



City of Alameda

Meeting Agenda

City Council

Tuesday, October 16, 2018

7:00 PM

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

REVISED on 10/8/2018 at 4:30 p.m. to correct the title of Item 6-D.

SPECIAL MEETING - CLOSED SESSION - 5:00 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 [2018-6030](#) PUBLIC EMPLOYEE APPOINTMENT/HIRING
[\(45 minutes\)](#) Pursuant to Government Code § 54957
Title/description of positions to be filled: Acting/Interim City Attorney and City Attorney
 - 3-B [2018-6031](#) PUBLIC EMPLOYEE APPOINTMENT/HIRING
[\(10 minutes\)](#) Pursuant to Government Code § 54957
Title/description of positions to be filled: City Manager
 - 3-C [2018-6029](#) CONFERENCE WITH LABOR NEGOTIATORS (Government Code section 54957.6)
[\(20 minutes\)](#) CITY NEGOTIATORS: David L. Rudat, Interim City Manager, Elizabeth D. Warmerdam, Assistant City Manager and Nancy Bronstein, Human Resources Director
EMPLOYEE ORGANIZATIONS: International Brotherhood of Electrical Workers, Local 1245 (IBEW), Electric Utility Professional Association of Alameda (EUPA), Alameda City Employees Association (ACEA), Alameda Police Officers Association Non-Sworn Unit (PANS), and Alameda Management and Confidential Employees Association (MCEA)
UNDER NEGOTIATION: Salaries and Terms of Employment
 - 3-D [2018-6074](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code section 54956.8)
[\(20 minutes\)](#) PROPERTY: Northwest Territories, Alameda Point
CITY NEGOTIATOR: David L. Rudat, Interim City Manager
POTENTIAL TENANT: East Bay Regional Park District

ISSUE UNDER NEGOTIATION: Real Property Negotiations Price and Terms of Payment

4 Announcement of Action Taken in Closed Session, if any

[2018-6108](#) October 16, 2018 Closed Session Announcement

Attachments: [Announcement](#)

5 Adjournment - City Council

SPECIAL CITY COUNCIL MEETING - 6:45 P.M.

Pledge of Allegiance

1 Roll Call - City Council

2 Proclamations

2-A [2018-5259](#) Proclamation Declaring October, 2018 as Childhood Lead Poisoning
[\(5 minutes\)](#) Prevention Week and Code Enforcement Officer Appreciation Week.
(City Manager 2110)

2-B [2018-6075](#) Proclamation Declaring October 2018 as Filipino American History
[\(5 minutes\)](#) Month. (City Manager 2110)

2-C [2018-5261](#) Proclamation Declaring October 21-27, 2018 as Friends of the
[\(5 minutes\)](#) Alameda Free Library Appreciation Week. (City Manager 2110)

3 Adjournment - City Council

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 [2018-5695](#) Proclamation Declaring October 2018 as Italian American History
[\(5 minutes\)](#) Month. (City Manager 2110)

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 [2018-6077](#) Minutes of the Special and Regular City Council Meetings Held on September 18, 2018. (City Clerk)

5-B [2018-6078](#) Bills for Ratification. (Finance)

Attachments: [Bills for Ratification](#)

5-C [2018-5975](#) Recommendation to Receive a Report on the Continuation of the Art in City Hall Program. (City Manager 2110)

Attachments: [Exhibit 1 - 2019 Guidelines](#)

5-D [2018-5986](#) Recommendation to Approve the Request for Qualifications (RFQ) to Reuse the Alameda Carnegie Building. (Economic Development 227)

Attachments: [Exhibit 1 - 2007 Master Plan Report](#)
[Exhibit 2 - Draft RFQ](#)

5-E [2018-5984](#) Recommendation to Award a Contract to Oregon Romtec Inc. in the Amount of \$970,613 for the Krusi Park Recreation Center Replacement Project. (Recreation and Park 280)

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

5-F [2018-5994](#) Recommendation to Authorize the Interim City Manager to Execute a Second Amendment to the Agreement with Nute Engineering, to Extend the Term One Year and Increase Compensation in an Amount Not to Exceed \$394,390 for a Total Agreement Compensation Not to Exceed \$727,459 for Engineering Design Services for Cyclic Sewer Rehabilitation Project, Phase 16. (Public Works 602)

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

5-G [2018-5985](#) Adoption of Resolution Amending the General Fund and the Capital Improvement Program Budget for Fiscal Year 2018-19 for the Jean Sweeney Open Space Park Project to Fund Immediate Possession of Four Remnant Parcels Totaling Approximately 2.8 Acres Owned by Union Pacific; and

Recommendation to Direct the City Attorney to Deposit the Sum of \$1,098,000 with the Condemnation Deposits Fund and Seek an Order for Prejudgment Possession of the Subject Property. (Recreation and Parks 310)

Attachments: [Exhibit 1 - Map of Remnant Parcels](#)
[Resolution](#)

- 5-H** [2018-5988](#) Recommendation to Expand the Façade Grant Program Boundaries;
and
- Adoption of Resolution Amending the Fiscal Year 2018-19 Base Reuse Fund Budget to Appropriate \$50,000 for the Façade Grant Program. (Base Reuse 858)

Attachments: [Resolution](#)

- 5-I** [2018-5992](#) Adoption of a Resolution Authorizing the Interim City Manager to Enter into a Joint Exercise of Powers Agreement (JPA) Establishing and Governing Operation of the Collection System Technical Advisory Committee, and a Defendant's Side Agreement to Facilitate the Environmental Protection Agency Sewer Consent Decree Compliance. (Public Works 602)

Attachments: [Exhibit 1 - 1979 JPA](#)
[Exhibit 2 - 1986 JPA](#)
[Exhibit 3 - New JPA](#)
[Exhibi 4 - Side Agreement](#)
[Resolution](#)

- 5-J** [2018-5974](#) Adoption of Resolution Opposing Proposition 6 on the November 2018 Ballot, which would Repeal the Recent Gas Tax Increase and Eliminate \$15 Million in Transportation Funding for Alameda. (City Manager 2110)

Attachments: [Exhibit 1 - Impacts of Proposition 6](#)
[Resolution](#)

- 5-K** [2018-6041](#) Adoption of Resolution Supporting Proposition 2 on the November 2018 Ballot, which would Authorize the State of California to Use Revenue from Previously Authorized Bonds to Fund Existing Housing Programs for Individuals with Mental Illness. (City Manager 2110)

Attachments: [Resolution](#)

- 5-L** [2018-6073](#) Final Passage of Ordinance Amending the Alameda Municipal Code By Adding Article 4-60 (Minimum Wage) to Chapter IX (Regulations Concerning Trade and Commerce) Concerning A Citywide Minimum Wage to Raise Alameda's Minimum Wage to \$15.00 Per Hour by 2020.

6 Regular Agenda Items

- 6-A** [2018-6009](#) Adoption of Resolutions Appointing Rona Rothenberg as a Member of
[\(5 minutes\)](#) the Planning Board and Reappointing Audrey Hyman as a Member of
the Social Service Human Relations Board.
- 6-B** [2018-5910](#) Presentation by Friends of the Alameda Animal Shelter (FAAS) -
[\(15 minutes\)](#) Annual Progress Report. (City Manager 2110)
Attachments: [Exhibit 1 - Annual Report](#)
 [Exhibit 1 - REVISED Annual Report](#)
 [Exhibit 2 - 4th Quarter Report](#)
 [Exhibit 3 - Mid-Year Report](#)
 [Exhibit 4 - Leash Your Dog Flyer](#)
 [Exhibit 5 - FAAS Staffing](#)
 [Exhibit 6 - Agreement](#)
- 6-C** [2018-6038](#) Recommendation to Accept Informational Report on Activities,
[\(30 minutes\)](#) Quarterly Meetings and Issues Related to the Oakland International
Airport. (Community Development 481005)
Attachments: [Presentation](#)
- 6-D** [2018-6035](#) Introduction of Ordinance Authorizing the Interim City Manager to
[\(15 minutes\)](#) Execute Documents Necessary to Implement a Ten-Year Lease with
SpinLaunch Inc., a California Corporation, for Building 530, Located
at 120 West Oriskany Avenue at Alameda Point. (Base Reuse 819099)
Attachments: [Exhibit 1 - Premises](#)
 [Exhibit 2 - Draft Form Lease](#)
 [Ordinance](#)
- 6-E** [2018-6007](#) SUMMARY: Public Hearing to Facilitate a Tax-Exempt Bond Financing
[\(20 minutes\)](#) for Acquisition, Construction, Improvement, and Equipping of the Site
A Affordable Family and Senior Projects by Eden Housing
- Public Hearing Under the Tax Equity and Fiscal Responsibility Act
(TEFRA) to Consider Adoption of Resolution Approving the Issuance
of Revenue Bonds by the California Municipal Finance Authority in an
Aggregate Principal Amount Not to Exceed \$45,000,000 to Finance a
70-Unit Multifamily Rental Housing Facility for Low- and Very
Low-Income Families for the Benefit of Eden Housing Inc., or a
Limited Partnership to be Established by Eden Housing Inc. (or an
Affiliate); and
- Adoption of Resolution Approving the Issuance of Revenue Bonds by
the California Municipal Finance Authority in an Aggregate Principal
Amount Not to Exceed \$40,000,000 to Finance a 60-Unit Multifamily
Rental Housing Facility for Low- and Very Low-Income Seniors for the

Benefit of Eden Housing Inc., or a Limited Partnership to be Established by Eden Housing Inc. (or an Affiliate). These Revenue Bonds will provide for the financing of the Site A Affordable Family and Senior Projects. (Base Reuse 819099)

Attachments: [Exhibit 1 - Project Funding Sources](#)
[Resolution - Family Housing Site A](#)
[Resolution - Senior Housing Site A](#)

- 6-F** [2018-6032](#) Public Hearing to Consider Adoption of Resolution Calling a Special
[\(15 minutes\)](#) Election Regarding Alteration of the Rate and Method of Apportionment
of Special Taxes for Community Facilities District No. 17-1 (Alameda
Point Public Services District); and

Adoption of Resolution Amending the Fiscal Year 2018-19 Budget for the Community Facilities District 17-1 Fund by Increasing Estimated Revenue by \$174,051 and Increasing the Expenditure Budget by \$35,000. (Base Reuse 819099)

Attachments: [Resolution - Special Election](#)
[Resolution - Budget](#)

- 6-G** [2018-6060](#) Adoption of Resolution Amending Master Fee Resolution No. 12191 to
[\(60 minutes\)](#) Revise Fees to Add New Cannabis Business Operator and Regulatory
Fees;

Public Hearing to Consider Introduction of Ordinance Amending the Alameda Municipal Code by Amending Section 30-10 (Cannabis) to (1) Add Cannabis Retail Businesses as Conditionally Permitted Uses in the C-1, Neighborhood Business and C-M, Commercial-Manufacturing Zoning Districts; (2) Add Two Delivery-Only Cannabis Retail Businesses as a Conditionally Permitted Use in the C-M, Commercial-Manufacturing Zoning District; (3) Amend Certain Portions of the Zoning Code to Enable Cannabis Retail Businesses to Dispense Non-Medicinal or "Adult Use" Cannabis; and (4) Amend Certain Portions of the Zoning Code to Eliminate the Dispersion Requirement for Delivery-Only Cannabis Businesses;

Introduction of Ordinance Amending the Alameda Municipal Code by Amending Article XVI (Cannabis Businesses) of Chapter VI (Businesses, Occupations and Industries) to (1) Eliminate the Cap on Testing Laboratories; (2) Add Two Delivery-Only Dispensaries; (3) Allow Adult Use; (4) Create a Two-Tier Buffer Zone from Sensitive Uses for Dispensaries and Cultivation Businesses; and (5) Make Other Clarifying Revisions; and

Recommendation to Confirm Continued Use of Request for Proposal (RFP) Process to Administer Cannabis Retail Dispensary Business Operators' Permit Selection Process. (Economic Development)

Attachments: [Exhibit 1 - Fee Study](#)
[Exhibit 2 - Map of Zones](#)
[Exhibit 3 - Letter](#)
[Resolution](#)
[Ordinance -Cannabis](#)
[Ordinance -Cannabis Businesses](#)
[Correspondence - Updated 10-16](#)
[Presentation](#)

- 6-H** [2018-5990](#) Recommendation to Accept \$1,876,823 Grant from the Staffing for Adequate Fire and Emergency Response (SAFER) Program; and
[\(20 minutes\)](#)

Adoption of Resolution Amending the Fiscal Year 2018-19 Fire Grants Fund Revenue and Expenditures Budget by \$3,043,494, Each, and the General Fund Expenditures Budget by \$1,166,671 to Allocate the Required Matching Funds per the Grant Requirement. (Fire 220)

Attachments: [Exhibit 1 - Award Package](#)
[Resolution](#)

- 7** **City Manager Communications - Communications from City Manager**
- 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**
- 10** **Council Communications - Councilmembers can address any matter not on the agenda, including reporting on conferences or meetings**
- 10-A** [2018-6076](#) Consideration of Mayor's Nomination for Appointment to the Library Board, Planning Board and Social Service Human Relations Board.
- 11** **Adjournment - City Council**

- Meeting Rules of Order are available at <https://alamedaca.gov/node/5822>
- 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.