

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -DECEMBER 4, 2012- -7:00 P.M.

Mayor Gilmore convened the meeting at 7:08 p.m. Councilmember deHaan led the Pledge of Allegiance.

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

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY & ANNOUNCEMENTS

(12-544) Mayor Gilmore read and presented a proclamation declaring December 4th as Lisa Goldman Day.

The Assistant City Manager made brief comments.

The Council and City Manager wished the Assistant City Manager well and thanked her for her service to the City.

ORAL COMMUNICATIONS, NON-AGENDA

(12-545) Michael John Torrey, Alameda, thanked the outgoing Councilmembers and Assistant City Manager and welcomed the newly elected Councilmembers.

(12-546) Jon Spangler, Alameda, urged an out of court resolution to the lawsuit with East Bay Regional Park District (EBRPD).

Councilmember Johnson stated EBRPD's decision to file a lawsuit is unfortunate.

CONSENT CALENDAR

Mayor Gilmore announced that the recommendation to accept the Police and Fire Services Fee Report [paragraph no. 12- 554]; the recommendation to authorize the City Manager to memorialize the 48/96 hour work schedule for Fire Suppression Employees [paragraph no. 12- 560]; and the Resolution Approving Workforce Changes in the Community Development Department [paragraph no. 12-561] are being pulled for discussion.

Councilmember Tam moved approval the remainder of the Consent Calendar.

Councilmember deHaan seconded the motion, which carried by unanimous voice vote – 4. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*12-547) Minutes of the Special City Council Meeting Held on October 30, 2012; and the Special and Regular City Council Meetings Held on November 7, 2012. Approved.

(*12-548) Ratified bills in the amount of \$1,510,884.40.

(*12-549) Recommendation to Accept the Quarterly Sales Tax Report for the Period Ending September 30, 2012. Accepted.

(*12-550) Recommendation to Accept the Treasury Report for the Quarter Ended September 30, 2012. Accepted.

(*12-551) Recommendation to Authorize the City Manager to Negotiate and Execute a Contract in an Amount Not to Exceed \$128,000, Including Contingencies, to Sungard Public Sector Inc. for Accounting System Services, and Approve an Additional Appropriation of \$58,000 from the City's Equipment Replacement Fund Two Year Budget Discussion. Accepted.

(*12-552) Recommendation to Accept the Special Tax and Local Bond Measure Annual Report. Accepted.

(*12-553) Recommendation to Accept the Citywide Development Fee and Fleet Industrial Supply Center (FISC)/Catellus Traffic Fee Report. Accepted.

(12-554) Recommendation to Accept the Police and Fire Services Fee Report.

The Controller gave a brief presentation.

Councilmember deHaan inquired about work performed on the Police Station, to which the Controller responded Station renovations were completed in the early 1990's.

Councilmember deHaan inquired about the renovation cost, to which the Controller responded that he does not have the total cost; the City pays approximately \$215,000 per year in debt service.

In response to Councilmember deHaan's inquiry, the Controller stated impact fees do not cover the debt service; the General Fund covers the balance.

Councilmember deHaan inquired whether the General Fund normally covers the balance, to which the Controller responded in the affirmative; stated the funds are accounted for in the budget each year.

Councilmember deHaan moved approval of the staff recommendation.

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

(*12-555) Recommendation to Accept the Annual Report for the Public Art Fund as Required by the Public Art Ordinance and Accept a Status Update on the Public Art Program. Accepted.

(*12-556) Recommendation to Accept the Affordable Housing Ordinance Annual Review Consistent with Section 27-1 of the Alameda Municipal Code and California Government Code Section 66001 and Accept the Annual Report. Accepted.

(*12-557) Recommendation to Adopt Plans and Specifications and Authorize a Call for Bids for Woodstock Field Improvements, Phase 2, No. P.W. 11-06-23. Accepted.

(*12-558) Recommendation to Accept the Work of GSE Construction for the Upgrades to the Northside Storm Drain Pump Station, No. P.W. 02-10-06. Accepted.

(*12-559) Recommendation to Allocate \$477,067 for Contingencies and Award a Contract in the Amount of \$3,180,933 to Ranger Pipelines, Inc. for Cyclic Sewer Replacement Project, Phase 10, No. P.W. 05-12-14. Accepted.

(12-560) Recommendation to Authorize the City Manager to Memorialize the 48/96 Hour Work Schedule for Fire Suppression Employees.

The Fire Chief gave a brief presentation.

Councilmember deHaan inquired about the percentage of sick leave, to which the Fire Chief responded the amount has 27% compared to the same time period from the previous fiscal year.

Councilmember deHaan inquired how the manpower level compares between Fiscal Year (FY) 2010/2011 and FY 2011/2012, to which the Fire Chief responded there is one less position in FY 2011/2012; stated there were 98 sworn members in FY 2010/2011 and 97 in FY 2011/2012.

Councilmember deHaan inquired how many people there were prior to Station 5 closing, to which the Fire Chief responded 110.

Councilmember deHaan inquired if the six additional SAFER grant funded firefighters helped relieve overtime.

The Fire Chief responded there have been extenuating circumstances; many members have had to attend a trial.

Councilmember deHaan inquired how overtime compares with other departments.

The Fire Chief responded comparing Fire Department overtime to other departments is very difficult; stated the Fire Department has different operational needs and staffing methods; data should be compared from one year to the next to evaluate whether efficiencies are being made.

Mayor Gilmore inquired if the Fire Chief is recommending making the new staffing schedule permanent, to which the Fire Chief responded in the affirmative.

Councilmember Tam inquired what type feedback has been received from employees about the new schedule.

The Fire Chief responded employees are happy about not having to commute as often; stated the schedule also allows employees to accomplish needed training.

Councilmember Tam moved approval of the staff recommendation.

Councilmember Johnson seconded the motion.

Under discussion, Mayor Gilmore stated that she was pleasantly surprised about the decrease in overtime and sick leave.

On the call for the question, the motion carried by unanimous voice vote – 4.

(*12-561) Resolution No. 14746, “Approving Workforce Changes in the Community Development Department to Eliminate One Planner I Position and Add One Supervising Planner Position.” Adopted.

The Community Development Director gave a brief presentation.

Councilmember Tam stated the workforce change moves the department in the right direction in terms of customer service and shows the economy is picking up.

Councilmember Tam moved approval of the staff recommendation.

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

(*12-562) Resolution No. 14747, “Setting Council Meeting Dates for 2013.” Adopted.

(*12-563) Ordinance No. 3060, “ Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of the Lease with the Alameda Soccer Club for the Use and Management of the Alameda Point Soccer Fields, located on the green between Buildings 2,3, and 4, for a total of 3 Years.” Finally passed.

REGULAR AGENDA ITEMS

(12-564) Resolution No. 14748, “Directing Staff to Develop Two-Year Budgets for Fiscal Years 2013-2015 and All Subsequent Two-Year Periods.” Adopted.

The Controller gave a brief presentation.

Mayor Gilmore inquired how budget adjustments would be captured if the City moves to a two-year budget.

The Controller responded staff would continue to provide quarterly reports to Council; stated adjustments would be done mid-cycle in February or March; the two-year budget allows for more long-term planning.

Mayor Gilmore noted a two-year budget requires more planning on the part of the departments.

The Controller stated the time savings is one benefit; planning ahead causes fewer adjustments in the second year.

Councilmember deHaan inquired how the City would track performance, to which the Controller responded the City plans to hire consultants to develop performance measures.

The City Manager stated what is going to be measured has to be prioritized to determine where tax dollars would be spent; a two-year budget allows an opportunity to review measures and provides department accountability; there are incentives not to overspend; savings can be applied to the capital budget; employees have job security for two years instead of one year.

Mayor Gilmore inquired about community, to which the City Manager responded people would have the opportunity to discuss the things that matter to them and Council would prioritize the items.

Councilmember deHaan inquired how performance measure goals tracking would be reported to the Council, to which the Controller responded in the continuing quarterly reports.

Councilmember deHaan inquired how shortfall adjustments would be made.

The Assistant City Manager responded fiscal discipline would have to be exerted to prevent shortfalls; stated there are incentives to save and manage appropriately.

Councilmember Tam moved adoption of the resolution.

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

(12-565) Resolution No. 14749, "Declaring Canvass of Returns and Results of Consolidated General Municipal Election Held on Tuesday, November 6, 2012." Adopted.

The City Clerk gave a brief presentation.

Councilmember Tam moved adoption of the resolution.

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

CITY MANAGER COMMUNICATIONS

(12-566) The City Manager announced a meeting would be held on December 11, 2012 to consider the public safety Memorandums of Understanding.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(12-567) Mayor Gilmore commended Public Works staff for preventing flooding during the recent storm and responding promptly to a fallen tree on her street.

(12-568) Councilmember deHaan noted the condition of the golf course has improved.

Councilmember Johnson inquired whether the improvements are behind schedule, to which the City Manager responded the driving range and the Miff are supposed to happen in the first years so Greenway is on schedule.

ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 8:14 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- -DECEMBER 5, 2012- -6:00 P.M.

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

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

[Note: Councilmember Johnson arrived at 6:25 p.m.]

Absent: None.

The meeting was adjourned to Closed Session to consider:

(12-569) Conference with Legal Counsel – Existing Litigation (54956.9); Name of Case: East Bay Regional Park District, a Special District, and Angela Fawcett v. City of Alameda and City of Alameda City Council; Alameda County Superior Court Case No. RG12655685; East Bay Regional Park District suit against City on Housing Element.

(12-570) Conference with Legal Counsel – Existing Litigation (54956.9); Name of Case: Chinn-Scoffern v. W.R. Forde Construction, City of Alameda; Superior Court of California, Alameda County; Case No. RG12628456; Complaint filed against City alleging negligence of City and/or contractor causing a sewage backup into the basement of a single family home on Chapin Street.

(12-571) Conference with Legal Counsel – Existing Litigation (54956.9); Name of Case: Robert Zack, Bernice Jolliff, The Estate of Raymond Zack vs. City of Alameda, County of Alameda, and DOES 1 through 50, inclusive; Superior Court of California, Alameda County; Case No. RG12632015; This lawsuit stems from the tragic drowning of Raymond Zack at Crown Beach in May 2011. Family members are seeking unspecified monetary damages. Not heard.

(12-572) Conference with Legal Counsel – Anticipated Litigation; Initiation of litigation pursuant to subdivision (c) of Section 54956.9; Number of cases: One. Not heard.

Following the closed session, the meeting was reconvened and Mayor Gilmore announced that regarding the East Bay Regional Park District litigation, Council discussed the status of the lawsuit; and regarding the Chinn-Scoffern litigation, direction was given to staff.

Adjournment

There being no further business, Mayor Gilmore adjourned the meeting at 7:06 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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