



City of Alameda

Meeting Agenda

City Council

Tuesday, July 5, 2016

7:00 PM

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

NOTE: NEWLY ADDED TIME FRAMES FOR AGENDA ITEMS ARE ONLY ESTIMATES. Discussions on each item could take more or less time. Anyone interested in speaking is encouraged to arrive early rather than relying on the estimates.

SPECIAL MEETING - CLOSED SESSION - 6:00 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 [2016-3078](#) [\(45 minutes\)](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Pursuant to Government Code § 54956.9)
CASE NAME: Zachary Ginsburg v. City of Alameda
COURT: Superior Court of the State of California, County of Alameda
CASE NO: RG15791428
- 4 Announcement of Action Taken in Closed Session, if any
- 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
 - 3-A [2016-3074](#) [\(5 minutes\)](#) Presentation of Certificates of Service to Dean Batchelor, Civil Service Board; Dennis Owens and Donna Rauk, Historical Advisory

Board; Cullen Jones, Housing Authority Board of Commissioners; Mike Henneberry, Planning Board; Elizabeth Candelario, Public Art Commission; Suzanne Warner, Rent Review Advisory Committee; Doug Biggs and Michael Radding, Social Service Human Relations Board; Eric Schatmeier, Transportation Commission.

- 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**
- 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** [2016-3083](#) Minutes of the Special, Regular and Successor Agency to the Community Improvement Commission Meetings Held on June 7, 2016. (City Clerk)
- 5-B** [2016-3081](#) Bills for Ratification. (Finance)
- Attachments:** [Bills for Ratification](#)
- 5-C** [2016-2953](#) Recommendation to Accept the Investment Report for the Quarter Ending March 31, 2016. (Finance 2410)
- Attachments:** [Exhibit 1 - Quarterly Investment Report](#)
- 5-D** [2016-2963](#) Recommendation to Approve a Nine Month Agreement in the Amount of \$148,085 with Strategic Economics to Prepare an Economic Development Strategic Plan for the City of Alameda, and Reappropriate \$50,000 from Unspent Fiscal Year 2015-16 Funds for the Agreement. (Community Development 256)
- Attachments:** [Exhibit 1 - Contract](#)
- 5-E** [2016-3022](#) Recommendation to Authorize the City Manager to Execute a Three-Month Contract Extension with CSG Consulting Services for Professional Plan Check Services. (Community Development 481003)
- Attachments:** [Exhibit 1 - Agreement with CGS](#)
 [Exhibit 2 - Amendment to Agreement](#)
- 5-F** [2016-2967](#) Recommendation to Award a Contract in the Amount of \$625,083, Including Contingencies, to Harbor Bay Business Park Association (HBBPA) for the Landscape Maintenance Management Contract for the City of Alameda Island City Landscaping and Lighting District 84-2, Zone 5 - Harbor Bay Business Park. (Public Works 275.5)
- Attachments:** [Exhibit 1 - Letter from HBBPA](#)
 [Exhibit 2 - Contract](#)

- 5-G** [2016-3009](#) Recommendation to Award a Contract in the Amount of \$4,565,426, Including Contingencies, to Goodland Landscape Construction, Inc., for Estuary Park Site Improvements, Phase 1, No. P.W. 02-16-01 and to Amend Fiscal Year 2016-17 Project Budget. (Public Works 310)
Attachments: [Exhibit 1 - Contract](#)
- 5-H** [2016-3013](#) Recommendation to Award a Professional Services Contract to Ninyo and Moore For Geotechnical Testing and Inspection Services in the Amount of \$100,379, including Contingency of \$4,780, for Estuary Park Site Improvements, Phase 1, No. P.W. 02-16-01. (Recreation and Parks 310)
Attachments: [Exhibit 1 - Service Provider Agreement](#)
- 5-I** [2016-3029](#) Recommendation to Authorize the City Manager to Execute an Agreement with Macks Craic, Inc., (dba Mack5) in the Amount of \$157,815 for Construction Management Services for Estuary Park, Jean Sweeney Open Space Park and Krusi Park Recreation Center Replacement and Amend Fiscal Year 2016-17 Revenue Budget by \$20,000 for the Jean Sweeney Open Space Park CIP 91309. (Recreation and Parks 5191)
Attachments: [Exhibit 1 - Service Provider Agreement](#)
- 5-J** [2016-3077](#) Final Passage of Ordinance Amending the Alameda Municipal Code by Adding Section 2.24 to Article II of Chapter II Related to Emergency Organization and Creating the City of Alameda Disaster Council as Required by State Law to Obtain Legal Recognition as an Official Emergency Organization. (City Manager 2110)

6 Regular Agenda Items

- 6-A** [2016-3051](#) Adoption of Resolution Calling an Election to be Consolidated with
[\(30 minutes\)](#) the City's Next General Municipal Election on November 8, 2016, and Submitting to the Voters at That Election a Measure, the Utility Modernization Act, That Proposes to Amend the City Charter by Amending Section 12-6 to Reaffirm Alameda Municipal Power's Annual General Fund Transfer and Amending the Alameda Municipal Code by Repealing Chapter 3-59 and Replacing It with a Modernized Utility Users Tax Ordinance; Consider Authoring a Direct and Possible Rebuttal Argument; and Direct the City Attorney to Prepare the Impartial Analysis. (City Manager 2110)
Attachments: [Resolution](#)
 [Presentation](#)
 [Presentation - REVISED](#)
- 6-B** [2016-3012](#) Recommendation to Approve the Jean Sweeney Open Space Park
[\(20 minutes\)](#) Design Development Plan. (Recreation and Parks 310)

Attachments: [Exhibit 1 - Detailed Park Design Presentation](#)

- 6-C** [2016-2989](#) Introduction of Ordinance Approving a Lease and Authorizing the City
(10 minutes) Manager to Execute Documents Necessary to Implement the Terms of a Three-Year Lease with Kai Concepts, LLC, a California limited liability company, for Building 168, Suite 300, located at 1651 Viking Street. [In accordance with the California Environmental Quality Act (CEQA), this project is Categorically Exempt under the CEQA Guidelines Section 15301(c) - Existing Facilities.] [Requires Four Affirmative Votes] (Base Reuse 819099)

Attachments: [Exhibit 1 - Diagram of Leasehold Area](#)
[Exhibit 2 - Lease Ordinance](#)

- 6-D** [2016-3025](#) Introduction of Ordinance Approving a Lease and Authorizing the City
(10 minutes) Manager to Execute Documents Necessary to Implement the Terms of a Ten Year Lease with One Five-Year Extension Option with La Costa Pacifica Inc. dba Urban Legend Cellars for Building 25, Unit 300 Located at 1951 Monarch Street at Alameda Point. [In accordance with the California Environmental Quality Act (CEQA), this project is Categorically Exempt under the CEQA Guidelines Section 15301(c) - Existing Facilities]. [Requires Four Affirmative Votes] (Base Reuse 819099)

Attachments: [Exhibit 1 - Premises](#)
[Exhibit 2 - Lease Ordinance](#)

- 6-E** [2016-3011](#) Introduction of Ordinance Approving a First Amendment to a Lease
(10 minutes) and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a First Amendment to the Lease Agreement with Pacific Automated LLC, a California Limited Liability Company, dba Brix Beverage (Pacific Automated, LLC) to Include a Portion of Building 25 (Unit 100), a Small Outbuilding Known as Building 491, and Additional Parking Common Areas as Part of the Original Premises at 1951 Monarch Street at Alameda Point. [In accordance with the California Environmental Quality Act (CEQA), this project is Categorically Exempt under the CEQA Guidelines Section 15301(c) - Existing Facilities.] [Requires Four Affirmative Votes] (Base Reuse 819099)

Attachments: [Exhibit 1 - First Amendment to Pacific Automated \(Brix\) Lease](#)
[Exhibit 2 - Building 491](#)
[Exhibit 3 - Building 25, Unit 100](#)
[Exhibit 4 - Additional Premises Parking Area](#)
[Exhibit 5 - Original Lease Ordinance](#)

- 6-F** [2016-3018](#) Introduction of Ordinance Amending the Alameda Municipal Code by
[\(10 minutes\)](#) Amending Chapter 30 (Zoning Ordinance) to Facilitate the City's
Ability to Disperse Public Art Funds, and Amend the Fiscal Year
2016-17 Public Art Fund Budget by \$200,000 and Capital
Improvement Projects Fund Budget by \$100,000. [The Proposed
Amendments are Categorically Exempt from the Requirements of the
California Environmental Quality Act (CEQA) Pursuant to CEQA
Guidelines Section 15305, Minor Alterations to Land Use Limitations.]
(Community Development 285)

Attachments: [Exhibit 1 - Proposed Changes to Municipal Code](#)
[Exhibit 2 - Planning Board Staff Report, November 23, 2015](#)
[Exhibit 3 - Planning Board Minutes, November 23, 2015](#)
[Exhibit 4 - Public Art Brochure Ordinance](#)

- 6-G** [2016-3069](#) Accept Comparison of (1) the City's Rent Review, Rent Stabilization
[\(60 minutes\)](#) and Limitations on Eviction Ordinance (City's Ordinance), (2) the
Proposed City of Alameda Charter Amendment to Establish Rent
Control, a Rent Control Board, and Regulate Termination of
Tenancies (Renters' Initiative), and (3) the Proposed City of Alameda
Charter Amendment to Prohibit the City from Imposing Restrictions
on the Price for which Real Property May Be Rented or Sold
(Landlords' Initiative).

Provide Direction to Staff Regarding the November 8, 2016 Ballot:
(1) Arguments Relating to the Proposed Renters' Initiative Should
that Renters' Initiative Qualify for the Ballot; and (2) Whether the City
Should Place City's Ordinance on the Ballot as a Proposed Charter
Amendment. (Community Development/City Attorney)

Attachments: [Exhibit 1 - Comparison of Rent Review Ordinance, Renters' Initiative and Landlords' Initiative Presentation](#)

7 City Manager Communications - Communications from City Manager

- 8 Oral Communications, Non-Agenda (Public Comment) - Any person 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 [2016-3075](#)** Consider Directing the City Manager to Initiate and Begin the Process with the Planning Board to Propose Revisions to the Ordinance and Code Sections Defining Alameda's Inclusionary Housing for Residential Development. (Vice Mayor Matarrese) [Not heard on June 21, 2016]
- 9-B [2016-3076](#)** Consider Directing the City Manager to Schedule a Priority Setting Work Session. (Mayor Spencer) [Not heard June 21, 2016]
- 9-C [2016-3028](#)** Consider Directing the City Manager to Immediately Hold a City Council Workshop on the Final Phase of the Bayport-Alameda Landing Disposition and Development Agreement (DDA)\Development Plan. (Councilmember Daysog)
- 10 Council Communications - Councilmembers can address any matter not on the agenda, including reporting on conferences or meetings**
- 10-A [2016-3073](#)** Consideration of Mayor's Nominations for Appointment to the Civil Service Board and Golf Commission.

11 Adjournment - City Council

- TIME FRAMES LISTED FOR AGENDA ITEMS ARE ONLY ESTIMATES. Discussions on each item could take more or less time. Anyone interested in speaking is encouraged to arrive early rather than relying on the estimates.
- Translators and sign language interpreters will be available on request. Please contact the City Clerk at 510-747-4800 or TDD number 510-522-7538 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 or TDD number 510-522-7538 either prior to, or at, the Council meeting.
- Accessible seating for persons with disabilities, including those using wheelchairs, is available.
- Minutes of the meeting available in enlarged print.
- Video tapes of the meeting are available upon request.
- 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.
- This meeting will be broadcast live on the City's website www.alamedaca.gov/agendas.
- Documents related to this agenda are available for public inspection and copying at 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.