

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

Mayor Gilmore convened the meeting at 7:23 p.m.

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

Absent: None.

AGENDA CHANGES

(13-193) Mayor Gilmore announced that the First Amendment to the Landscape Maintenance Management Agreement with Marina Village Commercial Association [paragraph no. 13-203] was withdrawn from the agenda.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY & ANNOUNCEMENTS

(13-194) Proclamation Declaring May 9, 2013 as Alameda Bike to Work Day.

Mayor Gilmore read and presented the Proclamation to Tim, Nancy, Kayla, Ella and Katie Rumrill, Maya Lin School Bike and Walk to School Program.

Jeff Cambra, Bike to Work Day, presented artwork to Public Works.

(13-195) Proclamation Declaring May 10 through May 19, 2013 as Affordable Housing Week.

Mayor Gilmore read and presented the Proclamation to Helen Sause, Diane Lichtenstein and Laura Thomas.

Ms. Sause provided a handout and made brief comments.

Ms. Thomas made brief comments.

(13-196) Proclamation Declaring May 13 through 17, 2013 as National Police Week.

Mayor Gilmore read and presented the Proclamation to the Police Chief and staff.

ORAL COMMUNICATIONS, NON-AGENDA

(13-197) Mike Connelly, San Lorenzo; David Perry, Campbell; John Townsend, Campbell; Pete Bowes, Orinda; discussed Nelson Marine closing; urged more time be provided before evicting people with boats at the facility.

(13-198) Suzanne Gamble urged the Council to consider rent stabilization.

(13-199) Vicky Hines, Alameda, noted many Nelson Marine tenants are on the East Coast and have not been contacted; PM Realty would not provide rent receipts and has not cashed cashiers checks, which will no longer be good.

(13-200) Jim Franz, Alameda Collaborative for Children Youth and Families and Social Service Human Relations Boards, made an announcement regarding the Annual Harvey Milk Day Celebration.

(13-201) Kenneth Peterson, Alameda, discussed the budget.

### CONSENT CALENDAR

Mayor Gilmore announced that the Resolution for Island City Landscaping and Lighting District 84-2 [paragraph no. 13-206] and the Ordinance Amending the Contract Between the Board of Administration of the California Public Employees' Retirement System [paragraph no. 13-218] were 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.]

(\*13-202) Minutes of the Regular City Council Meeting Held on April 2, 2013. Approved.

(\*13-203) Ratified bills in the amount of \$3,254,022.35.

(\*13-204) Recommendation to Authorize Call for Bids for Legal Advertising for the Fiscal Year Ending June 30, 2014. Accepted.

(\*13-205) Recommendation to Approve a First Amendment to the Landscape Maintenance Management Agreement with Marina Village Commercial Association in the Amount of \$544,436 for the Maintenance of the Landscape and Lighting District, Zone 6, Marina Village. **Not heard.**

(13-206) Resolution No.14795, "Preliminarily Approving the Annual Report Declaring the City's Intention to Order the Levy and Collection of Assessments and Providing for Notice of Public Hearing on June 18, 2013 - Island City Landscaping and Lighting District 84-2." Adopted.

The Public Works Administrative Services Manager gave a brief presentation.

Councilmember Chen inquired if sidewalk cleaning would be provided outside the seven zones.

The Public Works Administrative Services Manager responded additional services are not provided to areas outside the seven zones, such as seasonal banners.

Councilmember Chen inquired if the seven zones paying the assessment receive a premium package.

The Public Works Administrative Services Manager responded in the affirmative; stated the seven zones receive additional, enhanced services.

Councilmember Chen inquired if residential owners contribute to the assessment along with the business property owners.

The Public Works Administrative Services Manager each of the seven zones is different; for example, zone seven is all property owners and relates to tree maintenance; almost all property owners in the business district are assessed, as owners would vote on any proposed increases.

Councilmember Chen inquired if any WABA and PSBA business owners objected to the increase in the assessment.

The Public Works Administrative Services Manager responded reception has been positive so far; stated those increasing revenues will reinstate services that have disappeared because assessments stayed flat.

Councilmembers Daysog recused himself because his home is near zones two and three.

Councilmember Chen recused himself because his wife has a business near a zone.

Councilmember Tam moved adoption of the resolution.

Vice Mayor Ezzy Ashcraft seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Ezzy Ashcraft, Tam and Mayor Gilmore – 3. Abstentions: Councilmembers Daysog and Chen – 2.

(\*13-207) Resolution No.14796, “Preliminarily Approving the Annual Report Declaring the City’s Intention to Order the Levy and Collection of Assessments and Providing for Notice of Public Hearing on June 18, 2013 – Maintenance Assessment District 01-01 (Marina Cove).” Adopted.

(\*13-208) Resolution No.14797, “Authorizing the City Manager to Submit a Request to the Metropolitan Transportation Commission for the Allocation of \$146,100 in Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding and to Execute All Necessary Documents.” Adopted.

(\*13-209) Resolution No. 14798, “Authorizing the City Manager to Submit an Application for Measure B Paratransit Funding in the Amount of \$179,000 for Fiscal Year 2013-2014,

and to Execute all Necessary Documents.” Adopted.

(\*13-210) Resolution No. 14799, “Authorizing the City Manager to Submit a Federal One Bay Area Grant Application to the Metropolitan Transportation Commission for \$636,000 to Resurface Otis Drive between Park Street and Broadway and Pacific Avenue between Main Street and Fourth Street, to Commit \$194,000 in Measure B as a Local Match, and to Execute All Necessary Documents.” Adopted.

(\*13-211) Resolution No. 14800, “Authorizing the City Manager to Submit an Urban Greening Project Grant Application to the California Natural Resources Agency for \$701,000 to Design and Construct the Cross Alameda Trail along Ralph Appezzato Memorial Parkway between Main Street and Poggi Street, to Commit \$125,000 in Citywide Developer Fees as a Local Match, and to Execute All Necessary Documents.” Adopted.

(\*13-212) Resolution No. 14801, “Authorizing the City Manager to Submit a Vehicle Registration Fee Pedestrian and Bicyclist Access and Safety Program and Measure B Bicycle/Pedestrian Countywide Discretionary Fund Grant Application to the Alameda County Transportation Commission for \$793,000 to Design and Construct the Cross Alameda Trail along Ralph Appezzato Memorial Parkway between Webster Street and Poggi Street, to Commit \$200,000 in Citywide Developer Fees as a Local Match, and to Execute All Necessary Documents.” Adopted.

(\*13-213) Resolution No.14802, “Authorizing the City Manager to Submit a Vehicle Registration Fee Transit for Congestion Relief Program Grant Application to the Alameda County Transportation Commission for \$489,000 to Continue Operation of the Estuary Crossing Shuttle and to Expand the Hours of Operation, to Commit \$90,000 in Transportation Systems Management/Transportation Demand Management Funds as a Local Match and for a Contingency, and to Execute all Necessary Documents.” Adopted.

(\*13-214) Resolution No. 14803, “Authorizing the City Manager to Submit a Community-Based Transportation Planning Grant Application to Caltrans for \$232,200 to Conduct a Central Avenue Area Complete Streets Plan, to Commit \$25,800 in Measure B Funds as a Local Match, and to Execute All Necessary Documents.” Adopted.

(\*13-215) Resolution No. 14804, “Authorizing the City Manager or His Designee to Enter into an Agreement with the City and County of San Francisco to Accept and Allocate 2012 Urban Areas Security Initiative (UASI) Grant Funds in the Total Amount of \$79,290 and the Appropriation of \$79,290 from the General Fund to Purchase Equipment Necessary for Grant Reimbursement.” Adopted.

(\*13-216) Resolution No. 14805, “Accepting \$161,368 from the US Department of Homeland Security’s Assistance to Firefighter Grant Program for the Purchase of Equipment for Emergency Medical Services Training and the Wellness Fitness Program, Appropriating \$40,341 from the General Fund to Meet the Matching Funds Requirement and Appropriate the Grant Funds and Matching Funds Totaling \$201,709 for Said Purpose.” Adopted.

(\*13-217) Resolution No.14806, “Amending Resolution No. 14747 to Move the July 16, 2013 Regular City Council Meeting to July 23, 2013.” Adopted.

(13-218) Ordinance No. 3065, “Amending the Contract Between the Board of Administration of the California Public Employees’ Retirement System and the City Council of the City of Alameda to Provide the Option for Local Fire Members to Purchase Service Credit for Permanent Career Civilian Federal Firefighter or Permanent Career State Firefighter Service.” Finally passed.

The Assistant City Manager gave a brief presentation.

Expressed concern about costs not being known; urged an actuarial be completed: Jane Sullwold, Alameda.

Discussed costs and provided background information: Domenick Weaver, Alameda Firefighters.

Encouraged financial calculations be done prior to Council action: Former Councilmember Doug deHaan, Alameda.

Expressed concern with buybacks and not setting caps: Janet Gibson, Alameda.

Vice Mayor Ezzy Ashcraft thanked the speakers and stated the matter is one of fundamental fairness; the playing field is not level because firefighters who worked six or seven years at the Naval Air Station lost retirement contributions in the transition; not proceeding would not solve the City’s budget problem.

Councilmember Chen concurred with Vice Mayor Ezzy Ashcraft; inquired what would happen if Council does not pass the ordinance and does not abide by the Memorandum of Understanding (MOU).

The City Attorney responded the pension was bargained-for in the MOU with the unions; stated the Council not going forward with the ordinance would be a violation and a breach of the MOU by the City.

Councilmember Chen inquired if such violation would subject the City to potential liability or lawsuit, to which the City Attorney responded in the affirmative.

Councilmember Daysog stated that making firefighters retirement whole is not a moral imperative; it is not the City Council’s job to make the situation whole and fair; that he finds supporting the proposition hard; the firefighters working for the City are getting a pretty good retirement package.

Councilmember Tam stated the cost of implementation is being factored into the budget; the Council agreed to the provision in a prior contract; it is important that Council honors

the agreements; the City went from a 20% to 28% fund balance to address these potential types of uncertainties; uncertainty has narrowed since the last discussion in April; 16 firefighters applied, 14 are eligible and three are of retirement age; the exposure is documented and clearly encompassed in the budget process; that she supports moving forward.

Mayor Gilmore stated the action is part of an MOU that was negotiated and agreed to in 2010 under the prior administration; the City would face serious legal liability if Council does not honor the contract and greater financial exposure if Council does not pass the Ordinance; it is important that the City of Alameda live up to its agreements and not be known for not honoring bargained-for contracts; moving forward is important.

Vice Mayor Ezzy Ashcraft concurred with Mayor Gilmore, stated unwinding an MOU means everything is back on the table, including concessions; if the hard dollars and cents are scrutinized, then the same should be done for the financial implications of breaching a contract.

Mayor Gilmore stated going back to negotiate that one little piece cannot be done unilaterally and would require the unions to agree to reopen negotiations, if negotiations are reopened, everything would be on the table, including the 15% contribution received from public safety.

Councilmember Chen moved final passage of the ordinance.

Vice Mayor Ezzy Ashcraft seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Chen, Ezzy Ashcraft, Tam and Mayor Gilmore – 4. Noes: Councilmember Daysog – 1.

(\*13-219) Ordinance No. 3066, “Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a Lease Amendment with Margaret Su Doing Business As Wonky and Wonky Kitchen LLC Extending Current Lease for up to Fifteen Months and 28 Days in Building 119 Located at 151 West Seaplane Lagoon at Alameda Point.” Finally passed.

(\*13-220) Ordinance No. 3067, “Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a Lease with Auctions by the Bay, Inc. for Three Years in Building 18 Located at 2700 Saratoga Street at Alameda Point.” Finally passed.

(\*13-221) Ordinance No. 3068, “Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a Lease with Auctions by the Bay, Inc. for Five Years in Building 525 Located at 2751 Todd Street at Alameda Point. Finally passed.

(\*13-222) Ordinance No. 3069, “Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a Lease Amendment with

Auctions by the Bay, Inc. for Ten Years with an Additional Option of Ten Years in Building 20 Located at 2701 Monarch Street at Alameda Point.” Finally passed.

(\*13-223) Ordinance No. 3070, “Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a Lease Amendment with Alameda Municipal Power Extending Their Current Lease for up to Two Years in Building 162 Located at 400 West Atlantic Avenue at Alameda Point.” Finally passed; and

(\*13-223 A) Ordinance No. 3071, “Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a Lease Amendment with Alameda Municipal Power Extending Current Lease for up to Two Years in 1890 Viking Street at Alameda Point.” Finally passed.

(\*13-224) Ordinance No. 3072, “Amending Various Sections of the Alameda Municipal Code Contained in Chapter XXX (Development Regulations) Related to the North Park Street Planning Area.” Finally passed.

### REGULAR AGENDA ITEMS

(13-225) Introduction of Ordinance Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a Lease Amendment with Bay Ship and Yacht Co., Inc. for One Year in Building 292 located at 1450 Ferry Point at Alameda Point. Introduce.

The Economic Development Division Manager gave a brief presentation.

Mayor Gilmore requested an explanation of MARAD.

The Economic Development Division Manager responded MARAD is the Maritime Administration which is a division of the Department of Transportation; stated the large gray reserve fleet ships at Alameda Point are deployed in times of emergency; the fleet includes a hospital which responds all over the world and in times of war; MARAD is one of the largest tenants at Alameda Point occupying both pier space and warehouse space; the Maritime Administration is trying to replicate the “Alameda” model around the country.

Councilmember Daysog moved introduction of the ordinance.

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

(13-226) Public Hearing to Consider Adoption of the Fiscal Year 2013-14 Community Development Block Grant/HOME Partnership Investment Program Action Plan and Authorize the City Manager to Negotiate and Execute Related Documents, Agreements, and Modifications.

The Program Manager gave a brief presentation.

Councilmember Chen acknowledged how hard it was to conduct the five year needs assessment survey; stated hundreds of hours were probably spent trying to outreach to the City's low income population; commends City staff and the Social Services Human Relations Board (SSHRB) for doing the survey in Chinese and Spanish, which was a more comprehensive outreach.

Mayor Gilmore stated the needs assessment is a fountain of information; credited Cindy Wasco, SSHRB Chair, and Jim Franz, City staff to the SSHRB; the needs assessment document will continue to provide information and benefits for the City.

Councilmember Tam concurred with Mayor Gilmore and Councilmember Chen; acknowledged the alignment of the needs assessment survey with what the City is proposing in the action plan; even though the budget continues to be cut every year, what the community values the most is still considered.

Councilmember Tam moved approval of the staff recommendation.

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

(13-227) Public Hearing to Consider Adoption of Resolution Confirming Business Improvement Area Report for Fiscal Year 2013-14 and Levying an Annual Assessment on the Park Street Business Improvement Area of the City of Alameda for Fiscal Year 2013-14. Continued to May 21, 2013.

The Development Manager gave a brief presentation, including addressing Webster Street Business Improvement Area (BIA) [paragraph no. 13-227].

Councilmember Chen inquired if South Shore is part of the Park Street Business Association (PSBA) BIA, to which the Development Manager responded in the negative.

Councilmember Chen inquired which business is the largest contributor on Park Street, to which the Development Manager responded the largest contributor in both districts tends to be the banks.

Robb Ratto, PSBA, responded the largest contributors to the current BIA are the gas stations; which pay in excess of \$1,000.

Vice Mayor Ezzy Ashcraft noted the banks pay \$900.

Councilmember Chen stated the Webster Street Business Association (WABA) is collecting \$47,000; inquired whether Target would join WABA.

The Development Manager responded WABA and other Alameda Landing businesses are in discussions and have an MOU regarding collaborative efforts; stated WABA intends to include Alameda Landing.



Patricia Young, WABA, stated Catellus cannot speak for the businesses that will be located within Alameda Landing; the businesses have a say under a voting process; WABA is in regular communications with Catellus regarding different issues with the development, but she cannot definitively say Target will become part of the BIA.

Councilmember Chen inquired whether Target would join if Alameda Landing decides to join the BIA.

Ms. Young responded in the affirmative; stated all businesses in the BIA have an equal vote.

The Interim Community Development Director clarified that the Disposition and Development Agreement commits Catellus, on behalf of Alameda Landing, to work with WABA to join the BIA and the Webster Street landscape and lighting district; Catellus is accelerating the development of the balance of the commercial project and hopes all commercial space will be built in a year; the City would like to have the funding mechanisms in place concurrent with build-out.

Vice Mayor Ezzy Ashcraft inquired why the current PSBA budget does not include an allotment for economic revitalization.

Mr. Ratto responded that the City leased a lot at Oak Street and Alameda Avenue during theater construction; the expense was placed under economic revitalization; Public Works leases the lot and PSBA makes the payments.

Vice Mayor Ezzy Ashcraft inquired about the staff support line item in the amount of \$44,679.74.

Mr. Ratto responded amount covers the PSBA Marketing Manager.

Vice Mayor Ezzy Ashcraft inquired if \$44,000 is the salary of the Marketing Manager, to which Mr. Ratto responded it is salary and benefits.

Vice Mayor Ezzy Ashcraft stated there is a separate line item for staff benefits, to which Mr. Ratto responded then it is just salary.

Vice Mayor Ezzy Ashcraft inquired why the line item was not called Marketing Manager salary as it is called in the current budget, to which Mr. Ratto responded the line item has always been staff support.

Vice Mayor Ezzy Ashcraft noted that on page 26 of Exhibit 4, an item called staff support is approximately \$36,000, and then there is another line item for staff benefits.

Mr. Ratto inquired whether Vice Mayor Ezzy Ashcraft is referring to the accountant report; stated he thought she was referring to the budget that was presented.

Vice Mayor Ezzy Ashcraft responded the report is from Lars Hansson, the accountant; noted that the two items she is referring to seems to be indicating the same thing, yet there is a discrepancy.

Mr. Ratto concurred and apologized that he could not answer the accounting question; stated he would have to ask Mr. Hansson.

Mayor Gilmore suggested the item be continued to the next meeting.

Mr. Ratto concurred with Mayor Gilmore.

Councilmember Chen stated that he has a small suggestion for the Interim Community Development Director; Alameda does not have an Asian grocery; inquired if the Interim Community Development Director could talk to Catellus about including an Asian grocery, as folks have to travel outside of Alameda to shop at an Asian grocery store.

Mayor Gilmore announced that the matter would be continued to May 21, 2013.

Following the Bicycle Facility Design Standards [paragraph no. 13- ], Mayor Gilmore called the matter again and opened the Public Hearing.

Mr. Ratto apologized for mis-speaking in regards to Vice Mayor Ezzy Ashcraft's question; stated that the Marketing Manager is paid \$36,000, the extra \$8,000 was paid to a maintenance person on staff from July through part of October, 2011; three different fiscal years are included and the question relates to Fiscal Year 2011-12.

Mayor Gilmore inquired if Vice Mayor Ezzy Ashcraft's question has been addressed, to which Vice Mayor Ezzy Ashcraft responded in the negative; stated her questions both pertain to the same fiscal year.

Vice Mayor Ezzy Ashcraft stated she appreciated Mr. Ratto's explanation; however, the document is not as clear as it could be.

Councilmember Tam inquired whether the Council needed to open the public hearing, then the public hearing would be closed and the item would be continued.

The City Attorney responded the decision is up to the Council; the Council has opened the public hearing; if Council has sufficient information, the public hearing can be closed and action can be taken; if there are additional questions, the public hearing can be continued to a later date.

Vice Mayor Ezzy Ashcraft stated that she is having trouble understanding another paragraph in Exhibit 4: "management has elected to omit substantially all of the disclosures required by accounting principles generally accepted in the United States of America"; inquired if Mr. Ratto could help her understand that paragraph.

Mr. Ratto responded that he understood the language is a fairly standard accounting form; the compilation report was requested by Community Development on behalf of the Controller; that he assumed the Controller reviewed the report and is satisfied.

Mayor Gilmore stated she shares Vice Mayor Ezzy Ashcraft's unease about the particular statement; stated she is bothered by "management has elected" which is not the standard boiler plate language.

Mr. Ratto stated PSBA did not present an audit to the City this year; the audit requirement was waived; the letter is called the accountants compilation report which has been given to the City since his tenure.

The City Attorney stated PSBA was not required to complete an audit, which is why there is a compilation report; it is not a gap report and attempts to disclose that the auditor did not go through more rigorous gap accounting.

The City Manager stated for the amount of money involved, performing a full-blown audit is not sensible.

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(13-228) Councilmember Daysog moved approval of continuing the meeting past 11:00 p.m.

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

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Vice Mayor Ezzy Ashcraft stated she was just concerned about one question, she could probably overlook it, but the discrepancies with the two different figures should be explained in the report.

Vice Mayor Ezzy Ashcraft moved approval of continuing the item.

Councilmember Daysog seconded the motion.

Under discussion, Councilmember Tam requested that the Council be specific about what next report should include.

Vice Mayor Ezzy Ashcraft stated that she would like the two different line items on page 22 and 26 of Exhibit 4 addressed; the math worked out; requested Mr. Hansson provide an explanation of the figures and the paragraph read.

Councilmember Chen suggested that the 2011 compilation report be reviewed to see if it is a standard boiler plate statement.

Councilmember Tam stated that she wants to hear from Mr. Hansson about what has been

substantially omitted by management.

On the call for the question, the motion carried by the following voice vote: Ayes: Councilmembers Daysog, Ezzy Ashcraft, Tam and Mayor Gilmore – 4. Abstention: Councilmember Chen – 1.

(13-229) Public Hearing to Consider Resolution No. 14807, “Confirming the Webster Street Business Improvement Area for Fiscal Year (FY) 2013-14 and Levying an Annual Assessment on the Webster Street Business Improvement Area.” Adopted.

Councilmember Daysog announced that he would recuse himself and left the dais.

Vice Mayor Ezzy Ashcraft stated that she believes there is a typo in the staff report which says the Consumer Price Index increase will raise the projected annual Webster Street BIA collection total to approximately \$47,000 on page 1, then, on page 12, it says the estimated BIA revenue for 2013 to 2014 is \$37,000.

Ms. Young responded that Vice Mayor Ezzy Ashcraft is correct; the BIA assessment for 2013-2014 is \$47,000.

Councilmember Chen moved adoption of the resolution.

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

(13-230) Recommendation to Endorse a Preferred Conceptual Plan for a Passive Recreational Use Program at the Future Alameda Beltline/Jean Sweeney Open Space Park.

The Recreation Director gave a Power Point presentation.

Councilmember Tam inquired if there are some specifics on the endowment fund concept.

The Recreation Director responded in the negative; stated right now there are just ideas; other models have not been actively pursued because the focus has been on developing concepts and seeking initial funding; ongoing maintenance needs to be taken into account.

In response to Councilmember Tam’s further inquiry, the Recreation Director stated that she can provide better estimates once the basic uses are known; tonight’s meeting is to determine about passive uses versus more active uses; maintenance costs would be significantly higher if there are soccer fields, rather than trails, playgrounds and community gardens.

Councilmember Tam noted a cost recovery component pays off capital costs by passing on charges to the teams using fields; stated the same cost recovery cannot be done with trails or more passive uses.

The Recreation Director concurred with Councilmember Tam; stated a better cost analysis could be provided in the future; however, fees recovered from user groups do not come close to cost recovery; for example, about \$175,000 a year is spent just on lining and dragging the fields, which does not include mowing, aeration, fertilization, and all other maintenance; the City is not fully recovering the cost of lining and dragging the fields currently.

Vice Mayor Ezzy Ashcraft stated a letter from a resident who lives near the Bay Eagle community gardens indicated a message was received from the Housing Authority advocating moving the Bay Eagle Garden to the Sweeney open space to allow building low income housing on the land they now cultivate; inquired if this is included in the proposal or just a wild rumor.

The Interim Community Development Director responded that she is unaware of the Housing Authority sending out anything, however the community garden sits on property the Housing Authority owns; Parrot Village is a residentially zoned piece of property; the community garden is very close to the Beltline property.

Councilmember Daysog stated the food bank building is located north-south; inquired if the building could be changed to east-west so people can see it.

The Recreation Director responded it is a good thought to consider and she would keep note of it.

Councilmember Chen concurred with Councilmember Tam; stated maintenance costs should be considered, especially due to the park's size.

The Recreation Director concurred with Councilmember Chen; stated maintenance will be significant; there are potential partnerships options and the endowment; staff is not losing site of the ongoing maintenance costs and needs to start developing strategies; staff hopes to have a better understanding of the uses and the type of cost recovery which can be done.

Mayor Gilmore thanked the Recreation Director for trying to get community consensus on the use.

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Mayor Gilmore called a recess at 9:38 p.m. and reconvened the meeting at 9:48 p.m.

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Urged support of the recommendation to endorse passive use: Jim Sweeney, Alameda; Dorothy Freeman, Alameda; Red Wetherill, Alameda; former Councilmember Doug deHaan, Alameda; and Kurt Peterson, Alameda.

Urged 5 acres be set aside for farmland: Mali McGee, Alameda Community Farm and

Wildlife Habitat (submitted information); Marisa Wood, Alameda Community Farm and Wildlife Preserve; Valerie Landau, Alameda (submitted petition); Shaina Lerner, Alameda; Rhiannon Theurer, Alameda; Jeremy Watts, Alameda; and Lucy Gigli, Alameda.

Discussed the benefits of urban agriculture and expressed support for mixed use, including agriculture: Evan Krokowski, Oakland.

Suggested assessing the adjacent Marina Village business park: former Councilmember Lil Arnerich, Alameda.

Urged habitat be protected for the current wildlife: Jon Spangler, Alameda.

Vice Mayor Ezzy Ashcraft commended the Recreation Director for an awesome job and for making it look so effortless; stated that she is also grateful to all the public participants; the open space runs between residential properties and the City needs to be respectful of the property owners; the natural habitat is lovely and any use should preserve said qualities and be appropriate for the setting, rather than converting the land into something else; the City needs to be good stewards of the environment; an urban setting in almost 22 acres is unusual and is due to the hard work of Jean Sweeney and a lot of other people; open space does not come back once it is paved over.

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(13-231) Vice Mayor Ezzy Ashcraft moved approval of considering the Bicycle Facility Design Standards [paragraph no. 13-232] and the Business Improvement Area Report for the Park Street Area [paragraph no. 13-227] after 10:30 p.m.

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

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Councilmember Tam concurred with Vice Mayor Ezzy Ashcraft; stated despite the acreage, the property would not be suitable for an aquatic center and fields, which need parking; said uses are more suitable in locations such as Alameda Point; the uses that are coming forward: biking trails, open space, picnic areas, community gardens, playgrounds, and walking paths make perfect sense; the land is essentially the Central Park of Alameda; the City should be finding a way to secure funding to create such a sanctuary of open space.

Councilmember Chen stated the name Jean Sweeney Open Space says it all; Ms. Sweeney envisioned open space and her conceptual plan is very much in line with what the community wants; he fully supports the recommendation; with the current administration leadership, Alameda will find funding.

Councilmember Daysog thanked everyone for the hard work with a special thank you to Mr. Sweeney and the late Mrs. Sweeney; stated that he likes much of what is discussed in the report; he is interested in a well-manicured areas with a series of plants that looks nice; makes folks want to walk around, and feels safe; he imagines a community gathering

space that is complimentary of a passive area, something like Greenwich Village where everyone gathers by the arches; within striking distance of many residents in town, which allows them to walk there and enjoy the environment.

Mayor Gilmore stated that she read the 17 pages of comments and was struck by the ingenuity and creativity of residents and gratified by the willingness to step up to make the open space happen; congratulated the community; stated the Recreation Director did a great job of distilling everyone's ideas down to 5 or 6 things.

Councilmember Tam moved approval of the staff recommendation.

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

(13-232) Recommendation to Approve the City of Alameda Bicycle Facility Design Standards that Supplements the Bicycle Master Plan Update; and

(13-232 A) Introduction of Ordinance Amending Alameda Municipal Code by Amending Section 30.7.15a (Bicycle, Motorcycle and Pedestrian Facilities) of Article I (Zoning Districts and Regulations) of Chapter XXX (Development Regulations) to Comply with the City's Bicycle Facility Design Standards. Introduced.

The Transportation Coordinator gave a brief presentation.

Stated the document, which still needs work, is ahead of the curve; provided examples: Jon Spangler, Alameda.

Councilmember Tam moved approval of the staff recommendation, including introduction of the ordinance; noted de-linking car and bike parking spaces is moving in the right direction.

Vice Mayor Ezzy Ashcraft seconded the motion.

Under discussion, Vice Mayor Ezzy Ashcraft read the last whereas statement in the ordinance.

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

#### CITY MANAGER COMMUNICATIONS

(13-233) The City Manager announced business licenses can now be renewed on line; announced the Consent Calendar tonight included grants totaling \$3,176,300.00; announced that the Council moved the July 16<sup>th</sup> City Council meeting to July 23<sup>rd</sup>.

#### ORAL COMMUNICATIONS, NON-AGENDA

(13-234) Michael John Torrey announced an upcoming ham radio event and passed on Mother's Day regards.

(13-235) Captain Scott Rhoads discussed activities at Nelson Marine.

(13-236) Former Councilmember Lil Arnerich, Alameda, provided a handout and expressed concern about Comcast not providing accurate contact information.

#### COUNCIL REFERRALS

None.

#### COUNCIL COMMUNICATIONS

(13-237) Councilmember Tam announced that she attended the Economic Development Alliance briefing along with Councilmembers Ezzy Ashcraft and Chen.

#### ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 11:17 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- -MAY 7, 2013- -6:00 P.M.

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

[Note: Councilmember Daysog arrived at 6:17 p.m.]

Absent: None.

The meeting was adjourned to Closed Session to consider:

(13-191) Conference with Legal Counsel – Existing Litigation (54956.9); Name of Case: David Kapler v. City of Alameda, et al.; Superior Court of California, Alameda County, Case No. HG11570933; Number of Cases: One (1)

(13-192) Conference with Legal Counsel – Anticipated Litigation; Initiation of litigation pursuant to subdivision (c) of Section 54956.9; Number of cases: One (As Plaintiff - City Initiating Legal Action)

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

Adjournment

There being no further business, Mayor Gilmore adjourned the meeting at 7:10 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

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