



City of Alameda

Meeting Agenda

City Council

Tuesday, January 18, 2022

7:00 PM

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

The special agenda was revised on January 13, 2022 at 12:00 p.m. to remove Items 2-A and 4-A and change the start time

Pursuant to Assembly Bill 361, codified at Government Code Section 54953, 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 regular meeting registration, please click:
https://alamedaca-gov.zoom.us/webinar/register/WN_KxB4zQ4UQri4rBVOVmS9og***

***For Telephone Participants:
Zoom Phone Number: 669-900-9128
Zoom Meeting ID: 826 1086 7835***

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.

The Council may take action on any item listed in the agenda.

REVISED SPECIAL CITY COUNCIL MEETING - 4:45 P.M.

- 1 Roll Call - City Council
- 2 Consent Calendar - Anyone wishing to have comments read into record, please email clerk@alamedaca.gov during public comment or no more than 30 minutes prior to the meeting; comments submitted more than 30 minutes prior will not be read
- 2-A [2022-1590](#) WITHDRAWN - Recommendation to Approve Eric Levitt, City Manager; Nico Procos, Alameda Municipal Power General Manager; Erin Smith, Public Works Director; Alan Cohen, Assistant City Attorney; and Alan Harbottle, Senior Energy Resources Analyst, as

Designated Negotiators with NextEra Energy Resources related to Doolittle Landfill. (Alameda Municipal Power 10491900) [Will not be heard on January 18, 2022]

3 Public Comment on Closed Session Items - Anyone wishing to have comments read into record on closed session items, please email clerk@alamedaca.gov during public comment or no more than 30 minutes prior to the meeting; comments submitted more than 30 minutes prior will not be read

4 Adjournment to Closed Session to consider:

4-A [2022-1642](#) WITHDRAWN - CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)
PROPERTY: 11-acre portion of the 33.2-acre Doolittle Landfill site located northwest of the intersection of Doolittle Drive and Harbor Bay Parkway
CITY NEGOTIATORS: Eric Levitt, City Manager, Nico Procos, Alameda Municipal Power, General Manager, Erin Smith Public Works Director, Alan Cohen, Assistant City Attorney, and Alan Harbottle, Senior Energy Resources Analyst
NEGOTIATING PARTIES: City of Alameda and NextEra Operating Partners, LP, NextEra Energy Partners, LP, and their respective subsidiaries
UNDER NEGOTIATION: Price and Terms of Payment for Nonexclusive Easement to Operate a 2.0 megawatt photovoltaic solar facility [Will not be heard on January 18, 2022]

4-B [2022-1636](#) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code § 54956.9)
CASE NAME: City of Alameda v. All Persons Interested in the Matter of the Issuance and Sale of One or More Series of Pension Obligation Bonds to Refinance Outstanding obligations of the City of Alameda to the California Public Employees' Retirement Law, and All Proceedings Leading Thereto, Including the Adoption of a Resolution and Sale of Such Bonds, Alameda County Taxpayers' Association, Steve Slauson, and Howard Jarvis Taxpayers Association
COURT: Superior Court of the State of California, County of Alameda
CASE NUMBER: 21CV001157

4-C [2022-1640](#) CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9, subsection (d)(4)
Number of cases: One (As Plaintiff - City Initiating Legal Action)
Potential Defendant(s): Alameda Point Partners, LLC

- 4-D** [2022-1644](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)
PROPERTY: Alameda Point, Site A, Alameda, CA
CITY NEGOTIATORS: Eric Levitt, City Manager, Lisa Maxwell, Community Development Director and Louis Liss, Base Reuse Manager
NEGOTIATING PARTIES: City of Alameda and Alameda Point Partners, LLC
UNDER NEGOTIATION: Price and terms
- 4-E** [2022-1639](#) CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)
CITY NEGOTIATORS: Eric Levitt, City Manager; Gerry Beaudin, Assistant City Manager; and Nancy Bronstein, Human Resources Director
EMPLOYEE ORGANIZATIONS: Alameda Police Managers Association (APMA) and Alameda Fire Chief's Association (AFCA)
UNDER NEGOTIATION: Salaries, Employee Benefits and Terms of Employment

5 Announcement of Action Taken in Closed Session, if any

[2022-1689](#) January 18, 2022 Closed Session Announcement

Attachments: [Announcement](#)

6 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) - Limited to 15 minutes; members of the public may speak for up to 2 minutes regarding any matter not on the agenda; any remaining speakers may comment under Section 9**

- 5 Consent Calendar - Items are routine and will be approved by one motion; members of the public may speak once for up to 2 minutes on the entire Consent Calendar; following public comment, the Council can remove items and speak for up to 5 minutes on each item; recording a non-affirmative vote should be done without removal**
- 5-A** [2022-1641](#) Minutes of the Special and Regular City Council Meetings Held on December 21, 2021. (City Clerk)
- 5-B** [2022-1647](#) Bills for Ratification. (Finance)
Attachments: [Bills for Ratification](#)
- 5-C** [2022-1554](#) Recommendation to Authorize the City Manager to Execute an Agreement with SEED Collaborative, Inc., to Assist the City with the Development of a Citywide Diversity, Equity, Inclusion and Belonging Plan for an Amount not to exceed \$275,000 Including a 10% Contingency. (Human Resources 10025060) [Not heard on January 4, 2022]
Attachments: [Exhibit 1 - Agreement](#)
[Correspondence](#)
- 5-D** [2022-1602](#) Recommendation to Approve Property Management Agreement with RiverRock Real Estate Group for an Additional Three (3) Years in an Amount Not to Exceed \$1,209,374.19 and Adoption of Resolution Amending the Base Reuse Budget to Increase Expenditure Appropriations by \$100,000 to Establish a Liability Reserve Account for Third-Party Claims. (Community Development 29061590)
Attachments: [Property Management Agreement](#)
[Resolution](#)
[City Manager Correspondence](#)
- 5-E** [2022-1592](#) Adoption of Resolution Amending the Fiscal Year 2021-22 and Fiscal Year 2022-23 Capital Budgets for the Playground Replacement Project (C5200) by Increasing Expenditure Allocation by \$250,000 for Fiscal Year 2021-22 and Decreasing Expenditure Allocation by \$250,000 for Fiscal Year 2022-23. (Recreation 10051400)
Attachments: [Resolution](#)
- 5-F** [2022-1593](#) Adoption of Resolution Approving Application to the Land and Water Conservation Fund for Estuary Park - Phase 2 Project, which Authorizes the City Manager to Submit a Grant Application to the Land and Water Conservation Fund to Construct the Final Phase of Estuary Park and for His Designee to Execute All Necessary Documents. (Recreation and Parks 10051400)

Attachments: [Resolution](#)

- 6 **Continued Agenda Items - Public comment and speaking times are determined based upon the prior meeting discussion**
- 7 **Regular Agenda Items - 6 members of the public may speak for up to 3 minutes; 7 or more may speak for up to 2 minutes**
- 7-A [2022-1569](#) Public Hearing to Consider the following Ordinances to Govern the Future Development of the Encinal Terminals Property:
Introduction of Ordinance Approving a Disposition and Development Agreement for the Encinal Terminals Project By and Between the City of Alameda and North Waterfront Cove, LLC (“Developer”) Governing the Encinal Terminals Project for Real Property Located at 1521 Buena Vista Avenue and Approving and Authorizing the Assistant City Manager, or Designee, to Execute a Land Exchange and Title Settlement Agreement for the Encinal Terminals Project By and Among the State of California Acting By and Through the State Lands Commission, the City and Developer Substantially in the Form Attached Hereto [Requires four affirmative votes];
Introduction of Ordinance Approving the Amended Encinal Terminals Tidelands Exchange Master Plan and Density Bonus Application for Redevelopment of Real Property Located at 1521 Buena Vista Avenue (APN 072-0382-001, 072-0382-002, 072-0383-003 and 072-0382-009); and
Introduction of Ordinance Approving Development Agreement (Encinal Terminals Project) By and Between the City of Alameda and North Waterfront Cove, LLC Governing the Encinal Terminals Project for Real Property Located at 1521 Buena Vista Avenue. (Planning, Building and Transportation 20962700) [Continued from January 4, 2022]

Attachments: [Exhibit 1 - Letter from Applicant](#)
[Exhibit 2 - Tidelands Exchange Master Plan](#)
[Exhibit 3 - Development Agreement](#)
[Exhibit 4 - Disposition and Development Agreement](#)
[Exhibit 5 - Exchange Agreement](#)
[Exhibit 6 - Density Bonus Application](#)
[Ordinance - Disposition and Development Agreement](#)
[Ordinance - Master Plan](#)
[Ordinance - Development Agreement](#)
[Correspondence - Updated 1/18](#)
[Presentation](#)
[Presentation by Applicant](#)

- 8 **City Manager Communications - Communications from City Manager**
- 9 **Oral Communications, Non-Agenda (Public Comment) - Members of the public may speak for up to 2 minutes regarding any matter not on the agenda**
- 10 **Council Referrals - Matters placed on the agenda by Councilmembers may be scheduled as future agenda items or dispositive action may be taken on sufficiently noticed time sensitive legislative matters; presentations are limited to 5 minutes; Councilmembers can speak for up to 3 minutes; 6 members of the public may speak for up to 3 minutes; 7 or more may speak for up to 2 minutes**
- 10-A [2022-1248](#) Consider Directing Staff to Support Removal of the US Navy Constraints Limiting Housing Development at Alameda Point. (Councilmember Herrera Spencer and Councilmember Daysog) [Not heard on September 7, 21, October 5, 19, November 2, 16, December 7, 21, 2021 or January 4, 2022]
Attachments: [City of Alameda RHNA Appeal](#)
- 10-B [2022-1249](#) Consider Directing Staff to Address Identifying New Areas at Alameda Point to Develop a Number of Housing Units Above the Originally-Agreed Upon Numbers of the 2023-2031 Regional Housing Needs Allocation (RHNA). (Councilmember Daysog) [Not heard on September 7, 21, October 5, 19, November 2, 16, December 7, 21, 2021, January 4 or 18, 2022]
- 10-C [2022-1337](#) Consider Directing Staff to Move Jean Sweeney Park Fencing. (Councilmembers Herrera Spencer and Daysog) [Not heard on October 5, 19, November 2, 16, December 7, 21, 2021, January 4 or 18, 2022]
Attachments: [Sweeney Land versus Railroad Land](#)
 [Photos of Fence](#)
 [Correspondence](#)
- 10-D [2022-1427](#) Consider Reviewing and Updating the Previous City Council's Priorities at a Regular City Council Meeting. (Councilmember Herrera Spencer) [Not heard on November 2, 16, December 7, 21, 2021, January 4 or 18, 2022]
Attachments: [July 25, 2020 Council Workshop Summary](#)
- 10-E [2022-1529](#) Consider Having the City Council Address the Zoning of the Harbor Bay Club. (Councilmember Herrera Spencer) [Not heard on December 7, 21, 2021, January 4 or 18, 2022]

Attachments: [November 16, 2021 Planning, Building and Transportation Director Correspondence](#)

- 10-F** [2022-1530](#) Consider Having the City Council Review Recreation and Parks Department Community Events. (Councilmember Herrera Spencer)
[Not heard on December 7, 21, 2021, January 4 or 18, 2022]

11 Council Communications - Councilmembers can speak for 9 minutes to address any matter not on the agenda, including reporting on conferences or meetings

12 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.
- Minutes of the meeting available in enlarged print.
- 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.
- The meeting will be broadcast live on the City's website:
<https://www.alamedaca.gov/GOVERNMENT/Agendas-Minutes-Announcements>
- Sign up to receive agendas here: <https://alameda.legistar.com/Calendar.aspx>
- 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.