

City of Alameda



TO: Chair Limoges and Members of the Recreation and Parks Commission

FROM: Michael Roush, Assistant City Attorney *Michael Roush*

MEETING DATE: June 14, 2018

SUBJECT: Commission Votes Between April 2017 and April 2018

A question has been asked whether former Commissioner Bill Delaney was a “resident” of the City of Alameda between April 2017 and his resignation from the Commission in May 2018 and, if not, whether that fact calls into question any of the matters on which he voted.

Exhibit 1 lists all Commission votes between April 2017 and April 2018. Because, with one exception, the Commission’s votes were either unanimous or 4-1, Mr. Delaney’s vote was not necessary for Commission action as the matters under consideration would have passed anyway.

The one exception was the Commission’s vote on the Athletic Facility Allocation Policy in April 2018 where, due to conflicts of two Commissioners, only three members of the Commission, including Mr. Delaney, could participate in that vote. In that matter, Mr. Delaney did provide one of the necessary three votes to adopt the Policy.

Because the legal issue of whether Mr. Delaney was a resident during the period in question—and a definitive answer on that issue is not certain—the Athletic Facility Allocation Policy that the Commission approved in April 2018 will not be implemented and the Policy that existed prior to that vote will continue for now to be implemented.

The Director intends to return the Athletic Facility Allocation Policy to the Commission for further consideration once City Council has made all appointments to the Commission.

I will be at the Commission’s meeting on June 14 if there are any further questions on this matter.

c Amy Wooldridge, Director of Parks and Community Services
Bill Delaney

Recreation and Parks Commission Votes
April 2017 – April 2018

Meeting Date	Agenda Item	Commission Vote
April 2017	Review and Recommend Recreation and Parks Department Banner Hanging Policy	5-0
May 2017	No items voted on	
June 2017	Commissioner Delaney absent	
July 2017	No items voted on	
Aug 2017	No meeting	
Sept 2017	Recommendation to Authorize the Warriors, Good Tidings Foundation, Aquafina, and Alameda Theatre and Cineplex Logos on the Washington Park Outdoor Basketball Courts.	5-0
	Nominate and Vote on Chair and Vice-Chair Positions	5-0
Oct 2017	Review and Recommend Adoption of the 2018 Recreation and Park User Fee Schedule	5-0
Nov 2017	Review and Recommend Public Art Proposal for Jean Sweeney Open Space Park	4-1
	Review and Recommend the Littlejohn Park Playground Equipment Design	5-0
	Review and Make Recommendations to Update the Recreation and Parks Commission By-Laws (established By-Laws Committee)	5-0
Dec 2017	Commissioner Delaney absent	
Jan 2018	No meeting	
Feb 2018	Approve the City of Alameda Transportation Plan for Seniors and People with Disabilities for Fiscal Year 2018/2019	4-0
Mar 2018	Review and Approve Mural in Honor of Javier Zayas at Cityview Skate Park	4-0
Apr 2018	Review and Approve the Athletic Facility Allocation Policy.	3-0