



City of Alameda

Meeting Agenda

City Council

Tuesday, September 3, 2019

7:00 PM

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

REVISED SPECIAL MEETING - CLOSED SESSION - 5:15 P.M.

The agenda was revised on August 27, 2019 at 4:30 pm to amend Item 3-C, add Item 3-D and change the meeting start time.

- 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 [2019-7150](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Pursuant to Government Code § 54956.9)
CASE NAME: Mortimer Howard v City of Alameda, et al.
COURT: Alameda Superior Court
CASE NUMBER: RG18893937
 - 3-B [2019-7182](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Pursuant to Government Code § 54956.9)
CASE NAME: Boatworks v City of Alameda, et al.
COURT: Superior Court of the State of California, County of Alameda
CASE NUMBERS: RG14746654, RG16823346, RG16841240
COURT: First District Court of Appeal
CASE NUMBERS: A151063, A151919
 - 3-C [2019-7153](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code § 54957
Positions Evaluated: City Manager - Eric Levitt and City Attorney - Yibin Shen
 - 3-D [2019-7211](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)
PROPERTY: Emma Hood Swim Center, 2256 Alameda Avenue, Alameda, CA 94501
CITY NEGOTIATOR: Amy Wooldridge, Recreation and Parks Director, City of Alameda
NEGOTIATING PARTIES: City of Alameda and the Alameda Unified

School District
UNDER NEGOTIATION: Price and terms of payment for the lease of
the property

4 Announcement of Action Taken in Closed Session, if any

[2019-7239](#) September 3, 2019 Closed Session Announcements

Attachments: [Announcements](#)

5 Adjournment - City Council

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

Pledge of Allegiance

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

[2019-7240](#) September 3, 2019 Oral Communications Submittal

Attachments: [Submittal](#)

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 [2019-7201](#) Minutes of the Special and Regular City Council Meetings Held on July 2, 2019. (City Clerk)

5-B [2019-7205](#) Bills for Ratification. (Finance)

Attachments: [Bills for Ratification](#)

5-C [2019-7165](#) Recommendation to Authorize the City Manager to Execute a Contract in the Amount of \$120,000 with Operation Dignity to Provide Mobile Outreach Services for Alameda's Homeless Population for Fiscal Year 2019-20. (Community Development 001-7011)

Attachments: [Exhibit 1 - Contract](#)

5-D [2019-7154](#) Recommendation to Authorize the City Manager, or His Designee, to

Execute a Ten-Year Agreement for Temporary Assignment of Vehicular Equipment with the State of California Office of Emergency Services for a Type 1 Fire Engine to be Utilized for Statewide Mutual Aid Response and Local Use. (Fire 3210)

Attachments: [Exhibit 1 - Agreement](#)

- 5-E [2019-7161](#) Recommendation to Authorize the City Manager to Negotiate and Execute an Agreement for the Purchase of One Horton F-550 Type I Ambulance and Related Equipment in an Amount Not to Exceed \$391,464.51. (Fire 3210)

Attachments: [Exhibit 1 - Quote Package](#)

- 5-F [2019-7175](#) Recommendation to Authorize the City Manager, or His Designee, to Execute Service Provider Agreement in the Amount of \$24,970 with Shah Kawasaki Architects, Inc. for the Feasibility Study of Fire Station 5 New Site Construction Cost. (Fire 3205)

Attachments: [Exhibit 1 - Agreement](#)

- 5-G [2019-7179](#) Recommendation to Accept the Work of Rosas Brothers Construction for the Repair of Concrete Sidewalk, Curb, Gutter, Driveway, and Minor Street Patching, Fiscal Year 2018-19, Phase 19, No. P.W. 07-18-26. (Public Works 310.05)

- 5-H [2019-7157](#) Recommendation to Accept the Semi-Annual Report for the Period Beginning January 1, 2019 through June 30, 2019, on 1) Litigation and Liability Claims Settlements, and 2) Whether Any Records Previously Withheld from Disclosure Have Now Become Available to the Public. (City Attorney 712)

Attachments: [Exhibit 1 - Claims and Litigation Settlement Report](#)

- 5-I [2019-7158](#) Recommendation to Authorize the City Attorney's Office to Follow Purchasing Guidelines Set Forth in Administrative Policies and Procedures, Number 5; and

Adoption of Resolution Repealing Resolution No. 13893 Empowering the City Attorney to Employ Special Legal Counsel. (City Attorney 2310)

Attachments: [Exhibit 1 - Resolution No. 13893 Resolution](#)

- 5-J [2019-7162](#) Adoption of Resolution Authorizing the City Manager to Consent to the Six-Month Extension of the Landing Rights Agreement to Land at Harbor Bay Ferry Terminal By and Between San Francisco Bay Area Water Emergency Transportation Authority and Tideline Marine Group. (Community Development 227)

Attachments: [Exhibit 1 - Landing Rights Agreement](#)
[Exhibit 2 - Tideline Letter of Request](#)
[Exhibit 3 - Harbor Bay Isle Associates Letter Resolution](#)

- 5-K [2019-7147](#) Final Passage of Ordinance Amending Alameda Municipal Code Section 30-2.B (Zoning Regulations) to Define “Animal Shelter” and Section 30-4.10 (Zoning Regulations) to Add Animal Shelter and Supervised Outdoor Animal Runs as Uses Requiring a Use Permit within the C-M (Commercial-Manufacturing) Zoning District. (Planning, Building and Transportation 481005)

6 Regular Agenda Items

- 6-A [2019-7152](#) Adoption of Resolutions Appointing Elizabeth Rush and Kirstin Van Cleef as Members of the Public Art Commission and Reappointing Simon Chiu and Brendan Sullivan-Cheah as Members of the Rent Review Advisory Committee.

- 6-B [2019-7178](#) Public Hearing to Consider Adoption of Resolution Adopting a Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program and Climate Action and Resiliency Plan (CARP). (Public Works 310)

Attachments: [Exhibit 1 - CARP](#)
[Exhibit 1A - CARP Summary of Revisions](#)
[Exhibit 2 - Plan Appendices](#)
[Exhibit 3 - Mitigated Negative Declaration Resolution](#)
[Correspondence - Updated 9-3](#)

- 6-C [2019-7203](#) Adoption of Urgency Ordinance and Introduction of Non-Urgency Ordinance: Amending the Alameda Municipal Code by (1) Adding Section 1-8.01 Concerning Hearing Procedures, Hearing Officers’ Decisions and Administrative Regulations, (2) Repealing in Their Entirety Article XIV (Currently Suspended) and Article XV of Chapter VI Concerning (a) Review of Rent Increases Applicable to All Rental Units and Rent Stabilization Applicable to Certain Rental Units and (b) Limitations on Evictions and the Payment of Relocation Assistance Applicable to All Rental Units; and (3) Repealing Ordinance No. 3246 (Uncodified); and (4) Adding a Restated Article XV to Chapter VI Concerning Rent Control, Limitations on Evictions and Providing Relocation Payments to Displaced Tenants, including Section 8;

Adoption of Resolution Establishing Relocation in Accordance with the

City of Alameda's Rent Control Ordinance; and

Recommendation to Approve the Content of the Rent Registration Statement. (Rent Stabilization Fund 265)

Attachments: [Exhibit 1 - Rent Registration Statement Ordinance - Urgency](#)
[Ordinance - Non-Urgency](#)
[Resolution](#)
[Correspondence](#)
[Presentation](#)

6-D [2019-7193](#) Introduction of Ordinance Amending the Alameda Municipal Code by Adding Article XVIII to Chapter VI Concerning Fair Housing and Tenant Protections by Prohibiting Unlawful Tenant Harassment, Disruption of Housing Services and Housing Discrimination including Source of Income. (City Attorney 2310)

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

6-E [2019-7027](#) Recommendation to Provide Direction to Increase Parking Enforcement Resources to Support Parking and Transportation Management Goals. (Public Works 224)

Attachments: [Presentation](#)
[Correspondence - Updated 9-3](#)

6-F [2019-7159](#) Recommendation to Approve Adding a Prosecution Unit to the City Attorney's Office and to Provide for Facilities Upgrades to Accommodate New Staffing;

Adoption of Resolution Approving Workforce Changes in the City Attorney's Office to Add Two Positions: Assistant City Attorney and Paralegal, and Upgrade an Administrative Services Coordinator Position to Management Analyst;

Adoption of Resolution Amending the Fiscal Year 2019-20 General Fund Operating Budget by Increasing City Attorney's Office Appropriations by \$172,000;

Authorize the City Attorney to Enter into Any Agreements Necessary with the Alameda County Superior Court and Alameda County District Attorney's Office to Effectuate the Implementation of the Program; and

Provide Direction on Whether the City Attorney's Office Should Work

with the Charter Revision Subcommittee on a Potential Charter Amendment Authorizing Prosecution of State Law Misdemeanors. (Human Resources 2510)

Attachments: [Resolution - Workforce Changes](#)
[Resolution - Budget Adjustment](#)

- 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 [2019-7072](#) Consider Reducing the Number of Commission on Disability Members from Nine Due to Difficulty Achieving a Quorum for Meetings and Limited Staff Resources. (Mayor Ezzy Ashcraft and Vice Mayor Knox White) [Not heard on July 16, 2019]
- 9-B [2019-7197](#) Consider Providing Direction to Staff on Transportation Priorities in Advance of the Active Transportation Plan Work. (Vice Mayor Knox White and Councilmember Oddie)
Attachments: [Correspondence - Updated 9-3](#)
- 10 **Council Communications - Councilmembers can address any matter not on the agenda, including reporting on conferences or meetings**
- 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 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.