



# City of Alameda

## Meeting Agenda

### City Council

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Tuesday, April 16, 2019

7:00 PM

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

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#### **SPECIAL 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 [2019-6758](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Pursuant to Government Code § 54956.9)  
CASE NAME: Zachary Ginsburg v. City of Alameda  
COURT: Superior Court of the State of California, County of Alameda  
CASE NO: RG15791428
  - 3-B [2019-6770](#) CONFERENCE WITH LABOR NEGOTIATORS (Government Code section 54957.6)  
CITY NEGOTIATORS: Nancy Bronstein, Human Resources Director  
EMPLOYEE ORGANIZATIONS: International Brotherhood of Electrical Workers, Local 1245 (IBEW), and Executive Management Employees (EXME)  
UNDER NEGOTIATION: Salaries and Terms of Employment
  - 3-C [2019-6774](#) CONFERENCE WITH LEGAL COUNSEL - LIABILITY CLAIMS  
(Pursuant to Government Code § 54956.95)  
Claimant: Jeffrey Cambra  
Agency claimed against: City of Alameda
- 4 **Announcement of Action Taken in Closed Session, if any**  
[2019-6821](#) April 16, 2019 Closed Session Announcements  
**Attachments:** [Announcements](#)
- 5 **Adjournment - City Council**

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

**Pledge of Allegiance****1 Roll Call - CC/SACIC****2 Consent Calendar - Items are routine and will be approved by one motion unless removal is requested by the SACIC or the public**

**2-A** [2019-6775](#) Minutes of the Special Successor Agency to the Community Improvement Commission (SACIC) Meeting Held on March 19, 2019. [SACIC] (City Clerk)

**2-B** [2019-6736](#) Recommendation to Accept the Fiscal Year 2017-18 Audited Financial Statements and Compliance Reports. [City Council/SACIC] (Finance 2410)

**Attachments:** [Exhibit 1 - Comprehensive Annual Financial Report](#)  
[Exhibit 2 - Alameda County Transportation Commission \(ACTC\) Measure B Report](#)  
[Exhibit 3 - ACTC Measure BB Report](#)  
[Exhibit 4 - ACTC Measure F Program Report](#)  
[Exhibit 5 - Single Audit Report](#)  
[Exhibit 6 - GANN Limit](#)  
[Exhibit 7 - Management Letter](#)  
[Exhibit 8 - Required Communications](#)

**3 Adjournment - CC/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**

**3-A** [2019-6741](#) Proclamation Declaring April 7 through 13, 2019 as Alameda County Victims' Rights Week. (City Manager 2110)

**3-B** [2019-6760](#) Proclamation Declaring April 16, 2019 as Warming Shelter Appreciation Day. (City Manager 2110)

**3-C** [2019-6446](#) Proclamation Declaring April 22, 2019 as Earth Day Alameda 2019 and April 26, 2019 as Arbor Day Alameda 2019. (City Manager 2110)

- 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** [2019-6776](#) Minutes of the Special Meeting Held on March 16, 2019; and the Special and Regular City Council Meetings Held on March 19, 2019. (City Clerk)
- 5-B** [2019-6777](#) Bills for Ratification. (Finance)  
**Attachments:** [Bills for Ratification](#)
- 5-C** [2019-6734](#) Recommendation to Set June 18, 2019 for a Public Hearing to Consider Collection of Delinquent Business License Taxes and Delinquent Integrated Waste Management Accounts Via the Property Tax Bills. (Finance 2450)
- 5-D** [2019-6748](#) Recommendation to Approve the Legislative Agenda for the City of Alameda. (City Manager 2110)  
**Attachments:** [Exhibit 1 - Draft Legislative Agenda](#)
- 5-E** [2019-6704](#) Recommendation to Accept the Work of Ranger Pipeline Inc. for Cyclic 14 Easement Sewer Rehabilitation Project, No. P.W. 10-17-44. (Public Works 602)
- 5-F** [2019-6705](#) Recommendation to Accept the Work of Ranger Pipeline Inc. for Cyclic Sewer Rehabilitation Project, Phase 14, No. P.W. 05-17-27. (Public Works 602)
- 5-G** [2019-6708](#) Recommendation to Accept the Work of MCK Services, Inc. for Repair and Resurfacing of Certain Streets, Phase 37, No. P.W. 01-18-01. (Public Works 310)
- 5-H** [2019-6706](#) Recommendation to Authorize the City Manager to Execute a Second Amendment to the Agreement with SCI Consulting Group for a Comprehensive Stormwater Fee Study, Community Survey, and Balloting, Extending the Agreement for Seven Months in an Amount not to Exceed \$94,009 for a Total Expenditure Under the Agreement, as Awarded, of \$166,513. (Public Works 351)  
**Attachments:** [Exhibit 1 - Original Contract](#)  
[Exhibit 2 - First Amendment](#)  
[Exhibit 3 - Second Amendment](#)
- 5-I** [2019-6707](#) Adoption of Resolution Approving the Pavement Management Project to be Funded through the State's Road Maintenance and Rehabilitation Account for Fiscal Year 2019-20. (Public Works 310)

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

- 5-J [2019-6717](#) Adoption of Resolution Initiating Proceedings for a Proposed Increase in Assessments and Ordering the Preparation of an Assessment Engineer's Report for Island City Landscaping and Lighting District 84-2, Zone 4 (Park Street); and

Adoption of Resolution Preliminarily Approving the Engineer's Report and Declaring Intention to Order Levy and Collection of Assessments and Providing for Assessment Ballot Proceeding and Notice of Public Hearing on June 4, 2019 Regarding a Possible Assessment Increase, Island City Landscaping and Lighting Maintenance District 84-2, Zone 4 (Park Street). (Public Works 275.4)

**Attachments:** [Exhibit 1 - Engineer's Report \(One Year Assessment Increase\)](#)  
[Exhibit 1 - REVISED Engineer's Report \(One Year Assessment Increase\).pdf](#)  
[Exhibit 2 - Engineer's Report \(Three Year Assessment Increase\)](#)  
[Exhibit 2 - REVISED Engineer's Report Three Year Assessment Increase\).pdf](#)  
[Resolution - Initiating Proceedings](#)  
[Resolution - Assessment Increase](#)

- 5-K [2019-6733](#) Adoption of Resolution Preliminarily Approving the Annual Report Declaring the City's Intention to Order the Levy and Collection of Assessments and Providing for Notice of Public Hearing on June 4, 2019 Regarding the Assessment Increase - Maintenance Assessment District 01-01 (Marina Cove). (Public Works 276)

**Attachments:** [Exhibit 1 - District Map](#)  
[Exhibit 2 - Engineer's Report](#)  
[Resolution](#)

- 5-L [2019-6735](#) Adoption of Resolution Preliminarily Approving the Annual Report, Declaring the City's Intention to Order the Levy and Collection of Assessments and Providing for Notice of Public Hearing on June 4, 2019 Regarding Possible Assessment Increases - Island City Landscaping and Lighting District 84-2 (Various Locations throughout the City). (Public Works 275)

**Attachments:** [Exhibit 1 - Zones 1 through 8 Maps](#)  
[Exhibit 2 - Engineer's Report](#)  
[Resolution](#)

- 5-M [2019-6662](#) Recommendation to Approve the Park Street Business Improvement

Area (BIA) Annual Assessment Report; and

Adoption of Resolution of Intention to Levy an Annual Assessment on the Park Street BIA for Fiscal Year 2019-20, to Change the BIA Boundaries to include Park Street Landing, and to Set a Public Hearing for May 7, 2019. (Community Development 256)

**Attachments:** [Exhibit 1 - Annual Assessment Report](#)  
[Exhibit 2 - Assessment Fee Schedule FY 2019-20](#)  
[Exhibit 3 - Boundaries Map](#)  
[Exhibit 4 - Address List](#)  
[Resolution](#)

- 5-N [2019-6663](#) Recommendation to Approve the Webster Street Business Improvement Area (BIA) Annual Assessment Report; and

Adoption of Resolution of Intention to Levy an Annual Assessment on the Webster Street BIA for Fiscal Year (FY) 2019-20, and to Set a Public Hearing for May 7, 2019 to Levy an Annual Assessment on the Webster Street BIA. (Community Development 256)

**Attachments:** [Exhibit 1 - Annual Assessment Report](#)  
[Exhibit 2 - Assessment Fee Schedule FY 2019-20](#)  
[Exhibit 3 - Boundaries Map](#)  
[Exhibit 4 - Address List](#)  
[Resolution](#)

- 5-O [2019-6522](#) Introduction of Ordinance Amending the Alameda Municipal Code by Amending Various Provisions, Including: (1) Section 2-17 of Chapter II (Administration); (2) Section 1-7 of Chapter I (General); (3) Section 2-44.1 of Chapter II; (4) Section 1-5 (Penalty Provisions; Enforcement) of Chapter I (General); (5) Section 30-23 (Certificate of Occupancy) of Chapter XXX (Development Regulations); and (6) Other Related Amendments Concerning Code Enforcement. (Community Development - Building 209)

**Attachments:** [Exhibit 1 - Ordinance \(Redline\)](#)  
[Ordinance](#)

- 5-P [2019-6772](#) SUMMARY: Consider Final Passage of Four Cannabis Related Ordinances as Follows: Two Ordinances (A and B) Repeal the Existing Cannabis Regulations; and Two Ordinances (C and D) Adopt the Same Regulations  
Final Passage of Ordinance (A) to Repeal in Its Entirety Ordinance No. 3228 Concerning Cannabis Regulations in Alameda Municipal Code Article XVI (Cannabis Businesses) of Chapter VI (Businesses,

Occupations and Industries) that, Among Other Things, Establishes the Number of Retail Cannabis Dispensaries to be Open to the Public (including Delivery), Disperses Their Operations, Creates a Buffer Zone from Sensitive Uses, and Permits the Sale of Non-Medicinal Cannabis;

Final Passage of Ordinance (B) to Repeal in Its Entirety Ordinance No. 3227 Concerning Land Use Requirements in the Zoning Ordinance of Alameda Municipal Code Section 30-10 (Cannabis) that, Among Other Things, Permits Retail Cannabis Dispensaries in Certain Zoning Districts Subject to a Conditional Use Permit and Permits the Sale of Non-Medicinal Cannabis in Certain Zoning Districts;

Final Passage of Ordinance (C) Concerning Cannabis Regulations in Alameda Municipal Code Article XVI (Cannabis Businesses) of Chapter VI (Businesses, Occupations and Industries) that, Among Other Things, Establishes the Number of Retail Cannabis Dispensaries to be Open to the Public (including Delivery), Disperses Their Operations, Creates a Buffer Zone from Sensitive Uses, and Permits the Sale of Non-Medicinal Cannabis;

Final Passage of Ordinance (D) Concerning Land Use Requirements in the Zoning Ordinance of Alameda Municipal Code Section 30-10 (Cannabis) that, Among Other Things, Permits Retail Cannabis Dispensaries in Certain Zoning Districts Subject to a Conditional Use Permit and Permits the Sale of Non-Medicinal Cannabis in Certain Zoning Districts. (Community Development 481007)

**Attachments:** [Ordinance \(A\)](#)  
[Ordinance \(B\)](#)  
[Ordinance \(C\)](#)  
[Ordinance \(D\)](#)

**5-Q**     [2019-6773](#)     Final Passage of Ordinance Amending the Alameda Municipal Code by Eliminating the Sunset Clause (December 31, 2019) from Ordinance No. 3148 (City of Alameda Rent Review, Rent Stabilization, and Limitations on Evictions Ordinance). (Rent Stabilization 265)

**5-R**     [2019-6762](#)     Recommendation to Authorize the City Manager to Execute Second Amendment to the Agreement with Susan Mayer to Extend the Term by Five Months, for Financial Services in Connection with Completing the Implementation of the Cost Allocation Plan and Indirect Cost Rate Proposal (ICRP). (Finance 2410)

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

**6 Regular Agenda Items**

- 6-A**     [2019-6747](#)     Presentation by the Alameda Unified School District (AUSD) on AUSD's Mental Health Needs Assessment. (Base Reuse/Economic Development 256)  
**Attachments:**     [Presentation](#)
- 6-B**     [2019-6593](#)     Public Hearing to Consider Endorsing: 1) an Annual Report on the Status of the General Plan and Housing Element, and 2) an Annual Report on the Status of the Transportation Choices Plan and Associated Work Program Priorities. [Consideration of an Annual Report is exempt from review under California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15061(b)(3), the general rule that CEQA only applies to actions that have the potential to cause a significant impact on the environment.] (Planning Building & Transportation 481005)  
**Attachments:**     [Exhibit 1 - General Plan Annual Report](#)  
                                  [Exhibit 2 - Transportation Annual Report](#)  
                                  [Presentation](#)  
                                  [Presentation - REVISED](#)  
                                  [Correspondence](#)
- 6-C**     [2019-6738](#)     Public Hearing to Consider Adoption of Resolution Amending Master Fee Resolution No. 12191 to Add New and to Revise Existing Planning, Building and Public Works Fees. (Building 481001 and Public Works 4210310)  
**Attachments:**     [Exhibit 1 - Fee Study](#)  
                                  [Exhibit 2 - FY 18-19 Planning and Building Fees Schedule](#)  
                                  [Exhibit 3 - FY 18-19 Public Works Fees Schedule](#)  
                                  [Resolution](#)  
                                  [Staff Submittal](#)

**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**     [2019-6549](#)     Consider Raising the Rate of the Hotel Tax (Transient Occupancy Tax). (Councilmember Daysog) [Continued from March 19, 2019 to April

16, 2019]

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

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

**10-A** [2019-6761](#) Status of the Emma Hood Swim Center at Alameda High School.

**11 Adjournment - City Council**

• 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.

• Please contact the City Clerk at 510-747-4800 or TDD number 510-522-7538 at least 48 hours prior to the meeting to request agenda materials in an alternative format, or any other reasonable accommodation that may be necessary to participate in and enjoy the benefits of the meeting.

• 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](mailto: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.