UNAPPROVED

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -MARCH 15, 2011- -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

(11-121) Proclamation Declaring the Month of March "Women's History Month." Not heard.

(11-122) Proclamation Declaring March 14-21 as Women's Military History.

Mayor Gilmore read and presented the proclamation to Mildred Nolan, World War II Veteran.

Ms. Nolan thanked the Council for the proclamation and invited everyone to attend a celebration on March 19th at the United Methodist Church.

ORAL COMMUNICATIONS, NON-AGENDA

None.

CONSENT CALENDAR

Mayor Gilmore announced that the paratransit service matter [paragraph no. 11-127] was removed from the Consent Calendar for discussion.

Councilmember Tam moved approval of the remainder of the Consent Calendar.

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

(*11-123) Minutes of the Special City Council Meeting Held on February 19, 2011; the Special and Regular City Council Meeting held on March 1, 2011; and the Special City

Council Meeting Held on March 2, 2011. Approved.

(*11-124) Ratified bills in the amount of $4,899,097.07.

(*11-125) Recommendation to Award a Contract in the Amount of $69,390 Annually for a Period of Five Years to Accela, Inc. for Accela Automation Land Management and Citizen Access Software Licenses and Managed Service Fees, and Authorize the Acting City Manager to Execute the Contract and Related Documents. Accepted.

(*11-126) Recommendation to Award a Contract in the Amount of $279,000, and Authorize a $40,000, Approximately Fourteen Percent Contingency, to Urban Metro Environmental, Inc. for the Demolition of Boarded and Vacant Structures at 136, 140, 144, 146 & 148 Barbers Point Road & 104 Glenview Road and 105 & 106 Norfolk Road and Authorize the Acting City Manager to Execute the Contract and Related Documents. Accepted.

(11-127) Recommendation to Approve Modifications to the Paratransit Shuttle Service, Appropriate $24,000 in Measure B Funds and Authorize the Acting City Manager to Execute all Necessary Documents; and

(11-127A) Recommendation to Approve Modifications to the Paratransit Taxi Service, Appropriate $5,000 in Measure B Funds, and Authorize the Acting City Manager to Execute all Necessary Documents. Accepted.

The Transportation Coordinator gave a brief presentation.

Councilmember deHaan inquired whether the eligibility age for the shuttle service would be reduced from 62 to 55, to which the Transportation Coordinator responded in the affirmative.

Speaker: Michael John Torrey, Alameda.

In response to Mr. Torrey's comments, the Transportation Coordinator stated currently, the West Loop recommendation does not include the Main Street ferry stop; hopefully, the stop will be included in the future.

Councilmember deHaan stated that he is impressed; indications show great success.

Councilmember Tam moved approval of the staff recommendation.

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

(*11-128) Recommendation to Adopt Plans and Specifications and Authorize a Call for Bids for Otis Drive Rehabilitation, No. P. W. 08-10-2. Accepted.

(*11-129) Recommendation to Adopt Plans and Specifications, and Authorize a Call for Bids for Park Street Streetscape, Lincoln Avenue to Webb Avenue and Central Avenue to San Jose Avenue, No. P.W. 10-09-30; and

(*11-129A) Resolution No. 14555, "Authorizing the Selection of Holophane Streetlights and a Call for Bids to Holophane Distributors for Park Street Streetscape, Lincoln Avenue to Webb Avenue and Central Avenue to San Jose Avenue, No. P.W. 10-09-30." Adopted.

(*11-130) Resolution No. 14556, "Ratifying the Public Utilities Board's Approval of Amendment Two to Agreement for Construction, Operation and Financing of Geothermal Project Number 3; Amended and Restated Geothermal Project Operating Agreement between Northern California Power Agency (NCPA) and the Geothermal Project Participants; and Amendment Number One to NCPA Facilities Agreement." Adopted.

(*11-131) Resolution No. 14557, "Appropriating $1.3 million in Federal HOME Funds and Authorizing the Acting City Manager to Negotiate and Execute the Necessary Documents to Complete the Loan to Resources for Community Development for the Rehabilitation of 2428 Central Avenue (Islander Motel)." Adopted.

REGULAR AGENDA ITEMS

(11-132) Public Hearing to Consider Introduction of Ordinance Amending the Alameda Municipal Code to Amend Chapter XIII (Building and Housing) by Repealing Article I (Uniform Codes Relating to Building, Housing and Technical Codes) in its Entirety and Adding a New Article I (Uniform Codes Relating to Building, Housing and Technical Codes) to Adopt the 2010 California Building Code, the 2010 California Residential Code, the 2010 California Historical Building Code, the 2010 California Electrical Code, the 2010 California Plumbing Code, the 2010 California Mechanical Code, the 2010 California Energy Code, the 2010 California Green Building Standards Code, the 1997 Uniform Housing Code, and the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings, and Amend Chapter XV (Fire Prevention) by Repealing Section 15-1 in its Entirety and by Adding a New Section 15-1 to Adopt the 2010 California Fire Code. Introduced.

The Chief Building Official gave a presentation.

In response to Mayor Gilmore's inquiry, the Chief Building Official stated current [electrical] codes apply to a house built after May 2, 1989 or remodeled since 1989.

Mayor Gilmore inquired how codes are communicated to the public, specifically the realty community.

The Chief Building Official responded handouts are provided; stated the proposed ordinance has very few changes; the new Green Residential Building Code is

mandatory now; information could be posted on the City's website; noted that he regularly meets with realtors.

Councilmember Johnson inquired how the 1989 date was selected, to which the Chief Building Official responded the 1989 date was the last time electrical requirements were changed.

Councilmember Johnson stated most complaints come from Harbor Bay residents; inquired how many Harbor Bay homes would need to have [electrical] kitchen updates.

The Chief Building Official responded houses built in the 1980's would need to upgrade to the Ground Fault Circuit Interrupter (GCFI); stated spacing [between outlets] went from six feet to four feet in the early 1990's.

Councilmember Johnson inquired whether the spacing is a health and safety issue.

The Chief Building Official responded the real issue is the GFCI which has proven to be a life safety issue.

Councilmember Tam stated a dedicated, high voltage garage circuit is needed for electric cars; inquired whether staff is preparing for issuing permits, to which the Chief Building Official responded said permits are addressed in the Electrical Code.

Councilmember Tam responded what is the cost, to which the Chief Building Official responded approximately $75.

The Acting City Manager noted electric car manufacturers are encouraging residents to do electrical upgrades.

Mayor Gilmore stated Alameda Municipal Power (AMP) is systematically undergrounding older Alameda areas; electrical service upgrades are required; inquired whether or not upgrades would be enough to plug in an electrical car.

The Chief Building Official responded perhaps not; stated the issue may be the same as for hot tub installation, which might require an upgrade.

Mayor Gilmore stated people interested in getting an electric car should talk to AMP.

The Chief Building Official stated people should talk to the Building Department also.

Councilmember deHaan stated retrofitting permit costs have been a concern in the past; reducing electrical permit costs should be considered.

The Chief Building Official stated the cost is relatively low.

Councilmember Tam noted Nissan has 32,000 Leaf electric cars on order.

Vice Mayor Bonta inquired whether permits are valid for twelve months, to which the Chief Building Official responded the permits are valid for three years which has helped in this economy.

Councilmember deHaan inquired whether a permitting process has been implemented for spacing outlets four feet apart instead of six feet, to which the Chief Building Official responded the proposed amendment would be less stringent than what is currently done.

Councilmember Johnson inquired whether some cities just require a GFCI and not four foot spacing.

The Chief Building Official responded that he will look into the matter; stated adjustments could be made if necessary.

Councilmember Tam moved introduction of the ordinance.

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

(11-133) Introduction of Ordinance Amending the Alameda Municipal Code by Repealing Article II (Boards and Commissions) of Chapter II (Administration) in Its Entirety and by Repealing Subsection 30-65.7 (Public Art Commission) of Chapter XXX (Development Regulations) in Its Entirety and Adding a New Article II (Boards and Commissions). Introduced.

The Senior Management Analyst gave a presentation.

Mayor Gilmore requested an explanation on term expirations.

The City Clerk stated the remainder of a term would be filled if there is a vacancy so that terms remain staggered; the person would serve a partial term and would still be eligible to serve two full terms; all terms would end July 31st but in different years.

Councilmember Johnson inquired whether Section 2-6.2 [Membership; Appointment; Term of Office; Removal; Vacancies] is the same as the Charter language.

The Senior Management Analyst responded the language is similar; stated additional language has been added.

Councilmember Johnson inquired whether the language is consistent with the Charter, to which the Senior Management Analyst responded in the affirmative.

Councilmember Tam stated the Disaster Council is being proposed for elimination because of the Emergency Operations Plan (EOP).

The Senior Management Analyst stated Disaster Council functions have been replaced by the EOP, which has been approved by the Council and meets current State and federal requirements.

The Acting City Manager stated the Disaster Council enabled the Fire Department to convene meetings; the City has an active Disaster Preparedness program; the Community Emergency Response Team (CERT) Program is very active within the community.

The Senior Management Analyst stated disaster preparedness constantly evolves and needs to evolve more quickly than the ability to amend the Municipal Code let alone the Charter.

Councilmember Tam stated future consolidation or re-morphing of the ten Commissions has been discussed.

The Acting City Manager stated an analysis is being conducted; staff resources for supporting all the Commissions have declined; staff is reviewing the matter to see if some Commission duties can be subsumed by other Commissions or Boards; bringing the matter back before adopting the Fiscal Year 2011-2012 budget would make sense.

Councilmember Tam stated that she would like more input on how the matter could be more interactive with the community.

Vice Mayor Bonta stated a core issue would be the level of public engagement; that he would advocate for public participation in crafting the overall look; an ad hoc commission could review the Commissions and make suggestions on the most efficient way to have public participation and engage the community.

Mayor Gilmore stated having public participation would be good but should come later rather than earlier because staff resources are limited; members of the public would not necessarily understand resource limitations; that she would prefer to have staff take the first step and then have the public provide feedback.

Councilmember deHaan concurred with Mayor Gilmore; stated appointing ad hoc committees has been very successful in the past and should be considered as a fall back position.

Councilmember Johnson stated that she understands the idea of eliminating the Cable Television Committee and Disaster Council; more public involvement is needed for disaster preparedness; that she has never been totally satisfied with the emergency response plan; the plan is not where it needs to be; public involvement is important so that the public is aware and understands the process; that she does not think the CERT Program fulfills the roll; perhaps the public could sit in on the meetings that the Fire Department organizes.

The Acting City Manager stated that she would talk to the Interim Fire Chief.

Councilmember Johnson stated that she is not convinced that the City has adequate evacuation routes.

The Acting City Manager stated that she would look into the matter.

Councilmember Johnson stated scientists must know whether or not water would rise in the Bay even though the City would not get a main part of a tsunami and whether people would need to be evacuated.

The Acting City Manager stated that she would get back to Council on the matter; the Board and Commission item could be brought back as a discussion item, not an action item; emails could be sent out to the Boards and Commissions and other community groups to allow public input; recommendations could be brought back to Council.

Mayor Gilmore stated staff was on top of the game after the tsunami hit Japan; the Interim Police Chief advised her that staff was in contact with East Bay Regional Park District, School District, Public Works, and the County; things were being monitored and staff was prepared.

Councilmember deHaan stated the public wants to be engaged in the process but may not understand the involvement.

Councilmember Johnson moved introduction of the ordinance.

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

CITY MANAGER COMMUNICATIONS

(11-134) Presentation on the Abatement Fund

The Building Official gave a Power Point presentation.

Councilmember Johnson requested an explanation on the economics of the Abatement Fund.

The Chief Building Official stated first the City would spend money to abate a property; then the City would lien the property to the County through tax rolls; the County would collect the money, the City would be repaid, and the money would go back into the revolving Abatement Fund.

Councilmember Johnson inquired whether the County is successful in getting liens paid.

The Chief Building Official responded in the affirmative; stated the City is paid up front.

Councilmember Johnson inquired whether staff would need to get permission [to do abatement] from the property owner.

The Chief Building Official responded in the negative; stated all due processes would be completed prior to proceeding with abatement.

Vice Mayor Bonta inquired whether the lien would be added to the property owner's property tax bill and would appear on the next tax roll, to which the Chief Building Official responded in the affirmative.

Councilmember deHaan inquired whether certain properties have been earmarked, to which the Chief Building Official responded in the affirmative.

Councilmember Johnson stated in the past, the court system was unfamiliar with the process.

The Chief Building Official stated staff did a receivership in 2007 for 865 Cedar Street; the judge finally ordered that the house be sold after over thirty court appearances; the house is now being renovated; the courts now understand the process.

Vice Mayor Bonta inquired how many properties would be eligible.

The Chief Building Official responded approximately thirty buildings have citations; stated ten of the buildings would be inexpensive to abate.

Councilmember Johnson stated property at 300 or 500 Central Avenue is a good example of needed abatement.

The Chief Building Official stated the property would be out of the initial City investment [$25,000 to $50,000] range.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(11-135) Vice Mayor Bonta stated the School District's Measure A passed; Council unanimously voted to support the Measure; the community came together and took pride in investing in children.

Councilmember Tam concurred with Vice Mayor Bonta; congratulated the business

community in coming forward with an alternative.

Mayor Gilmore congratulated everyone who worked so hard; stated the job was well done.

ADJOURNMENT

(11-136) There being no further business, Mayor Gilmore adjourned the meeting at 8:19 p.m. in memory and honor of those lost and suffering from the natural disaster in Japan.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

UNAPPROVED

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
SATURDAY - - - MARCH 26, 2011 - - - 9:00 A.M.

Mayor Gilmore convened the meeting at 9:07 a.m.

Roll Call – Present: Councilmembers Bonta, deHaan, Johnson, Tam and Mayor Gilmore – 5.

[Note: Councilmember Johnson was present via teleconference from 5805 West Kellog Drive, Wichita Kansas]

Absent: None.

Speakers: Nancy, Hird, ACT; Carol Gottstein, ACT; Brian Schumacher, ACT; Red Wetherill, ACT; and Kathy Schumacher, ACT.

The meeting was adjournment to Closed Session to consider:

(11-140) Public Employment – (54957); Title: City Manager

Following the Closed Session, the meeting was reconvened and Mayor Gilmore announced that the Council gave direction to staff.

Adjournment

There being no further business, Mayor Johnson convened the special meeting at 2:20 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.