



## Coffee with a Cop

Shalom Bruhn demonstrates her point while speaking with Alameda Police Department (APD) Chief Nishant Joshi last Tuesday, July 20, at Coffee with a Cop at Starbucks on Park Street. Nishant joined APD as its chief on June 7. He was serving as Deputy Chief of the Bureau of Field Operations Two at the Oakland Police Department when the city chose him to serve as chief.



Dennis Evanosky

## Council Considers Changes to City's Sunshine Ordinance

Ekene Ikeme

The City Council reviewed several options to amend Article VIII of Chapter II of the Alameda Municipal Code to clarify enforcement provisions and provide other enhancements to the Sunshine Ordinance at its July 20 meeting.

In February 2020, based on staff's recommendation, the City Council removed the null-and-void remedy from the Sunshine Ordinance and directed staff to work with the Open Government Commission (OGC) to review impacts of this decision and to find a replacement provision. A null-and-void action gave the OGC to power to force the Council to nullify an ordinance approval if the Council and city staff failed to comply with the Sunshine Ordinance.

During this collaboration, staff observed an uptick in the number of Sunshine Ordinance hearings and the difficulty the OGC faces in resolving such matters. Consequently, staff recommended moving toward a hearing officer model of Sunshine Ordinance complaint adjudication, in addition to making other updates and enhancements, including furnishing updated language for the now-excised null-and-void remedy.

On June 1, the Council declined to adopt the proposed ordinance, and directed staff to create an ordinance that includes only the updated remedies language for introduction and adoption.

The City Council heard a proposal from the OGC subcommittee; the newly installed OGC, consisting of the original OGC, three new members and city staff

The subcommittee's proposal aims to reduce time to file a complaint from 15 days to 10 days, reduce time to hear a complaint from 30 days to 20 days and reduce time to issue written decision from 30 days to 5 days.

Also, under penalties for public access to meetings, the subcommittee proposes to remove monetary fines as a penalty for sustained violations and the commission may still order cure and correction, except where the body has already made a cure and correction, or the cure and correction

would "interfere with the conduct of an election."

The newly installed OGC wants to add a posting requirement to the city's website from the adjudicator of Sunshine Ordinance complaints. The adjudicator would display their recommendations if a policy body should correct errors and the policy body's response would also be posted.

Lastly, city staff proposes the new ordinance should maintain status quo until a final review by the OGC. Staff also proposed the new ordinance eliminates the provision that allows monetary fines for violations.

The removal of the null-and-void policy came after Alameda resident Serena Chen brought a complaint before the OGC in Oct. 2018 alleging that the city failed to comply with the notice provisions of the Brown Act when it passed two ordinances authorizing the sale of recreational marijuana. The OGC found the complaint credible and nullified the two ordinances. They were eventually passed in April 2019.

## Public Art Ordinance Comes before City Council

Ekene Ikeme

At its July 20 meeting, the City Council discussed an ordinance that intends to make amendments to Alameda Municipal Code (AMC) Section 30-98 regarding public art requirements for future developers.

The proposed modifications would add five terms recommended by the Public Art Commission (PAC) for individuals or entities building new developments in Alameda.

First, it requires developers declare their intent to install artwork on-site or contribute to the Public Art Fund (PAF) before receiving planning approvals. Developers have the choice to contribute a minimum of one percent of building development costs for on-site public art or contribute an equivalent amount into the PAF. City staff believe requiring developers to decide whether they plan to install on-site public art or contribute to the PAF earlier in the process will encourage a more thoughtful and integrated approach to on-site artwork.

Second, the developer must work with the PAC to create a maintenance plan for any on-site

public art. The current language in AMC Section 30-98 includes a maintenance plan but does not specify what needs to be included or mandated in the agreement.

Third, the new amendment will allow artists and performers to receive small cultural arts grants without non-profit organization status. Currently, artists receiving grants as small as \$500 are required to have non-profit status. The PAC will still only give larger grants (above \$2,000) to those with non-profit status.

The fourth amendment allows the PAC to make fund expenditures less than \$75,000 without Council approval. The last modification would allow the PAC to use the funds for maintenance, deaccession, and conservation of public artwork. This would allow the PAF to be used to maintain the integrity of the City's public art collection throughout its lifetime. The PAF would only be used for maintenance on an as-needed basis, according to the staff memo.

The attitude toward public art — like this sculpture familiar to anyone who strolls the Oakland Estuary near the foot of Grand Street — has changed. The City Council will take these changes into account.

The Council chose whether to adopt the ordinance, not adopt the ordinance or ask staff to make revisions and offer them at a future Council meeting. Council also had the option to adopt the ordinance but make a revision that would exempt developers who plan to build a development in which all units qualify as affordable for very low-, low- or moderate-income households if the inclusion of the art is an economic impediment to the project's development.

City staff recommended the Council to adopt the proposed amendments.

The City of Alameda adopted the public arts requirements for new construction in 2003. The section was last amended in 2017 when Council voted to remove the \$150,000 cap on the maximum public art allocation, remove the requirement that public art focus on Alameda's historic and maritime traditions, and remove staff and maintenance costs as an allowable use of the PAF.

Evelyn Kennedy



Framed by newspapers, Stan Hallmark is back at selling papers and observing life at the newsstand at Park Street and Santa Clara Avenue

## Stan Returns to Park Street

Photo and story by Thushan Amarasiriwardena

There are parts of Alameda that feel like a time warp. Park Street spans the gamut; a neon-lit diner, a buzzing arcade, to an alive and kicking video-rental store. And then there's the little downtown newsstand, which as of last week, is back at the daily grind of selling papers after a long hiatus during the pandemic.

Stan Hallmark's window on Park Street if not the world, is open again. He spent much of the pandemic doing what he was doing before, reading the news. "That and my wine consumption went up," he said.

A couple days into reopening, business is slow. Thumbing through his count, Hallmark said he sold 10 copies last Sunday, before the pandemic it was usually 25 copies.

He chalks it up to the town re-acclimatizing. "You don't come out of a year in a cocoon and immediately get back to normal," Hallmark said.

With the rates getting squeezed by the publishers, it's long just been "good enough to buy lunch" anyways, he joked. It's clear there's more to just selling papers than he's there for, "I love seeing the people walk by."

The newsstand, which a sign on it proclaims has been there since 1939, built for a news seller

named Paul Manning. The stand passed hands a couple times, most recently seven years ago into Hallmark's. It started with him just covering for a couple days off for the prior seller. Now Hallmark and another split the day, seven days a week, year round. Pulling out an old sign board with the names of the 14 newspapers they used to carry — he remained equally surprised by how many papers were active, and not.

Working on this block for years, and a resident of Alameda for 37, he's continually surprised by the island's ability to bounce through adversity. "Alameda is a resilient city," Hallmark said. Motions to a restaurant parklet behind him. "When the restaurants needed the sidewalk space — boom it happened," he said.

Framed by newspapers headlining forest fires, mask mandates, rising waters and heat waves, Hallmark is an optimist. When asked if he has any overarching observations from his window, between puffs of his pipe, he remarked "Alameda must be a healthy city, no one seems to die here," noting how many 80-year-olds like himself are around.

A time warp indeed.

Thushan Amarasiriwardena is walking every street of Alameda and documenting it all at [everystreetofalameda.com](http://everystreetofalameda.com)

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Date	Rise	Set
Today	6:04	20:27
July 23	6:05	20:26
July 24	6:06	20:25
July 25	6:07	20:25
July 26	6:08	20:24
July 27	6:08	20:23
July 28	6:09	20:22



## Boy Scout Presents Piano as Eagle Project



Nathaniel Basco, Boy Scout of Troop 11 in Alameda, created a public piano installation as a part of his Eagle Scout project. Alameda artist Deirdre Freeman painted the piano. Anchor Alameda Association for Art and Film is the nonprofit beneficiary. The piano is located along the Bay Trail at Nob Hill in the Bridgeside Shopping Center on Blanding Avenue. The piano will be available for anyone to play from 10 a.m. to 7 p.m. until Saturday, Aug. 7.

Maurice Ramirez

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