



City of Alameda

Meeting Agenda

City Council

Tuesday, September 1, 2020

7:00 PM

City Hall, 2263 Santa Clara Avenue, Council
Chambers, 3rd Floor, Alameda CA 94501

The Closed Session Agenda was revised on 8/25/20 at 1:00 p.m. to add Item 3-C and at 4:30 p.m. to add Items 3-D and 3-E and change the time to 5:30 p.m.

Due to Governor Executive Order N-29-20, Councilmembers can attend the meeting via teleconference. The City allows public participation via Zoom.

For information to assist with Zoom participation, please click:

<https://www.alamedaca.gov/zoom>

For Zoom meeting registration, please click:

https://alamedaca-gov.zoom.us/webinar/register/WN_RVNOrcASSH6iLM83nHcv-g

For Telephone Participants:

Zoom Phone Number: 669-900-9128

Zoom Meeting ID: 880 1274 1002

Any requests for reasonable accommodations should be made by contacting the City Clerk's office: clerk@alamedaca.gov or 510-747-4800

City Hall will be NOT be open to the public during the meeting

REVISED SPECIAL CITY COUNCIL MEETING - CLOSED SESSION - 5:30 P.M.

- 1 Roll Call - City Council
- 2 Public Comment on Closed Session Items - Anyone wishing to address the Council on closed session items may speak for 3 minutes per item
- 3 Adjournment to Closed Session to consider:
 - 3-A [2020-8226](#) CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION
(Pursuant to Government Code § 54956.9)
CASE NAME: City of Alameda v. Union Pacific (Tilden)
COURT: Superior Court of the State of California, County of Alameda
CASE NUMBERS: RG18920939
 - 3-B [2020-8234](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to

Government Code Section 54956.8)
PROPERTY: Site A at Alameda Point
PERSONS NEGOTIATING: Eric J. Levitt, City Manager, Debbie Potter, Community Development Director, Michelle Giles, Redevelopment Project Manager and Lisa Nelson Maxwell, Assistant City Attorney
NEGOTIATING PARTIES: City of Alameda and Alameda Point Partners
UNDER NEGOTIATIONS: Price and terms

- 3-C** [2020-8265](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Requests for the City to participate as amicus in pending litigations:
(Pursuant to Government Code § 54956.9)
Case Name: Duncan v. Becerra
Court: United State Court of Appeal for the 9th Circuit
Case Number: 19-55376
- 3-D** [2020-8266](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9, Subsection (c)
Number of Cases: One (As Plaintiff - City of Alameda Initiating Legal Action)
- 3-E** [2020-8267](#) CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9
Number of cases: One (As Defendant - City Exposure to Legal Action)

4 Announcement of Action Taken in Closed Session, if any

5 Adjournment - City Council

SPECIAL JOINT MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE COMMUNITY IMPROVEMENT COMMISSION (SACIC) MEETING - 6:59 P.M.

Pledge of Allegiance

- 1 Roll Call - City Council/SACIC**
- 2 Consent Calendar - Items are routine and will be approved by one motion unless removal is requested by the Council/SACIC or the public**
- 2-A** [2020-8260](#) Minutes of the Joint City Council and Successor Agency to the Community Improvement Commission Meeting Held on July 7, 2020. [City Council and SACIC] (City Clerk)
- 2-B** [2020-8177](#) Recommendation to Accept the Third Quarter Financial Report for the

Period Ending March 31, 2020. [City Council and SACIC] (Finance 2410)

Attachments: [Third Quarter Financial Report](#)

3 Adjournment - City Council and SACIC

REGULAR CITY COUNCIL MEETING - 7:00 P.M.

1 Roll Call - City Council

2 Agenda Changes

3 Proclamations, Special Orders of the Day and Announcements - Limited to 15 minutes

4 Oral Communications, Non-Agenda (Public Comment) - A limited number of speakers may address the Council regarding any matter not on the agenda; limited to 15 minutes; additional public comment addressed under Section 8

5 Consent Calendar - Items are routine and will be approved by one motion unless removal is requested by the Council or the public

5-A [2020-8250](#) Minutes of the Special Meeting Held on June 29, 2020; the Special and Regular City Council Meetings Held on July 7, 2020; and the Continued July 7, 2020 Special City Council Meeting and Special City Council Meeting Held on July 14, 2020. (City Clerk)

5-B [2020-8258](#) Bills for Ratification. (Finance)

Attachments: [Bills for Ratification](#)

5-C [2020-8133](#) Recommendation to Accept the Quarterly Sales Tax Report for the Reporting Period Ending March 31, 2020 (Funds Collected During the Period October 1 to December 31, 2019). (Finance 2410)

Attachments: [Exhibit 1 - Quarterly Sales Tax Report](#)
[Exhibit 2 - Quarterly Transaction Tax](#)

5-D [2020-8211](#) Recommendation to Authorize the City Manager to Execute a Second Amendment to the Agreement with Avineon, Inc. Extending the Term of the Agreement by Thirteen Months and Increasing the Compensation by an Amount Not to Exceed \$40,840 for an Aggregate Compensation Amount Not to Exceed \$135,740 to Provide Geographic Information System Curriculum Development Support, Fiber Network Mapping, Geographic Information System Support for Future Needs, and 911 Reporting Areas Enrichment. (Information Technology 704.1/Police 218019-573020)

Attachments: [Exhibit 1 - Original Agreement](#)
[Exhibit 2 - First Amendment](#)
[Exhibit 3 - Second Amendment](#)

- 5-E** [2020-8214](#) Recommendation to Accept the Work of Valentine Corporation for Encinal Boat Launch Facility Project No. P.W. 04-19-19. (Recreation and Parks 280)
- 5-F** [2020-8235](#) Recommendation to Authorize the City Manager to Execute a 12-Month Service Provider Agreement with Harris & Associates, a California Corporation, for Reimbursement Audit Services for Infrastructure Improvements to be Financed by Community Facilities District No. 13-1 (Alameda Landing Public Improvements) in an Amount Not to Exceed \$134,900. (Community Development)
- Attachments:** [Exhibit 1 - Service Provider Agreement](#)
- 5-G** [2020-8242](#) Recommendation to Authorize the City Manager to Execute a One Year Agreement with Operation Dignity to Provide Mobile Outreach Services for Alameda's Unsheltered Population in an Amount Not to Exceed \$122,400. (Community Development)
- Attachments:** [Exhibit 1 - Agreement](#)
- 5-H** [2020-8241](#) Recommendation to Authorize the City Manager to Make Overpayments to the State Department of Health Care Services Concerning the Ground Emergency Medical Transportation Program. (City Manager/Fire)
- 5-I** [2020-8215](#) Recommendation to Authorize the City Manager to Execute a Second Amendment to Agreement with Blue Flame Crew for Operation and Maintenance of the Doolittle Landfill for an Amount Not to Exceed \$15,000 Annually for Fiscal Years 2020-21, 2021-22, and 2022-23, for a Total Three Year Expenditure Not to Exceed \$91,443.81, Including Contingency, and for a Total Five-Year Expenditure Not to Exceed \$472,070.75. (Public Works 270)
- Attachments:** [Exhibit 1 - Contract](#)
[Exhibit 2 - First Amendment](#)
[Exhibit 3 - Second Amendment](#)
- 5-J** [2020-8219](#) Recommendation to Authorize the City Manager to Execute Four Five-Year Agreements to Interface Engineering, Inc., Pragmatic PE, Inc., Schaaf & Wheeler Consulting Civil Engineers, and Syska Hennessy Group, Respectively, for On-Call Mechanical Engineering Services in an Amount Not to Exceed \$100,000 Annually for Each Agreement, and for a Total Five-Year Cumulative Amount Not to Exceed \$500,000 for Each Agreement. (Public Works 310)

Attachments: [Exhibit 1 - Interface Agreement](#)
[Exhibit 2 - Pragmatic PE Agreement](#)
[Exhibit 3 - Schaaf & Wheeler Agreement](#)
[Exhibit 4 - Syska Hennessy Agreement](#)

- 5-K** [2020-8223](#) Recommendation to Authorize the City Manager to Execute Four Five-Year Agreements to Advance Design Consultants, Inc., Borrelli and Associates, Inc., Salas O'Brien Engineers, Inc., and TJC and Associates, Inc., Respectively, for On-Call Electrical Engineering Services in an Amount Not to Exceed \$100,000 Annually for Each Agreement, and for a Total Cumulative Five-Year Amount Not to Exceed \$500,000 for Each Agreement. (Public Works 310)

Attachments: [Exhibit 1 - Advance Design Agreement](#)
[Exhibit 2 - Borrelli Agreement](#)
[Exhibit 3 - Salas O'Brien Agreement](#)
[Exhibit 4 - TJC Agreement](#)

- 5-L** [2020-8225](#) Recommendation to Authorize the City Manager to Execute Six Five-Year Agreements to Byrens Kim Design Works, Group 4 Architecture, Research + Planning, Inc., Interactive Resources Architects + Engineers, The KPA Group, RMW Architecture & Interiors, and Sally Swanson Architects, Inc., Respectively, for On-Call Architectural Services, in an Amount Not to Exceed \$150,000 Annually for Each Agreement, and for a Five-Year Total Cumulative Amount Not to Exceed \$750,000 for Each Agreement. (Public Works 310)

Attachments: [Exhibit 1 - Byrens Kim Agreement](#)
[Exhibit 2 - Group 4 Agreement](#)
[Exhibit 3 - Interactive Resources Agreement](#)
[Exhibit 4 - The KPA Agreement](#)
[Exhibit 5 - RMW Agreement](#)
[Exhibit 6 - Sally Swanson Agreement](#)

- 5-M** [2020-8217](#) Recommendation to Authorize the City Manager to Execute a Contract with Redgwick Construction Company for Construction of the Otis Drive Safety Improvement Project, in an Amount Not to Exceed \$854,117.50; and
Adoption of Resolution Amending the Fiscal Year 2020-21 Capital Improvement Budget by Allocating \$100,000 in Local B/BB Paratransit Fund to Capital Improvement Program Fund 91818 to Construct the Otis Drive Safety Improvement Project. (Public Works 310)

Attachments: [Exhibit 1 - Contract Resolution](#)

- 5-N** [2020-8240](#) Adoption of Resolution Ratifying the Proclamations of the Director of Emergency Services and Continuing the Declaration of the Existence of a Local Emergency in Response to the COVID-19 Pandemic, Consistent with Government Code Section 8630(c). (City Manager 2110)
- Attachments:** [Exhibit 1 - City Manager Proclamations](#)
 [Exhibit 1 - REVISED City Manager Proclamations Resolution](#)
- 5-O** [2020-8238](#) Final Passage of an Uncodified Ordinance Amending Uncodified Ordinance No. 3275 to Extend the Time that Tenants Must Repay “Deferred Rent” from 210 Days to 395 Days Following the City Council’s Rescission of the Local Emergency; and Recommendation to Receive an Update Regarding City Council’s Request for Information on Status of Tenant Payment of Rent and Rent Relief Program and Outreach to Tenants Regarding Eviction Protections. (Community Development)
- Attachments:** [Exhibit 1 - Data Highlights from the Landlord Survey](#)
 [Exhibit 2 - Overview Emergency Rent Relief Applications](#)
 [Exhibit 3A - Resource Guide for Property Owners](#)
 [Exhibit 3B - Resource Guide for Renters Ordinance](#)
- 5-P** [2020-8239](#) Final Passage of Ordinance Authorizing the City Manager or Designee to Execute an Amendment to the Lease with Williams-Sonoma, Inc., a Delaware Corporation, Acting for and on Behalf of Williams-Sonoma Stores, Inc., a California Corporation, for Building 169, Suite 102, Located 1680 Viking Street at Alameda Point, Extending the Term for an Additional 12 Months with One 12-Month Extension Option, Removing Overflow Parking from the Leased Premises, and Providing One (1) Month of Rent Abatement. (Community Development 819099)

6 Regular Agenda Items

- 6-A** [2020-8236](#) Public Hearing to Consider COVID-19 Related Response and Enforcement Activities; and Adoption of an Urgency Ordinance Amending the Alameda Municipal Code By Adding a New Article 24-13 (Public Health) Providing for Enforcement of Alameda County Health Officer Orders and Directives. (Planning, Building and Transportation/City Attorney)
- Attachments:** [Ordinance](#)
 [Correspondence](#)
 [Presentation](#)

- 6-B** [2020-8164](#) Recommendation to Adopt the 2020 Alameda Point Master Infrastructure Plan (MIP) Amendment and Direct Staff to Work with the Recreation and Park Commission on Recommendations Regarding the Alameda Point Sports Complex;
Introduction of Ordinance Amending the Alameda Municipal Code by Amending Chapter XXVII (Development Fees) by Repealing Section 27-4 (Alameda Point Development Impact Fees) in Its Entirety; and Adoption of Resolution Amending Master Fee Resolution No. 12191 to Revise Fee. (Community Development)

Attachments: [Exhibit 1 - MIP Amendment](#)
[Exhibit 2 - Infrastructure and Community Benefits Ordinance](#)
[Resolution](#)
[Presentation](#)

- 6-C** [2020-8246](#) Adoption of an Urgency Ordinance Amending Uncodified Ordinance No. 3275 to Provide that any Agreement Between a Landlord and a Tenant Concerning Repayment of “Deferred Rent” Must Limit a Landlord’s Remedy for a Tenant’s Breach of the Agreement to Money Damages and, as to a Tenant’s Failure to Pay the Deferred Rent in the Agreement, Expressly Waive the Landlord’s Right to File an Unlawful Detainer Action to Recover Possession of a Tenant’s Rental Unit or for Any Unpaid Rent that was the Subject of the Agreement. (Community Development)

Attachments: [Ordinance](#)
[Correspondence](#)

- 6-D** [2020-8255](#) Adoption of Resolution Amending the Fiscal Year 2020-21 Budget to Accept \$1,003,970 in State Coronavirus Relief Funds and Amend the Fiscal Year (FY) 2020-21 Budget to Increase Revenue and Expenditures Appropriations by \$903,970 in the General Fund and by \$100,000 in the Human Services Fund in Order to Offset Costs Associated with the City’s Response to the COVID-19 Pandemic; and Recommendation to Approve a Report on City Activities and Expenditures Related to the COVID-19 Emergency. (City Manager)

Attachments: [Resolution](#)
[Presentation](#)

7 **City Manager Communications - Communications from City Manager**

8 **Oral Communications, Non-Agenda (Public Comment) - Speakers may address the Council regarding any matter not on the agenda**

9 Council Referrals - Matters placed on the agenda by a Councilmember may be acted upon or scheduled as a future agenda item

- 9-A** [2020-8092](#) Consider Adoption of Resolution Amending Section 6 of Resolution No. 15382, which Adopted Rules of Order Governing City Council Meetings. (Mayor Ezzy Ashcraft and Councilmember Oddie) [Not heard July 7 or 14, 2020]

Attachments: [Resolution](#)

- 9-B** [2020-8248](#) Consider Creating a Grant Program for Park Street (Downtown Alameda Business Association-DABA) and Webster Street (West Alameda Business Association-WABA) to Adapt the Configuration of Park and Webster Streets, including Potential Temporary Street Closures. (Mayor Ezzy Ashcraft and Councilmember Oddie)

Attachments: [Correspondence](#)

10 Council Communications - Councilmembers can address any matter not on the agenda, including reporting on conferences or meetings

- 10-A** [2020-8129](#) Stopwaste June 2020 Topic Brief: Sustainable Landscapes. (Councilmember Oddie) [Informational only] [Not heard July 7 or 14, 2020]

Attachments: [Topic Brief](#)

- 10-B** [2020-7806](#) Consideration of Mayor's Nominations for Appointments to the Civil Service Board, Commission on Persons with Disabilities, Golf Commission, Historical Advisory Board, Housing Authority Board of Commissioners, Planning Board, Public Art Commission, Public Utilities Board, Social Service Human Relations Board and Transportation Commission.

11 Adjournment - City Council

- Please contact the City Clerk at 510-747-4800 or clerk@alamedaca.gov at least 48 hours prior to the meeting to any reasonable accommodation that may be necessary to participate in and enjoy the benefits of the meeting.
- Meeting Rules of Order are available at:
<https://www.alamedaca.gov/Departments/City-Clerk/Key-Documents#section-2>
- Translators and sign language interpreters will be available on request. Please contact the City Clerk at 510-747-4800 at least 72 hours prior to the meeting to request a translator or interpreter.
- Equipment for the hearing impaired is available for public use. For assistance, please contact the City Clerk at 510-747-4800 either prior to, or at, the Council meeting.
- Accessible seating for persons with disabilities, including those using wheelchairs, is available.
- Minutes of the meeting available in enlarged print.
- The meeting will be broadcast live on the City's website:
<https://www.alamedaca.gov/GOVERNMENT/Agendas-Minutes-Announcements>
- Documents related to this agenda are available for public inspection and copying at of the Office of the City Clerk, 2263 Santa Clara Avenue, Room 380, during normal business hours.
- **KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE:** Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City of Alameda exist to conduct the citizen of Alameda's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.
- **FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE OPEN GOVERNMENT COMMISSION:** the address is 2263 Santa Clara Avenue, Room 380, Alameda, CA, 94501; phone number is 510-747-4800; fax number is 510-865-4048, e-mail address is lweisiger@alamedaca.gov and contact is Lara Weisiger, City Clerk.
- In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.