



City of Alameda

Meeting Agenda

City Council

Tuesday, September 5, 2017

7:00 PM

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

SPECIAL CITY COUNCIL MEETING - 5:30 P.M.

Pledge of Allegiance

- 1 Roll Call - City Council
- 2 Oral Communications, Non-Agenda (Public Comment) - Speakers may address the Council/Agency regarding any matter not on the agenda
- 3 Regular Agenda Item
- 3-A [2017-4638](#) Workshop on a Proposed Ordinance Amending the Alameda Municipal Code by Repealing Section 30-5.15 (Medical Dispensaries and Cultivation) of the Alameda Municipal Code in its Entirety; Adding a New Article XVI (Cannabis Businesses); Adding a new Section 30-10 (Cannabis); and Amending Sections 24-11 (Smoking Prohibitions in Places of Employment and Unenclosed Public Places) and 24-12 (Smoking Prohibitions in Housing).
Attachments: [Exhibit 1 - Draft Cannabis Ordinance](#)
[Exhibit 2 - Cannabis Business Locations](#)
[Exhibit 3 - Government Owned Property Map](#)
[Presentation](#)
[Presentation - REVISED](#)
[Correspondence](#)
[Submittals](#)
- 4 Adjournment - City Council

SPECIAL JOINT MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE COMMUNITY IMPROVEMENT COMMISSION (SACIC) - 6:59 P.M.

- 1 Roll Call - City Council, SACIC
- 2 Oral Communications, Non-Agenda (Public Comment) - Speakers may address the Council/Agency regarding any matter not on the agenda

3 Consent Calendar - Items are routine and will be approved by one motion unless removal is requested by the Council/Agency or the public

- 3-A** [2017-4620](#) Recommendation to Accept the Investment Report for the Quarter Ending March 31, 2017. (Finance 2410)

Attachments: [Exhibit 1 - Quarterly Investment Report](#)

4 Adjournment - City Council, 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

- 3-A** [2017-4622](#) Proclamation Declaring September 16, 2017 as Coastal Cleanup Day. (City Manager 2110)

Attachments: [Photograph](#)

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

- [2017-4700](#) September 5, 2017 Oral Communications Submittal

Attachments: [Submittal](#)

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** [2017-4646](#) Minutes of the Special City Council Meetings Held on June 20, 2017 and July 5, 2017, and the Regular City Council Meeting Held on July 5, 2017. (City Clerk)

- 5-B** [2017-4647](#) Bills for Ratification. (Finance)

Attachments: [Bills for Ratification](#)

- 5-C** [2017-4452](#) Recommendation to Award a Five-Year Contract for an Amount not to Exceed a Total Five-Year Expenditure of \$250,000, Subject to Budget Approvals, to Hinderliter de Llamas (HdL) for Review and Analysis of Sales and Use Tax Revenues. (Finance 2410)

Attachments: [Exhibit 1 - HdL Agreement](#)
[Exhibit 2 - Annual Sales Tax Recovery](#)

- 5-D [2017-4611](#) Recommendation to Accept the Quarterly Sales Tax Report for the Period Ending June 30, 2017 Collected During the Period January 1, 2017 to March 31, 2017. (Finance 2410)
Attachments: [Exhibit 1 - Quarterly Sales Tax Report Supplemental Information](#)
- 5-E [2017-4593](#) Recommendation to Accept Report on the Appointment of Bryan Schwartz as a Member of the Open Government Commission. (City Clerk 2210)
- 5-F [2017-4510](#) Recommendation to Award a One-Year Contract, with the Option of Four One-Year Extensions, for an Amount not to Exceed \$93,319.86, for a Total Five Year Expenditure not to Exceed \$485,640.33, to Clean Lakes, Inc. for Vegetation Management, Debris Management, and Water Quality Monitoring for the South Shore Lagoons. (Public Works 351)
Attachments: [Exhibit 1 - Contract](#)
- 5-G [2017-4612](#) Recommendation to Award a One-Year Contract, with the Option of Four One-Year Extensions, for an Amount not to Exceed \$20,698.92, for a Total Five-Year Expenditure not to Exceed \$107,718.02, Subject to Budget Approval, to Dream Ride Elevator for Full Service Elevator Maintenance and Repairs in City Buildings (Various Locations). (Public Works 706001)
Attachments: [Exhibit 1 - Contract](#)
- 5-H [2017-4613](#) Recommendation to Award a One-Year Contract, with the Option of Four One-Year Extensions, for an Amount not to Exceed \$105,600, for a Total Five-Year Expenditure not to Exceed \$549,546.65, Subject to Budget Approval, to Prime Mechanical for Annual Heating, Ventilating, and Air Conditioning System Maintenance at City Facilities. (Public Works 706001)
Attachments: [Exhibit 1 - Contract](#)
- 5-I [2017-4615](#) Recommendation to Accept the Work of Rosas Brothers Construction for the Repair of Concrete Sidewalk, Curb, Gutter, Driveway, and Minor Street Patching, Fiscal Year (FY) 2016-17, Phase 17, No. P.W. 05-16-18. (Public Works 310)
- 5-J [2017-4617](#) Recommendation to Amend the Contract with Ranger Pipeline Inc. to Increase the Contract Amount by \$4,048,544.03, which Includes a 10% Contingency, for Cyclic Sewer Rehabilitation Project, Phase 14, No. P.W. 05-17-27, for a Total Authorized Amount of \$17,375,030, for Cyclic Sewer Rehabilitation Project, Phases 11, 12, 13 and 14. (Public Works 602)

Attachments: [Exhibit 1 - Original Contract](#)
[Exhibit 2 - First Amendment](#)
[Exhibit 3 - Second Amendment](#)
[Exhibit 4 - Third Amendment](#)

- 5-K** [2017-4496](#) Recommendation to Enter into an Agreement Between the City of Alameda and Waste Management of Alameda County Inc. for Solid Waste Transfer and Disposal Services for a Ten-Year Period (Ending June 30, 2027); and

Adoption of Resolution Setting Per Ton Rates for Solid Waste Transfer and Disposal Services with Waste Management of Alameda County, Inc. (Public Works 274)

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

- 5-L** [2017-4626](#) Adoption of Resolution Authorizing the City Manager to: (1) Execute a Professional Services Agreement and a License Agreement (the "Agreements") With XG Communities, LLC, a Delaware Limited Liability Company DBA 5 BARS Communities ("5 BARS") Each for a Term Of Five Years With Four Five-Year Extensions for Wireless Telecommunications Facilities Consulting, Marketing and Management and Services for City Assets in Exchange for a Thirty-Five Percent (35%) Share of Generated Revenue and (2) Execute Auxiliary Documents and to Perform Any and All Acts Necessary or Desirable to Permit 5 BARS to Perform the Services. (Information Technology 2611)

Attachments: [Exhibit 1 - Letter of Opposition](#)
[Exhibit 2 - City of Sacramento Community Wireless Broadband Network Request for Information](#)
[Exhibit 3 - Professional Services Agreement](#)
[Exhibit 4 - License Agreement](#)
[Exhibit 5 - Right of Entry](#)
[Exhibit 6 - Insurance Requirements Presentation](#)
[Resolution](#)
[Correspondence](#)

- 5-M** [2017-4633](#) Adoption of Resolution Approving the City of Alameda's Continued Participation in the Alameda County HOME Consortium, Authorizing the City Manager to Execute the Revised HOME Consortium Cooperative Agreement with Alameda County and Rescinding Resolution No. 15287. (Housing 235)

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

- 5-N** [2017-4601](#) Adoption of Resolution Authorizing the City Treasurer, the City Finance Director and the City Finance Services Manager to Order the Deposit or Withdrawal of Monies in the State Local Agency Investment Fund on Behalf of the City and Repealing Resolution No. 14776. (Finance 2410)

Attachments: [Resolution](#)

- 5-O** [2017-4600](#) Final Passage of Ordinance Approving Master Plan Amendment to Include a Maritime Commercial and Residential Variant for Approximately 39 Acres of Land with the Bayport/Alameda Landing Master Plan. [A Final Supplemental Environmental Impact Report for the Alameda Landing Mixed Use Development Project was Certified in Accordance with the California Environmental Quality Act (CEQA) (State Clearinghouse #2006012091) in 2006. An Environmental Assessment for the Proposed Actions has been Prepared.] (Community Development 256)

Attachments: [Ordinance Exhibit A](#)

6 Regular Agenda Items

- 6-A** **2017-4692** Adoption of Resolutions Reappointing Lynn Jones and Norman Sanchez as Members of the Historical Advisory Board; Appointing Patricia Lamborn and Alan Teague as Members of the Planning Board; and Appointing Mark Farrell as a Member of the Public Art Commission. [Planning Board Appointments not heard on September 5, 2017]

Attachments: Correspondence
 Correspondence 1
 Correspondence 2
 Correspondence 3

- 6-B** [2017-4390](#) Recommendation to Appoint Gene Kahane and Cathy Dana as Alameda's Poet Laureates. (Library 210) [Not heard on September 5, 2017]

Attachments: [Exhibit 1 - Inaugural Poem - Kahane](#)
 [Exhibit 2 - Inaugural Poem - Dana](#)

- 6-C** [2017-4503](#) SUMMARY: Introduce Two Ordinances that Resolve Two Encroachment Issues on City Property in Order to Facilitate the Start of Construction of the Cross Alameda Trail Project along Ralph Appezzato Memorial Parkway, Between Main and Webster Streets.

Introduction of Ordinance Approving an Amended and Restated Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of an Amended and Restated Lease Agreement with Mr. Hi Chi Chen and Mrs. Lena Muy Chiv, a Married Couple, dba Hometown Donuts for 1930 Main Street. [Requires Four Affirmative Votes]; and

Introduction of Ordinance Approving a Grant of Non-Exclusive Easement and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of Grant of Non-Exclusive Easement to Alameda Boys & Girls Club (ABGC) and Alameda Unified School District (AUSD) for Access and Maintenance. [Requires Four Affirmative Votes] (Transportation 91402) [Not heard on September 5, 2017]

Attachments: [Exhibit 1 - Amended and Restated Lease](#)
[Exhibit 2 - Grant of Non-Exclusive Easement](#)
[Exhibit 3 - Grant Easement Areas](#)
[Ordinance - Chen-Chiv](#)
[Ordinance - AUSD-ABGC](#)

- 6-D [2017-4594](#) Recommendation to Accept the Certificate of Sufficiency for
[\(45 minutes\)](#) Referendum Petition Against Ordinance No. 3180; and

Select One of the Following Options: 1) Introduction of Ordinance Repealing Ordinance No. 3180 in Its Entirety; or 2) Adoption of Resolution Calling an Election in the City of Alameda for the Purpose of Submitting to the Electors Ordinance No. 3180 Amending the Alameda Municipal Code by Amending Various Sections of Article XV of Chapter VI Concerning (a) Review of Rent Increases Applicable to All Rental Units and Rent Stabilization Applicable to Certain Rental Units and (b) Limitations on Evictions and the Payment of Relocation Fees Applicable to all Rental Units (Eliminating “No Cause” Ground for Eviction and Requiring Landlords to Pay Relocation Fees at the Expiration of Certain Fixed Term Leases). (City Clerk 2220)

Attachments: [Exhibit 1 - Certificate of Sufficiency](#)
[Ordinance](#)
[Resolution](#)
[Resolution - REVISED](#)
[Correspondence](#)

7 City Manager Communications - Communications from City Manager

7-A [2017-4651](#) Update on Tracking of Council Referrals. [Not heard on September 5, 2017]

Attachments: [Council Direction Through Referral Process](#)

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 [2017-4610](#) Consider Directing Staff to Explore Offering Free Public WiFi Throughout the City. (Mayor Spencer) [Not heard on September 5, 2017]

9-B [2017-4634](#) Consider: 1) Adoption of Resolution Condemning the Increased Incidents of Bias, Prejudice, Discrimination, Violence and Anti-Semitism; and 2) Direct Staff to Provide a Status Update on Hate Crime Training and Possible Training of Community Members; and Direct the City Manager to Provide Periodic Reports to Council on Hate Crimes. (Vice Mayor Vella and Councilmember Oddie) [Not heard on September 5, 2017]

Attachments: [Resolution](#)
[Correspondence from Mayor Spencer](#)

10 **Council Communications - Councilmembers can address any matter not on the agenda, including reporting on conferences or meetings**

10-A [2017-4591](#) Consideration of Mayor's Nominations to the Historical Advisory Board, Planning Board and Public Art Commission.

10-B [2017-4628](#) Report Out from Stop Waste on Fix It Clinic. (Councilmember Oddie)

Attachments: [Fix It Clinic](#)

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.