gilmore clarified that the motion on Option 2 is to go forward on a cash basis for \$1.86 million, which would fund entitlements and does not include specific residential entitlements and would not fund the Town Center unless the City gets the MTC grant.

Councilmember Johnson stated that she would support the motion because it moves something forward.

In response to Vice Mayor Bonta's inquiry about whether Option 2 is not cohesive, the City Manager stated Option 2 includes necessary pieces needed to go forward; staff's position is Option 2 is not sufficient, but there would be a lot of progress.

Mayor Gilmore inquired whether the EIR would take 18 months to two years, to which the Chief Operating Officer – Alameda Point responded that the schedule is 18 months.

Mayor Gilmore inquired how long the residential entitlement portion would take.

The Chief Operating Officer – Alameda Point responded the residential piece would probably generate a lot of community interest and should take around 12 months.

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

(12-290) Introduction of Ordinance Amending Alameda Municipal Code, Article IV (Subsections 30-58.1 - 30-60.5) Related to Water Conservation and Bay Friendly Landscape Requirements.

The Planning Services Manager gave a brief presentation; proposed that Council consider amending the ordinance to exempt urban agriculture and edible plants specifically.

Councilmember Johnson inquired whether there have been efforts to work with Harbor Bay Isle, to which the Public Works Director responded in the negative; stated discussions could be initiated if Council so desires.

In response to Councilmember Johnson's inquiry, the Planning Services Manager stated the organization would have to implement the changes voluntarily; Harbor Bay Isle is an anomaly because of a 1989 Development Agreement; staff has been working with all new developers.

Councilmember Johnson stated existing landscaping should be addressed, especially for larger areas.

The Planning Services Manager stated people should be educated that making an investment to switch landscaping can save money.

Councilmember Tam moved introduction of the ordinance with the amendments regarding urban agriculture.

Vice Mayor Bonta seconded the motion, which carried by unanimous voice vote – 5.

Councilmember Johnson inquired whether Council would include giving direction to staff to work with homeowners associations and property owners with large amounts of landscaping to encourage moving toward bay friendly landscaping.

The Council concurred with providing said direction.

(12-291) Introduction of Ordinance Amending the Alameda Municipal Code by Repealing Subsections 18-5.10 (Lateral Testing Upon Sale), 18-5.11 (Private Sewer Lateral Testing Procedures and Requirements), 18-5.12 (Failure of Test), 18-5.13 (Lateral Certification), 18-5.14 (Condominium and Cooperative Apartment Buildings) of Section 18-5 (Abatement of Improper Sewer Connections) in their Entirety, and by Adding Section 18-6 (Sewer Lateral Testing) to Article 1 (Sewers) of Chapter XVIII (Sewer and Water).

The City Engineer gave a brief Power Point presentation.

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Councilmember Tam left the dais at 10:22 p.m. and returned at 10:24 p.m.

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Councilmember Johnson inquired whether a new plumbing fixture means a faucet, to which the City Engineer responded in the affirmative; noted replacing a broken faucet would not meet the \$90,000 threshold.

Councilmember Johnson stated the ordinance should be very clear.

The City Engineer stated the requirement is that a plumbing fixture be added or replaced and the project cost is at least \$90,000.

Mayor Gilmore inquired whether a permit is needed to replace a plumbing fixture, to which the City Engineer responded in the negative.

Councilmember Johnson stated the ordinance should be clear that it only applies to plumbing fixtures which require a permit.

The Public Works Director stated language stating: “plumbing fixtures that require a permit” be added to the definition of plumbing fixture in the ordinance.

Councilmember Johnson agreed with said amendment; inquired about the reason for selecting the \$90,000 threshold.

The City Engineer responded the ordinance has to be as stringent as the regional ordinance [being required by the Environmental Protection Agency].

Councilmember Johnson inquired whether a company is hired to do the sewer lateral test and the City completes an inspection after, to which the City Engineer responded the inspectors are present when the test is done.

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Vice Mayor Bonta left the dais at 10:35 p.m. and returned at 10:37 p.m.

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Urged adoption of the City's proposed ordinance, [staff report] Option 1: Dania Alvarez, Alameda Association of Realtors; and Marilyn Schumacher, Harbor Bay Realty.

Councilmember Johnson moved introduction of the ordinance option 1, with the clarifying language about a fixture that requires a permit.

Vice Mayor Bonta seconded the motion, which carried by unanimous voice vote – 5.

CITY MANAGER COMMUNICATIONS

(12-292) The City Manager announced a budget meeting would be held on Tuesday, June 12th; stated staff would be seeking guidance about how to deal with the equipment fund; negotiations with Greenway Golf are proceeding and should be completed on time; Greenway deposited the required \$¼ million; Police reports can now be filed on line for certain incidents that are: not in progress, have no suspect leads, have no witnesses and have no related property or evidence to be collected; examples include auto burglary, identity theft, lost property, theft, vandalism and annoying phone calls.

ORAL COMMUNICATIONS, NON-AGENDA

(12-293) Former Councilmember Hadi Monsef, Alameda, stated the community needs to find a way to finance public safety needs since Measure C did not pass; urged everyone to vote for Vice Mayor Bonta for State Assembly.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(12-294) Consideration of Mayor's Nominations for Appointment to the Civil Service Board, Economic Development Commission, Golf Commission, Historical Advisory

Board, Planning Board, Public Art Commission, Public Utilities Board, Social Service Human Relations Board, Transportation Commission, and Youth Advisory Commission.

Mayor Gilmore nominated Dean Batchelor to the Civil Service Board; Jonathan Bond and Alan Ryan to the Economic Development Commission; Dennis Owens to the Historical Advisory Board; Michael Henneberry to the Planning Board; Elizabeth Candelario, Daniel Hoy, and Esther Mallouh to the Public Art Commission; Mary Sutter to the Public Utilities Board; Douglas Biggs to the Social Service Human Relations Board; Eric Schatmeier to the Transportation Commission; and Mary Orbeta and Luna Tilles to the Youth Advisory Commission.

(12-295) Written Communication from the League of California Cities Requesting Designation of a Voting Delegate for the 2012 Annual Conference.

Councilmember Johnson moved approval of selecting Councilmember Tam as the delegate and Councilmember deHaan as the alternate.

Vice Mayor Bonta seconded the motion, which carried by unanimous voice vote – 5.

(12-296) Councilmember deHaan stated concerns have been raised about fencing at the wildlife refuge at Alameda Point; suggested that staff look into the matter.

Mayor Gilmore inquired whether the City uses Peter Russell to address said type of issues, to which the City Manager responded Mr. Russell has already been retained to address the matter.

ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 10:48 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
WEDNESDAY- -JUNE 6, 2012- -6:00 P.M.

Mayor Gilmore convened the meeting at 6:05 p.m.

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

[Note: Councilmember Johnson arrived at 6:10 p.m.]

Absent: None.

The meeting was adjourned to Closed Session to consider:

(12-264) Public Employee Performance Evaluation (54957); Title and name: City Manager John Russo.

Following the Closed Session, the meeting was reconvened and Mayor Gilmore announced that the Council gave direction to the City Manager on next year's performance goals and objectives.

Adjournment

There being no further business, Mayor Gilmore adjourned the meeting at 7:00 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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