



City of Alameda

Meeting Agenda

City Council

Tuesday, September 5, 2023

7:00 PM

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

The agenda was revised on August 28, 2023 at 4:30 p.m. to indicate Item 7-B was withdrawn and would not be heard and to revise Exhibit 1 of Item 7-F.

MEETING TIMES: Closed Session - 5:00 p.m.
Joint Meeting - 6:59 p.m.
Regular Meeting - 7:00 p.m.

The City allows members of the public to participate in person or remotely via Zoom

For information to assist with Zoom participation, please click:

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

For Zoom registration, please click:

https://alamedaca-gov.zoom.us/webinar/register/WN_erP-XPEYSxyCexIUe21bnw

For Telephone Participants:

Zoom Phone Number: 669-900-9128

Zoom Meeting ID: 875 3960 0763

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

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

SPECIAL CITY COUNCIL MEETING - 5:00 P.M.

- 1 Roll Call - City Council
- 2 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
- 2-A [2023-3327](#) Recommendation to Approve Jennifer Ott, City Manager, Andrew Thomas, Interim Base Reuse and Economic Development Director,

and Len Aslanian, Assistant City Attorney, as Real Property Negotiators for, 2319 Central Avenue Alameda CA [Project Burger]. (Base Reuse 24061810)

- 2-B** [2023-3324](#) Recommendation to Approve Jennifer Ott, City Manager, Andrew Thomas, Interim Base Reuse and Economic Development Director, and Len Aslanian, Assistant City Attorney, as Real Property Negotiators for, 2315 Central Avenue Alameda CA [Park Street Wine Cellars]. (Base Reuse 24061810)

3 Public Comment on Closed Session Items Only - 6 members of the public may speak for up to 3 minutes; 7 or more may speak for up to 2 minutes

4 Adjournment to Closed Session to consider:

- 4-A** [2023-3350](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)
PROPERTY: Project Burger, Located at 2319 Central Avenue, # 4513, Alameda, CA
CITY NEGOTIATORS: City Manager Jennifer Ott, Interim Base Reuse and Economic Development Director Andrew Thomas, Assistant City Attorney Len Aslanian (etc.)
NEGOTIATING PARTIES: City of Alameda and Husam Haddad (or DBA).
UNDER NEGOTIATION: Price and Terms of Lease
- 4-B** [2023-3349](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)
PROPERTY: Park St. Wine Cellar, Located at 2315 Central Avenue, Alameda, CA
CITY NEGOTIATORS: City Manager Jennifer Ott, Interim Base Reuse and Economic Development Director Andrew Thomas, Assistant City Attorney Len Aslanian (etc.)
NEGOTIATING PARTIES: City of Alameda and Park St. Wine Cellars.
UNDER NEGOTIATION: Price and Terms of Lease
- 4-C** [2023-3353](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a) Case Name: Brennan, et al. v City of Alameda, et al. Court: Alameda County Superior Court Case No: 22CV024994
- 4-D** [2023-3354](#) 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 Plaintiff - City Exposure to Legal Action) Potential Defendants: Wrightspeed

5 Announcement of Action Taken in Closed Session, if any

[2023-3375](#) September 5, 2023 Closed Session Announcement

Attachments: [Announcement](#)

6 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 and SACIC

2 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/SACIC can remove items and speak for up to 5 minutes on each item; recording a non-affirmative vote should be done without removal

2-A [2023-3325](#) Minutes of the Special Joint City Council and SACIC Meeting Held on June 20, 2023. [SACIC] (City Clerk)

2-B [2023-3306](#) Recommendation to Accept the Investment Transactions Report and Annual Investment Report for the Fiscal Year Ending June 30, 2023. [City Council and SACIC] (Finance 10024051)

Attachments: [Exhibit 1 - Quarterly Investment Transactions Report](#)
[Exhibit 2 - Annual Investment Portfolio Summary](#)

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

3-A [2023-3063](#) Proclamation Declaring September 2023 as National Hispanic and Latino Heritage Month.

Attachments: [Proclamation](#)

- 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; routine items include, but are not limited to: annual reports and hearings, budget adjustments, contracts, grants, final passage of Ordinances, Police policies and items returning to Council**
- 5-A** [2023-3303](#) Minutes of the Special and Regular City Council Meetings Held on July 5, 2023. (City Clerk)
- 5-B** [2023-3326](#) Bills for Ratification. (Finance)
Attachments: [Bills for Ratification](#)
- 5-C** [2023-3312](#) Recommendation to Approve the City of Alameda Investment Policy. (Finance 10024051)
Attachments: [Exhibit 1 - Investment Policy](#)
- 5-D** [2023-3280](#) Recommendation to Endorse a Grant Application to the Charging and Fuel Infrastructure Grant Program Administered by the United States Department of Transportation for the Alameda Public Electric Vehicle Charging Project.
In accordance with the California Environmental Quality Act (CEQA), this project is categorically exempt under CEQA Guidelines Section 15301 (operation, repair, maintenance, and/or minor alteration of existing structures, facilities, and/or mechanical equipment involving negligible expansion of existing use), Section 15303 (new construction and conversion of small structures and equipment), and Section 15304 (minor trenching). (Planning, Building and Transportation 10062032)
Attachments: [Exhibit 1 - Existing and Proposed Charging Locations](#)
- 5-E** [2023-3307](#) Recommendation to Authorize the City Manager to Execute a Fourth Amendment to the Agreement with CDM Smith to Increase Compensation by \$300,000 for a Total Aggregate Compensation Not-to-Exceed \$1,660,633, to Continue Engineering Support for the Clement Avenue Safety Improvement Project.
In accordance with the California Environmental Quality Act (CEQA), this Project is Categorically Exempt Under CEQA Guidelines Section 15301(c) Existing Facilities (Minor Alterations to Existing Facilities)

Including Bicycle Facilities) and Section 15304(h) (Minor Alterations to Land and the Creation of Bicycle Lanes on Existing Public Rights of Way). (Transportation 20962740)

Attachments: [Exhibit 1 - Agreement](#)
[Exhibit 2 - First Amendment](#)
[Exhibit 3 - Second Amendment](#)
[Exhibit 4 - Third Amendment](#)
[Exhibit 5 - Fourth Amendment](#)

- 5-F** [2023-3309](#) Recommendation to Authorize the City Manager to Execute an Agreement with the California Department of Toxic Substances Control, for an Amount Not-to-Exceed \$134,423, to Provide Soil Remediation Oversight Services Related to the Clement Avenue/Tilden Way Project.
- These actions are statutorily exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3), the general rule that CEQA only applies to actions that have the potential to cause a significant impact on the environment, 15308 (actions by regulatory agencies for protection of the environment) and 15183 (projects consistent with a community plan, general plan or zoning). (Transportation 20962743)

Attachments: [Exhibit 1 - Design Concept](#)
[Exhibit 2 - Agreement](#)

- 5-G** [2023-3310](#) Recommendation to Authorize the City Manager to Execute a Four-Year Agreement with CMG Landscape Architecture, with Compensation Not-to-Exceed \$2,767,000, Including Contingencies, as Technical Consultants for City-Led Adaptation Projects, Including a Long-term Adaptation Plan, the Oakland-Alameda Estuary Adaptation Project; and Bay Farm Island Adaptation Project.
- These actions are statutorily exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3), the general rule that CEQA only applies to actions that have the potential to cause a significant impact on the environment, 15308 (actions by regulatory agencies for protection of the environment) and 15183 (projects consistent with a community plan, general plan or zoning). (Public Works 31041520)

Attachments: [Exhibit 1 - Agreement](#)
[Presentation](#)

- 5-H** [2023-3313](#) Recommendation to Endorse a Grant Application to the U.S. Forest Service Urban & Community Forestry Inflation Reduction Act Grant Program for the Alameda Urban Forest Project.
- In accordance with the California Environmental Quality Act (CEQA), this action is categorically exempt from further environmental review

pursuant to CEQA Guidelines Section 15308 (Actions by Regulatory Agencies for the Protection of the Environment). (Public Works 31041520, Recreation and Parks 10051400)

Attachments: [Presentation](#)

- 5-I** [2023-3315](#) Recommendation to Authorize the City Manager to Accept the Improvements Completed by Alta Buena Vista Owner, LLC, for Tract 8254.
In 2008, the City Council certified an Environmental Impact Report for the Northern Waterfront General Plan Amendment. Additionally, in 2014, the City Council adopted a subsequent Mitigated Negative Declaration and Mitigation Monitoring Program for the Del Monte Master Plan and Development Agreement. None of the circumstances requiring further California Environmental Quality Act review are present. (Public Works 31041520)
- 5-J** [2023-3317](#) Recommendation to Accept the Work of NBC Construction and Engineering, Inc. for the Harbor Bay Isle Lagoon Improvement Project, No. PW 07-21-28.
In accordance with the California Environmental Quality Act (CEQA), this project is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15301 (Existing Facilities). (Public Works 31041520)
- 5-K** [2023-3318](#) Recommendation to Authorize the City Manager to Execute a Five-Year Agreement with Ecast Engineering, Inc. for Pothole Maintenance and Repair Services for Various Locations for a Total Not-to-Exceed Amount of \$1,656,940.
In accordance with the California Environmental Quality Act (CEQA), this action is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and 15302 (Replacement or Reconstruction).(Public Works 31041520)
Attachments: [Exhibit 1 - Agreement](#)
- 5-L** [2023-3319](#) Recommendation to Authorize the City Manager to Execute a One-Year Agreement, with the Option of Four One-Year Extensions, with Spencon Construction Incorporated for a Total Five-Year Compensation Not-to-Exceed \$4,555,650 for Sidewalk Replacement Services, No. P.W. 06-23-17. (Public Works 31041520)
In accordance with the California Environmental Quality Act (CEQA), this action is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15301 (Existing Facilities).
Attachments: [Exhibit 1 - Agreement](#)
- 5-M** [2023-3320](#) Recommendation to Authorize the Purchase of One Replacement Trailered Pump and Four Replacement Police Motorcycles Consistent with the Revised Vehicle Replacement Policy in Amounts

Not-to-Exceed \$124,238.47 from Thomas & Associates, \$79,019.16 from Oakland Harley Davidson and \$80,710.70 from National Auto Fleet Group. (Public Works 60141581)

Attachments: [Exhibit 1 - Quote: Thomas & Associates](#)
[Exhibit 2 - Quote: Harley Davidson of Oakland](#)
[Exhibit 3 - Quote: National Auto Fleet](#)

- 5-N [2023-3311](#) Recommendation to Authorize the City Manager to Execute Two Agreements with Keep It Simple for Professional Services Required for Configuration of Dell Virtual Machine Host Servers in the Amount Not-to-Exceed \$62,000. (Information Technology 60626074)

Attachments: [Exhibit 1 - Quote: City of Alameda](#)
[Exhibit 2 - Quote: Alameda Police Department](#)
[Exhibit 3 - Agreement: City of Alameda](#)
[Exhibit 4 - Agreement: Alameda Police Department](#)

- 5-O [2023-3316](#) Recommendation to Approve Purchase of the Microsoft 365 Subscription Licensing Agreement from SHI, a Microsoft Reseller Partner, Utilizing Riverside County's Statewide Competitively Awarded Microsoft Enterprise Agreement Allowing All City of Alameda Staff to Move to the Microsoft 365 Platform for a Total Three-Year Agreement Not to Exceed \$935,290. (Information Technology 60626074)

Attachments: [Exhibit 1 - Quote: SHI](#)
[Exhibit 2 - County of Riverside Enterprise Agreement](#)

- 5-P [2023-3188](#) Adoption of Resolution Approving Funding Agreements with the Alameda Transportation Management Association (ATMA) Allowing Pass Through of Transportation Demand Management Fees for the Implementation of the Alameda Point Transportation Demand Management Plan and Acceptance of the ATMA Annual Report. A Final Environmental Impact Report for the Alameda Point Project was certified in accordance with the California Environmental Quality Act (CEQA) (State Clearinghouse #2013012043). (Base Reuse 29061822)

Attachments: [Exhibit 1 - Annual Report](#)
[Exhibit 2 - Agreement: Community Facilities District Pass-Through](#)
[Exhibit 3 - Agreement: Tenant Pass-Through](#)
[Exhibit 4 - 2018 Pass-Through Agreements Resolution](#)

- 5-Q [2023-3292](#) Final Passage of Ordinance Authorizing the City Manager to Execute a Disposition and Development Agreement (DDA) between the City of Alameda and the Collaborating Partners and MidPen Housing

Corporation for the Development of the RESHAP Property. Pursuant to Public Resources Sections 21166 and 21083.3 and Sections 15162 and 15183 of the California Environmental Quality Act (CEQA) Guidelines, no further environmental review is required. (Base Reuse 29061810)

Attachments: [Exhibit A - Development and Disposition Agreement](#)

- 5-R** [2023-3293](#) Final Passage of Ordinance Authorizing the City Manager to Execute a Development Agreement (DA) between the City of Alameda and the Collaborating Partners and MidPen Housing Corporation for the Development of the RESHAP Property. Pursuant to Public Resources Sections 21166 and 21083.3 and Sections 15162 and 15183 of the CEQA Guidelines, no further environmental review is required. (Base Reuse 29061810)

Attachments: [Exhibit A - Development Agreement](#)

- 5-S** [2023-3294](#) Final Passage of Ordinance Authorizing the City Manager to Execute a Disposition and Development Agreement in Substantial Conformance with Exhibit A between the City of Alameda and BC West Midway LLC. Pursuant to Public Resources Sections 21166 and 21083.3 and Sections 15162 and 15183 of the California Environmental Quality Act (CEQA) Guidelines, no further environmental review is required. (Base Reuse 29061810)

Attachments: [Exhibit A - Disposition and Development Agreement](#)

- 5-T** [2023-3295](#) Final Passage of Ordinance Authorizing the City Manager to Execute a Development Agreement Between the City of Alameda and “BC West Midway LLC” for the Development of Approximately 26 Acres of Land Located Between West Tower Avenue, West Midway Avenue, Main Street and Pan Am Way at Alameda Point Referred to as the “West Midway Project.” Pursuant to Public Resources Sections 21166 and 21083.3 and Sections 15162 and 15183 of the California Environmental Quality Act (CEQA) Guidelines, no further environmental review is required. (Base Reuse 29061810)

Attachments: [Exhibit A - Development Agreement](#)

6 **Continued Agenda Items - Public comment and speaking times are determined based upon the prior meeting**

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** [2023-3285](#) Adoption of Resolutions Appointing Tracy Cote and Jordan Frank as Members of the Civil Service Board, and Appointing Ryan Bird as a

City Council Personnel Budget. (Human Resources 10025060)

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

- 7-F** [2023-3308](#) Introduction of Ordinance Authorizing the City Manager to Execute a Lease for Building 39 with Pyka Inc. Located at 950 West Tower Avenue at Alameda Point, Alameda, California, for a Term of Eight Years with a Three-Year Extension Option.
In accordance with California Environmental Quality Act (CEQA), this action is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15301 (Existing Facilities). (Base Reuse 29061822)

Attachments: [Exhibit 1 - Proposed Lease](#)
[Revised Exhibit 1 - Proposed Lease](#)
[Ordinance](#)
[Presentation](#)
[Presentation - REVISED](#)
[Correspondence](#)

- 7-G** [2023-3314](#) Recommendation to Accept Offers of Dedication for the Clement Avenue Extension; and
Introduction of Ordinance Approving the Transfer by Quitclaim Deed of Approximately 0.11 Acres of City Owned Property at the Del Monte Development Site to Alta Buena Vista Owner, LLC, in Exchange for the Clement Avenue Right-Of-Way Between Entrance Road and Sherman Street to the City per the Development Agreement for the Del Monte Warehouse Project.
In 2008, the City Council certified an Environmental Impact Report for the Northern Waterfront General Plan Amendment. Additionally, in 2014, the City Council adopted a subsequent Mitigated Negative Declaration and Mitigation Monitoring Program for the Del Monte Master Plan and Development Agreement. None of the circumstances requiring further California Environmental Quality Act review are present. (Public Works 31041520)

Attachments: [Exhibit 1 - Request for Parcel Transfer](#)
[Ordinance](#)
[Presentation](#)

- 7-H** [2023-3183](#) Introduction of Ordinance Authorizing the City Manager to Execute a Fifth Amendment to the License with Amber Kinetics, Inc., a Manufacturer of Energy Storage Technologies, to Extend the License Term for Twelve Months and to Establish a New Monthly Rent for the Unimproved Lot Located at 641 West Red Line Avenue for Electrical Systems Storage.
In accordance with the California Environmental Quality Act (CEQA),

this action is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15301 (Existing Facilities). (Base Reuse and Economic Development 29061822)

Attachments: [Exhibit 1 - Premises](#)
[Exhibit 2 - License](#)
[Exhibit 3 - First Amendment](#)
[Exhibit 4 - Second Amendment](#)
[Exhibit 5 - Third Amendment](#)
[Exhibit 6 - Fourth Amendment](#)
[Exhibit 7 - Fifth Amendment](#)
[Ordinance](#)

- 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**
- 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**

- Meeting Rules of Order are available at:
<https://www.alamedaca.gov/Departments/City-Clerk/Key-Documents#section-4>
- Accessible seating for persons with disabilities, including those using wheelchairs, is available
- Equipment for the hearing impaired is available for public use
- Translators and sign language interpreters available if requested prior to the meeting
- To request a translator, interpreter or any reasonable accommodation that may be necessary to participate in and enjoy the benefits of the meeting, please contact the City Clerk at 510-747-4800 or clerk@alamedaca.gov at least 48 hours prior to the meeting
- View documents related to this agenda or sign up to receive agendas on the City's website:
<https://alameda.legistar.com/Calendar.aspx>
- Documents related to this agenda are also available for public inspection and copying at the Office of the City Clerk (City Hall, 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.