



City of Alameda

Meeting Agenda

City Council

Tuesday, July 16, 2019

7:00 PM

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

The agenda was revised on July 9, 2019 at 12:30 p.m. to add a Special City Council Meeting.

SPECIAL MEETING - CLOSED SESSION - 5:00 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 [2019-7036](#) 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 NUMBER: RG14746654
COURT: First District Court of Appeal
CASE NUMBERS: A151063, A151919
 - 3-B [2019-7087](#) CONFERENCE WITH LEGAL COUNSEL - LIABILITY CLAIMS
(Pursuant to Government Code § 54956.95)
CLAIMANT: James Howley
AGENCY CLAIMED AGAINST: City of Alameda
 - 3-C [2019-7073](#) 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)
UNDER NEGOTIATION: Salaries and Terms of Employment
- 4 **Announcement of Action Taken in Closed Session, if any**
 - [2019-7122](#) July 16, 2019 Closed Session Announcement
Attachments: [Announcement](#)

5 Adjournment - City Council**SPECIAL MEETING OF THE CITY COUNCIL - 5:30 P.M.****Pledge of Allegiance****1 Roll Call - City Council****2 Agenda Items**

- 2-A** [2019-7045](#) Hold Preliminary Public Hearing on Draft Climate Action and Resiliency Plan and Draft Mitigated Negative Declaration and Schedule Final Council Action for September 3, 2019. (Public Works 310)

Attachments: [Exhibit 1 - Frequently Asked Questions \(FAQ's\)](#)
[Exhibit 2 - Draft Climate Action and Resiliency Plan](#)
[Exhibit 3 - Draft Plan Appendices](#)
[Exhibit 4 - Draft Mitigated Negative Declaration Presentation](#)
[Correspondence - Updated 7-16](#)
[REVISED Presentation](#)
[Submittals](#)

- 2-B** [2019-7088](#) Authorize the City Attorney to Join as Amicus Curiae on Behalf of the City in Support of Lawsuits Concerning Topics for which the Council has Already Taken an Official Policy Position. (City Attorney)

Attachments: [Exhibit 1 - Selected Briefs](#)

Adjournment - City Council**SPECIAL MEETING OF THE ALAMEDA PUBLIC FINANCING AUTHORITY (APFA) - 6:59 P.M.****1 Roll Call - APFA****2 Consent Calendar - Items are routine and will be approved by one motion unless removal is requested by the Council/APFA or the public**

- 2-A** [2019-7054](#) Minutes of the Joint City Council and APFA Meeting Held on May 7, 2019. (City Clerk)

- 2-B** [2019-7042](#) Recommendation to Authorize the Executive Director to Execute the First Amendment to Regulatory Agreement and Declaration of Restrictive Covenants at Eagle Village Located in the 700 Block of Buena Vista. (Housing Programs 236)

Attachments: [Exhibit 1 - Location Map](#)
[Exhibit 2 - Partial Release and Discharge of Deed or Trust](#)
[Exhibit 3 - First Amendment](#)

3 Adjournment - APFA

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 [2019-6990](#) Proclamation Declaring July 15 through 19, 2019 as National Disability Voter Registration Week. (City Manager)

3-B [2019-6992](#) Proclamation Declaring July 27 and 28, 2019 as Art and Wine Faire's 35th Anniversary in 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

[2019-7123](#) July 16, 2019 Oral Communications Submittals

Attachments: [Submittals](#)

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 [2019-7055](#) Minutes of the Special and Regular City Council Meeting Held on June 18, 2019. (City Clerk)

5-B [2019-7075](#) Bills for Ratification. (Finance)

Attachments: [Bills for Ratification](#)

5-C [2019-6986](#) Recommendation to Authorize the City Manager, or His Designee, to Execute a Seven (7) Year Agreement with the Option of Three One-Year Extensions with Tyler Technologies, Inc., for the Acquisition, Implementation, and Ongoing Support of the Munis Financial and Human Capital Management System in an Amount Not to Exceed \$3,978,212; and
Recommendation to Authorize the City Manager, or His Designee, to Negotiate and Execute a Three (3) Year Agreement with BarryDunn to

Provide Project Management and Oversight Services for the Implementation of the Munis Financial and Human Capital Management System in an Amount Not to Exceed \$720,000. (Information Technology 2611)

Attachments: [Exhibit 1 - Agreement with Tyler Munis](#)
[Exhibit 1 - REVISED Agreement with Tyler Munis](#)
[Exhibit 2 - Request for Proposal for Enterprise Resource Planning System](#)
[Exhibit 3 - Draft Agreement with BerryDunn](#)
[Exhibit 4 - Request for Proposal for Project Management Services](#)

5-D [2019-7024](#) Recommendation to Award a Contract in the Amount of \$1,257,706, Including a 10% Contingency, to Valentine Corporation for Encinal Boat Launch Facility, Project No. P.W. 04-19-19. (Recreation and Parks 280)

Attachments: [Exhibit 1 - Contract](#)

5-E [2019-7031](#) Recommendation to Award an 18 Month Contract, with the Option of Two One-Year Extensions, in an Amount Not to Exceed \$330,000, Including Optional Tasks, to Toole Design Group to Prepare an Active Transportation Plan for the City of Alameda. (Planning, Building & Transportation 4226287)

Attachments: [Exhibit 1 - Agreement](#)

5-F [2019-7019](#) Recommendation to Authorize the City Manager to Negotiate and Execute a Six-Year Agreement with Axon Enterprise Inc. for the Acquisition, Support, and Maintenance of 88 Body-Worn Digital Video Cameras and a Digital Evidence Management System in an Amount Not to Exceed \$793,792.96. (Police 3121)

Attachments: [Exhibit 1 - Current Contract](#)
[Exhibit 2 - Proposed Quote](#)
[Exhibit 3 - Portable Audio Video Recorder Policy Submittal](#)

5-G [2019-7020](#) Recommendation to Authorize the City Manager to Execute an Agreement with Ray's Electric Company for the Signal Installation at Harbor Bay Parkway/North and South Loop Road and Harbor Bay Parkway/Penumbra Place and South Loop Road, No. P.W. 04-19-23, in an Amount Not to Exceed \$592,800, Including Contingency. (Public Works 310)

Attachments: [Exhibit 1 - Contract](#)

5-H [2019-7021](#) Recommendation to Authorize the City Manager to Execute

Amendments to Agreements with Tetra Tech, Ninyo & Moore, BKF Engineers, and Park Engineering for the Cross Alameda Trail (Main to Constitution) Project, in a Cumulative Amount, Including Contingency, Not to Exceed \$115,770. (Public Works 310)

Attachments: [Exhibit 1 - Tetra Tech Agreement](#)
[Exhibit 2 - Tetra Tech 1st Amendment](#)
[Exhibit 3 - Tetra Tech 2nd Amendment](#)
[Exhibit 4 - Ninyo & Moore Agreement](#)
[Exhibit 5 - Ninyo & Moore 1st Amendment](#)
[Exhibit 6 - BKF Agreement](#)
[Exhibit 7 - BKF 1st Amendment](#)
[Exhibit 8 - Park Engineering Agreement](#)
[Exhibit 9 - Park Engineering 1st Amendment](#)

5-I [2019-7030](#) Adoption of Resolution Adopting the Plan to End Homelessness: 2018 Strategic Update Developed by EveryOne Home. (Community Development Department 267)

Attachments: [Exhibit 1 - Strategic Plan Update Resolution](#)

5-J [2019-7033](#) Recommendation to Authorize the City Manager to Execute a Two-Year Contract with the County of Alameda to Implement Alameda's Homeless Emergency Aid Program (HEAP) Plan; and Adoption of Resolution Amending the General Fund Operating Budget for Fiscal Year 2019-20 by Increasing Estimated Revenue and Appropriations by \$756,524. (Community Development 267)

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

5-K [2019-7026](#) Adoption of Resolution Amending the Fiscal Year 2019-20 Capital Projects Fund Budget for the Seaplane Lagoon Ferry Terminal Project by \$10,200,000 Funded by an \$8,200,000 Grant from Alameda County Transportation Commission and a \$2,000,000 Grant from the Water Emergency Transportation Authority. (Base Reuse 819099)

Attachments: [Exhibit 1 - Updated Ferry Terminal Plan Resolution](#)

5-L [2019-7071](#) Adoption of Resolution Authorizing the City Manager to Execute a Supplement No. 2 to Acquisition Agreement Relating to Community Facilities District No. 13-1 (Alameda Landing Public Improvements)

Attachments: [Exhibit 1 - Acquisition Agreement](#)
[Exhibit 2 - Supplement No. 1](#)
[Exhibit 3 - Supplement No. 2](#)
[Resolution](#)

5-M [2019-7061](#) Adoption of Resolution Approving Tentative Map No. 8500 for the Proposed Subdivision of the Alameda Marina Property Located at 1815 Clement Avenue. Applicant: Alameda Marina, LLC. The Environmental Effects of the Proposed Project Were Considered and Disclosed in the Alameda Marina Master Plan Environmental Impact Report (State Clearinghouse #2016102064). No Further Environmental Review is Required Under the California Environmental Quality Act. (Planning, Building and Transportation 209)

Attachments: [Exhibit 1 - Tentative Map](#)
[Resolution](#)

5-N [2019-7057](#) Final Passage of Ordinance Amending Alameda Municipal Code Section 8 8.5 and 8 1.2 to Authorize the Public Works Director to Improve Safety and Visibility at Alameda Intersections. (Planning, Building and Transportation 4227287)

5-O [2019-7058](#) Final Passage of Ordinance Concerning the Establishment of an Annual General Adjustment, a Rent Registry, Banking, and a Petition Process for an Upward and Downward Adjustment of Rents (Community Development 265)

Attachments: [Ordinance - Redlined](#)
[Submittal](#)

5-P [2019-7059](#) Final Passage of Ordinance Amending Alameda Municipal Code Chapter XXVII, Section 27-3 (Citywide Development Fees) and Approving City of Alameda Development Impact Fees Update and Nexus Study, dated June 2019. (City Manager 2110)

Attachments: [Memorandum - Comments](#)
[Memorandum - Fee Schedule and Sports Park Cost](#)
[Estimates](#)
[Ordinance - Redlined](#)
[Correspondence](#)

6 Regular Agenda Items

6-A [2019-7056](#) Adoption of Resolutions Appointing Carly Grob as a Member of the Housing Authority Board of Commissioners, Reappointing Ron Limoges as a Member of the Recreation and Park Commission, and Appointing Scott Weitze as a Member of the Transportation Commission.

- 6-B** [2019-7074](#) Provide Direction on Letter to the Presiding Judge of the Alameda County Superior Court in Response to the 2018-19 Alameda County Grand Jury Final Report. (City Manager 2110)
- Attachments:** [Exhibit 1 - Grand Jury Final Report](#)
 [Exhibit 2 - Draft Letter](#)
 [Correspondence](#)
 [Submittal](#)
 [Exhibit 2 - REVISED FINAL Letter](#)
- 6-C** [2019-7025](#) Selecting a Development Team for the West Midway Project and Authorize the City Manager to Negotiate and Execute an Exclusive Right to Negotiate Agreement (ENA) with the Selected Development Team. (Base Reuse 819099)
- Attachments:** [Exhibit 1 - Project Site](#)
 [Exhibit 2 - Response to Supplemental Questions](#)
 [Exhibit 3 - Form of ENA](#)
- 6-D** [2019-7046](#) Recommendation to Approve Water Quality and Flood Protection Fee Report;
- Adoption of Resolution Declaring Intention to Initiate a Proceeding to Obtain Approval of the City's 2019 Water Quality and Flood Protection Fee, a Property-Related Fee Conforming to Article XIII D, Section 6 of the State Constitution;
- Adoption of Resolution Ballot Procedures for the City's 2019 Water Quality and Flood Protection Fee; and
- Call for a Public Hearing Tentatively Scheduled for October 1, 2019. (Public Works 351)
- Attachments:** [Exhibit 1 - Draft Stormwater Fee Report](#)
 [Resolution - Initiating Fee Process](#)
 [Resolution - Initiating Fee Process - REVISED](#)
 [Resolution - Adopting Ballot Procedures](#)
 [Presentation](#)
 [REVISED Presentation](#)
 [Correspondence](#)
- 6-E** [2019-7037](#) Public Hearing to Consider Introduction 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)

Attachments: [Exhibit 1 - June 10, 2019 Planning Board Report and Exhibit 1 Ordinance](#)

- 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)
- 10 **Council Communications - Councilmembers can address any matter not on the agenda, including reporting on conferences or meetings**
- 10-A [2019-7049](#) Consideration of Mayor's Nominations for Appointment to the Public Art Commission and Rent Review Advisory Commission.
- 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.