

From: [ACT](#)
To: [Manager Manager](#); [Yibin Shen](#); [City Clerk](#); [Marilyn Ezzy Ashcraft](#)
Subject: [EXTERNAL] Fwd: April 2 City Council Agenda Item 5-G Gold Bar Spirits Lease
Date: Tuesday, April 2, 2024 10:43:36 AM

After receiving a comment from the City Clerk informing us that second readings of proposed ordinances are always on the consent calendar, we realized that we had not expressed ourselves well and clarify our position here..

We have no problem with second readings of proposed ordinances being on the consent calendar. However, when Council moved to amend the ordinance when presented for second reading on March 19 as Item 5-H, we believe the city attorney erred in advising Council that the March 19th vote amending the ordinance converted that vote to a first reading. A first reading should never be on the consent calendar.

More importantly, the main point of our letter is that the City Manager needs to clarify the guidelines for an agenda committee determination that an item qualifies for the consent calendar and commit the qualifying language to a public written statement. The current rules simply state that an item qualifies if it is "routine". "Routine" to whom? Collective bargaining agreements that impact huge segments of our general fund budget may be "routine" to city council because they have been discussed in closed sessions, but they are certainly not "routine" for taxpayers with no exposure to them until they appear on the consent calendar with no audio/visual staff presentation and severely limited public comment. The same can be said of city expenditures for services and equipment in six and even seven figure amounts. Even if an item is pulled from the consent calendar, councilmember comment time is almost cut in half and the item is moved to the end of the agenda, which inhibits public comment.

We understand the need for a consent calendar in order to use meeting time efficiently. We only ask that a clear written definition of the "routine" standard be developed, so that the public and council members can understand why an item appears there, rather than the regular agenda. Perhaps, every staff report that appears on the consent calendar should contain a brief statement of the basis for the "routine" designation, just as we currently have statements concerning financial, environmental, and climate impact.

Sincerely,

ACT Board of Directors

----- Forwarded message -----

From: ACT <alamedacitizenstaskforce@gmail.com>
Date: Fri, Mar 29, 2024 at 11:05 AM
Subject: April 2 City Council Agenda Item 5-G Gold Bar Spirits Lease
To: <manager@alamedaca.gov>, <yshen@alamedacityattorney.org>, <clerk@alamedaca.gov>, <mezzyashcraft@alamedaca.gov>
Cc: <tdaysog@alamedaca.gov>, <mvella@alamedaca.gov>, <tspencer@alamedaca.gov>, <tjensen@alamedaca.gov>

ACT

Alameda Citizens Task Force

Vigilance, Truth, Civility

Dear Agenda Setting Committee:

ACT has long been concerned about the seemingly arbitrary placement of items on the consent calendar. During the last several months, the number of items on the consent calendar has been increasing while the number of regular agenda items has been decreasing.

Item 5-G illustrates our point. It is a long term lease of city land in a historic district, requiring a super majority approval of Council (Building 22 at NAS). However, at your Oct. 17, 2023 meeting the long term lease of Building 11 at NAS, also in a historic district and also requiring a super majority approval of Council, appears at regular agenda item 7-B.

The City Council Rules of Order provide that only "routine" items be placed on the consent calendar. Certainly, a long term lease of significant piece of land and buildings in a historic district and requiring a super majority approval is not "routine". In fact, no long term lease of any city land should be considered as "routine".

We specifically request a written explanation from the City Manager as our chief executive officer as to the inconsistency in these two agenda items and, more importantly, a clear statement of the guidelines being applied to determine if any agenda item qualifies as "routine" for the purpose of placing it on the consent calendar.

Sincerely,
ACT Board of Directors

From: [ACT](#)
To: [Manager Manager](#); [Yibin Shen](#); [City Clerk](#); [Marilyn Ezzy Ashcraft](#)
Cc: [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#); [Tracy Jensen](#)
Subject: [EXTERNAL] April 2 City Council Agenda Item 5-G Gold Bar Spirits Lease
Date: Friday, March 29, 2024 11:05:32 AM

ACT

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