



# City of Alameda

## Meeting Agenda

### City Council

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Tuesday, November 7, 2023

7:00 PM

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

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The agenda was revised on November 1, 2023 at 5 pm to remove Item 5-H since it duplicated Item 5-G

**MEETING TIMES: Closed Session - 5:00 p.m.**

**Regular Meeting - 7:00 p.m.**

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

**Public Speaking Times:**

**Up to 4 speakers: 3 minutes**

**5 or more speakers: 2 minutes**

**Speakers cannot cede time**

**For information to assist with remote participation, please click:**

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

**For Zoom registration, please click:**

**[https://alamedaca.gov.zoom.us/webinar/register/WN\\_erP-XPEYSxyCexIUe21bnw](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](mailto: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 unless Councilmembers remove items for a full discussion**

**2-A [2023-3454](#) Recommendation to Approve Jennifer Ott, City Manager, Abigail**

Thorne-Lyman, Base Reuse and Economic Development Director, Andrew Thomas, Strategic Advisor, Ted Anderson, Managing Director, Cushman & Wakefield, and Len Aslanian, Assistant City Attorney, as Real Property Negotiators for Roughly 32,500 Square Feet of Space within 2505 Monarch Street, Building 22 at Alameda Point. (Gold Bar Spirits Company, Inc.) (Base Reuse and Economic Development 29061822)

- 2-B**     [2023-2687](#)     Recommendation to Approve Jennifer Ott, City Manager, Abigail Thorne-Lyman, Base Reuse and Economic Development Director, Andrew Thomas, Strategic Advisor, Ted Anderson, Managing Director, Cushman & Wakefield, and Len Aslanian, Assistant City Attorney, as Real Property Negotiators for 1605 Ferry Point, Alameda, CA (US Ecology, formerly known as NRC Environmental Services). (Base Reuse 29061822)

**3**     **Public Comment on Closed Session Items Only**

**4**     **Adjournment to Closed Session to consider:**

- 4-A**     [2023-3494](#)     CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)  
PROPERTY: Approximately 32,500 square feet of space within 2505 Monarch Street (Building 22) Alameda Point, Alameda, CA  
CITY NEGOTIATORS: City Manager Jennifer Ott, Base Reuse and Economic Development Director Abigail Thorne-Lyman, Strategic Advisor Andrew Thomas, Ted Anderson, Managing Director, Cushman & Wakefield, and Assistant City Attorney Len Aslanian  
NEGOTIATING PARTIES: City of Alameda and Gold Bar Spirits Company, Inc.  
UNDER NEGOTIATION: Price and Terms of Lease
- 4-B**     [2023-3497](#)     CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)  
PROPERTY: 1605 Ferry Point (Building 15) Alameda Point, Alameda, CA  
CITY NEGOTIATORS: City Manager Jennifer Ott, Base Reuse and Economic Development Director Abigail Thorne-Lyman, Strategic Advisor Andrew Thomas, Ted Anderson, Managing Director, Cushman & Wakefield, and Assistant City Attorney Len Aslanian  
NEGOTIATING PARTIES: City of Alameda and US Ecology, formerly known as NRC Environmental Services  
UNDER NEGOTIATION: Price and Terms of Lease
- 4-C**     [2023-3435](#)     CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

CITY NEGOTIATORS: Jennifer Ott, City Manager, Jessica Romeo, Human Resources Director, Edward Kreisberg, Outside Counsel, and Doug McManaway, Deputy City Attorney  
 EMPLOYEE ORGANIZATIONS: International Association of Firefighters Local 689 (IAFF)  
 UNDER NEGOTIATION: Salaries, Employee Benefits and Terms of Employment

- 4-D [2023-3506](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
 Pursuant to Government Code § 54956.9(a)  
 CASE NAME: City of Alameda v. Sheehan  
 COURT: Superior Court of the County of Alameda  
 CASE NUMBERS: 22CV009959, 23CV037442, 23CV038384  
 COURT: In the Court of Appeal of the State of California, First Appellate District, Division Two  
 CASE NUMBER: A168300

5 **Announcement of Action Taken in Closed Session, if any**

[2023-3605](#) November 7, 2023 Closed Session Announcement

**Attachments:** [2023-11-07 CS 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**
- 3-A [2023-3524](#) Proclamation Declaring November 2023 as California's Sikh Awareness and Appreciation Month in Alameda.  
**Attachments:** [Proclamation](#)
- 3-B [2023-3069](#) Proclamation Declaring November 2023 as Lung Cancer Awareness Month.  
**Attachments:** [Proclamation](#)
- [2023-3609](#) Proclamation Declaring November 12 through 18, 2023 as United Against Hate Week.

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

**4 Oral Communications, Non-Agenda (Public Comment) - Limited to 15 minutes; any remaining speakers may comment under Section 9**

**5 Consent Calendar - Items are routine and will be approved by one motion unless Councilmembers remove items for a full discussion; removed items are heard after Regular Agenda Items; 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** [2023-3518](#) Minutes of the Special and Regular City Council Meetings Held on October 3, 2023. (City Clerk)

**5-B** [2023-3525](#) Bills for Ratification. (Finance)

**Attachments:** [Bills for Ratification](#)

**5-C** [2023-3472](#) Recommendation to Authorize the City Attorney to Execute a Five-Year Agreement with George Hills Company for Third-Party Claims Administration in an Amount Not-to-Exceed \$555,009 for Five Years. (City Attorney 61123042)

**Attachments:** [Exhibit 1: Agreement](#)

**5-D** [2023-3486](#) Recommendation to Adopt the City of Alameda 2023-2026 Strategic Plan. (City Manager 10021030) [Continued from November 7, 2023]

**Attachments:** [Exhibit 1: Alameda Strategic Plan \(2023-2026\)](#)  
[Correspondence from City Manager](#)  
[Correspondence - Updated 11-7](#)

**5-E** [2023-3503](#) Recommendation to Approve First Amendment to the City's Attorney Employment Agreement Granting Three Additional Administrative Leave Days Consistent with the Same Being Previously Granted to Other Executive Management Employees. (Human Resources 10023040)

**Attachments:** [Exhibit 1: Employment Agreement](#)  
[Exhibit 2: First Amendment to Employment Agreement](#)

**5-F** [2023-3462](#) Recommendation to Authorize the Purchase of One Compact Track Loader Consistent with Vehicle Replacement Policy in Amount Not-to-Exceed \$152,562 from Peterson CAT. (Public Works 60141581)

**Attachments:** [Exhibit 1: Quote](#)

**5-G** [2023-3463](#) Recommendation to Authorize the City Manager to Execute an Agreement with Ray's Electric for Streetlight Conduit Replacement on

Fernside Boulevard Project, P.W. No. 06-23-18, in an Amount, Not-to-Exceed \$824,369, including Contingency.  
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).  
(Public Works 310)

**Attachments:** [Exhibit 1: Agreement](#)

5-H Removed since it duplicated Item 5-G

5-I [2023-3464](#) Recommendation to Authorize the City Manager to Execute a Construction Agreement with Branco Construction, Inc. for the Fire Station No. 4 Dormitory Conversion and Renovation Project for an Amount Not-to-Exceed \$263,000.  
In accordance with the California Environmental Quality Act (CEQA), this action is categorically exempt from further environmental review pursuant to CEQA Guidelines Sections 15301 (Existing Facilities), 15302 (Replacement or Reconstruction), and (15303 New Construction of Small Structures). (Public Works C41000)

**Attachments:** [Exhibit 1: Agreement](#)

5-J [2023-3480](#) Recommendation to Authorize the Purchase of Two (2) Pierce Manufacturing, Inc. Enforcer 1500 GPM Pumpers/Engines from Golden State Fire Apparatus in an Amount Not-to-Exceed \$2,452,522; and  
Adoption of Resolution Amending the Fleet Replacement Fund (601) Budget to Reduce Expenditure Budget for Fiscal Year 2024-25 by \$1,522,500 and Increase Expenditure Budget for Fiscal Year 2023-24 by \$1,002,000 to Purchase Two Fire Apparatus Engines. (Public Works 60141581)

**Attachments:** [Exhibit 1: Quote](#)  
[Resolution](#)

5-K [2023-3458](#) Recommendation to Authorize the City Manager to Execute an Agreement with Bay Cities Paving and Grading, Inc. for Clement Avenue Safety Improvements, Project No. P.W.08-23-19, for a Not-to-Exceed Amount of \$4,791,344, including Contingency; and Adoption of Resolution Amending the Fiscal Year 2023-24 Capital Budget by Defunding Revenue and Appropriations in Capital Improvement Program C11000 by \$175,000, Defunding Revenue and Appropriations in Capital Improvement Program C61000 by \$325,000, and Increasing Revenue and Appropriations for Capital Improvement Program C65200 by \$500,000.  
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). (Public Works 310)

**Attachments:** [Exhibit 1: Contract Resolution](#)

- 5-L**     [2023-3460](#)     Adoption of Resolution Authorizing Submittal of Application for All CalRecycle Grants for which the City is Eligible.  
In accordance with California Environmental Quality Act (CEQA), this project is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15308 (Actions by Regulatory Agencies for Protection of the Environment). (Public Works 26241630)  
**Attachments:**     [Resolution](#)
- 5-M**     [2023-3414](#)     Adoption of Resolution Authorizing the City Manager to Execute All Necessary Documents with the Metropolitan Transportation Commission to Accept \$742,000 in Grant Funding and Provide the Necessary Local Match for the Demand-Based Parking Pricing and Curb Management Strategies in the Business Districts and Ferry Terminals Project.  
This project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303. (Planning, Building and Transportation 26541642)  
**Attachments:**     [Resolution](#)
- 5-N**     [2023-3476](#)     Adoption of Resolution Authorizing the City Manager to Execute a Grant Agreement between the State of California Department of Parks and Recreation, Division of Boating and Waterways, and the City of Alameda by and through the Alameda Police Department; and Adoption of Resolution Amending the Fiscal Year 2023-24 Police Grants Fund (Fund 221) Estimated Revenue and Expenditures Budget by \$200,000 for the Surrendered and Abandoned Vessel Exchange Grant.  
This action is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15061(b)(3) (common sense exemption) and 15321 (law enforcement activities). (Police 10031130)  
**Attachments:**     [Exhibit 1: Grant Agreement-Certificate of Funding](#)  
                              [Resolution: Grant Agreement](#)  
                              [Resolution: Budget](#)
- 5-O**     [2023-3498](#)     Final Passage of Ordinance Authorizing the City Manager to Execute a Second Amendment to the Lease with Park Street Wine Cellars, Inc.

for Approximately 700 Square Feet of Retail Space in the Historic Alameda Theatre Located at 2315 Central Avenue, Suite 122, to Modify Lease Term and Accelerated Rent Deferral Repayment Schedule.

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 24061810)

- 5-P**     [2023-3499](#)     Final Passage of Ordinance Authorizing the City Manager to Execute a First Amendment to the Lease with Play House, LLC, Doing Business as Director's Cut (Project Burger), for Approximately 1,850 Square Feet of Retail Space in the Historic Alameda Theatre Complex, Located at 2319 Central Avenue, to Modify Monthly Rent and Lease Term, Establish Operating Provisions, and Relieve Outstanding Rent. 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 24061810)

**Attachments:**     [Exhibit 1: First Amendment - Redline](#)  
[Exhibit 2: First Amendment - Clean](#)

- 5-Q**     [2023-3523](#)     Final Passage of Ordinance Amending Article XV of the Alameda Municipal Code, Amending and Enhancing the Rent Control Program's Capital Improvement Plan (CIP) Program and Terminating the Current Moratorium on CIP Applications and Making Other Necessary Updates.  
These actions are exempt from environmental review because they are not projects as defined under the California Environmental Quality Act (CEQA) [CEQA Guidelines, Section 15378 (b)(2)] or because of no significant environmental impact [CEQA Guidelines, Section 15061]. (City Attorney) [Continued from November 7, 2023]

**Attachments:**     [Information from Rent Program Staff](#)

## **6**     **Continued Agenda Items**

- 6-A**     [2023-3451](#)     Recommendation to Clarify that the Previously Approved Animal Shelter Operator Agreement with Friends of the Alameda Animal Shelter Includes an Annual Increase Based on the Percentage Change in the Consumer Price Index for a Total 10-Year Compensation Estimate of \$11,574,639. (City Manager 10021030) [Continued from October 17, 2023]

**Attachments:** [Exhibit 1: Agreement](#)  
[Additional Information from Staff](#)  
[Presentation](#)

- 6-B**     [2023-3439](#)     Adoption of Resolution Supporting Local, State, and Federal Efforts to Exonerate the Port Chicago 50. (City Manager 10021030) [Continued from October 17, 2023]

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

## 7     Regular Agenda Items

- 7-A**     [2023-3448](#)     Workshop to Provide Direction on De-Pave Park Design Options, including the Proposed Removal of Building 29 and Whether to Keep or Remove Building 25.  
The environmental effects of the design options have been addressed previously in an approved Environmental Impact Report and therefore no additional environmental review is necessary concerning Council direction on this item. Section 15162 and 15163, California Environmental Quality Act Guidelines. (Recreation 10051400)

**Attachments:** [Exhibit 1: Location and Existing Conditions](#)  
[Exhibit 2: Design Options](#)  
[Exhibit 3: Building 29](#)  
[Presentation](#)  
[Correspondence - Updated 11/8](#)

- 7-B**     [2023-3473](#)     Recommendation to Receive a Status Report on the Commercial Streets Program; Authorize the City Manager to Execute an Agreement with Ray's Electric to Furnish and Install Commercial Streets Concrete Barriers for a Not-to-Exceed Amount of \$343,747.68; and Authorize the City Manager to Extend the Parklet Program and Issue Updated Parklet License Agreements.  
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). (Public Works 310)

**Attachments:** [Exhibit 1: Agreement](#)  
[Exhibit 2: Alameda Parklet Barriers Exhibit](#)  
[Exhibit 3: Webster Street Restriping](#)  
[Exhibit 4: Park Street Restriping](#)  
[Presentation](#)  
[Correspondence from City Manager](#)  
[Correspondence - Updated 11/8](#)



- 7-C**     [2023-3500](#)     Recommendation to Provide Direction to Staff to Explore the Feasibility of Placing a Revenue Measure on a Future Ballot for Potential Infrastructure Funding or Other Possible Revenue Measures, including the City Manager Entering into Agreements with: (1) Clifford Moss for an Initial Feasibility Assessment in an Amount Not-To-Exceed \$30,000; and (2) Fairbank, Maslin, Maullin, Metz & Associates (FM3) for Survey Development, Implementation, and Associated Analysis in an Amount Not-to-Exceed \$40,750.

These actions are not subject to further environmental review under the California Environmental Quality Act (CEQA), Section 15378 (b)(4), CEQA Guidelines. (City Manager 10021030)

**Attachments:**    [Exhibit 1: Clifford Moss Scope of Services](#)  
                          [Exhibit 2: FM3 Scope of Services](#)  
                          [Correspondence](#)  
                          [Presentation](#)

- 7-D**     [2023-3496](#)     Introduction of Ordinance Authorizing (1) the Transfer of 0.65 Acres to the Alameda Unified School District AUSD), (2) the Conveyance of an Easement to AUSD for Parking and Access Purposes, (3) the Acceptance of an Easement from AUSD for Parking and Access Purposes, and (4) the City Manager to Execute All Necessary Documents in Connection Therewith to Facilitate the Renovation and Rebuild of Wood Middle School.

These actions are categorically exempt from further environmental review under the California Environmental Quality Act (CEQA). CEQA Guidelines, Section 15305 (Minor Alterations in Land Use Limitations). (City Manager and City Attorney 10023040) [Not heard on November 7, 2023]

**Attachments:**    [Exhibit 1: Area Map](#)  
                          [Ordinance](#)  
                          [Ordinance - REVISED](#)  
                          [Presentation](#)

**8            City Manager Communications - Communications from City Manager**

**9            Oral Communications, Non-Agenda (Public Comment)**

**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**

- 10-A**     [2023-3452](#)     Consider Directing Staff to Draft an Ordinance Amending the

Sunshine Ordinance to Move to a Hearing Officer Model to Hear Sunshine Ordinance Complaints. (Mayor Ezzy Ashcraft and Councilmember Jensen) [Not heard on October 17 or November 7, 2023]

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

- 10-B** [2023-3516](#) Consider Directing Staff to Draft an Ordinance Prohibiting Animal Testing and Experimentation on Property Owned or Controlled by the City of Alameda. (Councilmembers Herrera Spencer and Vella) [Not heard on November 7, 2023]

**Attachments:** [Correspondence Dated 10/31](#)  
[Correspondence Dated 11/1](#)  
[Correspondence Dated 11/2](#)  
[Correspondence Dated 11/3-11/5](#)  
[Correspondence Dated 11/6](#)  
[Correspondence Dated 11/7](#)  
[Correspondence Dated 11/8](#)  
[Correspondence 11/10-11/13](#)  
[Correspondence 11/14](#)

- 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**

- Public speaking times: 3 minutes for up to four speakers and 2 minutes for five or more speakers; speakers cannot cede time
- 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](mailto: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

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- **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.
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