



City of Alameda

Meeting Agenda

City Council

Tuesday, February 19, 2019

7:00 PM

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

REVISED SPECIAL MEETING - CLOSED SESSION - 5:00 P.M.

Note: The title for Item 3-D was revised on February 12, 2019 at 4:45 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** [2019-6554](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code section 54956.8)
PROPERTY: 120 W Oriskany, Building 530, Alameda, CA 94501
CITY NEGOTIATORS: Nanette Mocanu, Assistant Community Development Director, and Ted Anderson, Cushman & Wakefield
NEGOTIATING PARTIES: Nautilus Data Technologies, Inc. and Hot Rod Shop Inc.
ISSUE UNDER NEGOTIATION: Price and Terms of Payment

 - 3-B** [2019-6552](#) 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 Defendant - City Exposure to Legal Action)

 - 3-C** [2019-6471](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9, Subsection (c)
Number of Cases: One (As Plaintiff- City of Alameda Initiating Legal Action)

 - 3-D** [2019-6516](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code section 54956.8)
PROPERTY: Ballena Isle Upland Parcel APN 74-1025-3
CITY NEGOTIATORS: David L. Rudat, Interim City Manager; Debbie Potter, Base Reuse and Community Development Director; Lois Butler, Economic Development Manager; Lisa Maxwell, Assistant City Attorney; Maurice Robinson, Maurice Robinson & Associates LLC

POTENTIAL TENANT: West River, Inc.
CURRENT TENANT: SHM Ballena Isle, LLC
ISSUE UNDER NEGOTIATION: Real Property Negotiations Price and Terms

- 3-E [2019-6553](#) CONFERENCE WITH LABOR NEGOTIATORS (Government Code section 54957.6)
CITY NEGOTIATORS: David L. Rudat, Interim City Manager, and Nancy Bronstein, Human Resources Director
EMPLOYEE ORGANIZATIONS: International Brotherhood of Electrical Workers, Local 1245 (IBEW), and Executive Management Employees (EXME)
UNDER NEGOTIATION: Salaries and Terms of Employment
- 3-F [2019-6538](#) CONFERENCE WITH LEGAL COUNSEL - LIABILITY CLAIMS (Pursuant to Government Code § 54956.95)
Claimant: Jeffrey DelBono
Agency claimed against: City of Alameda

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

[2019-6596](#) February 19, 2019 Closed Session Announcement

Attachments: [Announcement](#)

5 **Adjournment - City Council**

SPECIAL MEETING - 6:59 P.M.

Note: The special meeting agenda was added on February 12, 2019 at 4:45 p.m.

Pledge of Allegiance

1 **Roll Call - City Council**

2 **Agenda Item**

- 2-A [2019-6571](#) Recommendation to Approve Agreement Appointing Eric J. Levitt as City Manager Effective April 12, 2019. (Human Resources 2510)

Attachments: [Exhibit 1- Contract](#)

3 **Adjournment - City Council**

REVISED REGULAR CITY COUNCIL MEETING - 7:00 P.M.

Note: Item 6-C was withdrawn on February 12, 2019 at 4:45 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 [2019-6442](#) Proclamation Declaring February 2019 as Black History Month. (City Manager 2110)
- 3-B [2019-6520](#) Presentation by the Alameda County Mosquito Abatement District.
Attachments: [85th and 86th Annual Reports Presentation](#)
- 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 [2019-6556](#) Minutes of the Special and Regular City Council Meetings Held on January 15, 2019; the Special Meetings Held on January 21, 2019, January 31, 2019 and February 1, 2019; and the Continued January 31, 2019 Special City Council Meeting Held on February 1, 2019. (City Clerk)
- 5-B [2019-6557](#) Bills for Ratification. (Finance)
Attachments: [Bills for Ratification](#)
- 5-C [2019-6490](#) Recommendation to Authorize the Interim City Manager to Execute a Fourth Amendment with Parsons Transportation Group, Inc., to Increase Compensation by \$40,000, for a Total Aggregate Compensation Not to Exceed \$134,999, to Continue Providing Technical and Strategic Engineering Support for Major Transportation Projects. (Transportation 4227287)
Attachments: [Exhibit 1 - Previous Agreements](#)
[Exhibit 2 - Fourth Amendment](#)
- 5-D [2019-6509](#) Recommendation to Accept the Quarterly Report for the Period Beginning July 1, 2018 through December 31, 2018, on 1) Litigation and Liability Claims Settlements, and 2) Whether Any Records Previously Withheld from Disclosure Have Now Become Available to the Public. (City Attorney 7120)

Attachments: [Exhibit 1 - Claims and Litigation Settlement Report](#)

- 5-E [2019-6491](#) Recommendation to Authorize the Interim City Manager to Execute a One-Year Agreement, with the Option of Four One-Year Extensions, for an Amount, Including Contingency, not to Exceed \$366,178, for a Total Five-Year Expenditure not to Exceed \$1,905,604.88 to Schaaf & Wheeler for Engineering Design Services for Storm Drain Pump Station Electrical Upgrades. (Public Works 351)

Attachments: [Exhibit 1 - Contract](#)

- 5-F [2019-6492](#) Recommendation to Authorize the Interim City Manager to Execute a First Amendment in the Amount of \$9,500 with NBS for a Total Expenditure Under the Agreement, as Awarded, of \$28,000 for Phase 2 of the Process to Ballot Property Owners for Assessment Increases in the Island City Landscaping and Lighting District 84-2, Zone 4; and

Adoption of a Resolution Amending Fiscal Year 2018-19 Operating Budget for the Island City Landscape and Lighting District Zone 4 Fund. (Public Works 275.4)

Attachments: [Exhibit 1 - Original Contract](#)
[Exhibit 2 - First Amendment](#)
[Resolution](#)

- 5-G [2019-6469](#) Adoption of Resolution Appointing an Engineer-of-Work and an Attorney-of-Record for Island City Landscaping and Lighting District 84-2. (Public Works 279)

Attachments: [Exhibit 1 - Zone Maps](#)
[Resolution](#)

- 5-H [2019-6470](#) Adoption of Resolution Appointing an Engineer-of-Work and an Attorney-of-Record for Maintenance Assessment District 01-1 (Marina Cove). (Public Works 276)

Attachments: [Exhibit 1 - District Map](#)
[Resolution](#)

- 5-I [2019-6493](#) Adoption of Resolution Approving a Compensation Plan Between Alameda Municipal Power Unrepresented Management (AMPU) Employees and the City of Alameda for the Period Commencing December 27, 2018 through June 30, 2022. (Human Resources 2510)

Attachments: [Exhibit 1 - Compensation Plan \(Redline\)](#)
[Exhibit 2 - Compensation Plan](#)
[Exhibit 3 - Public Utilities Board Resolution 5157](#)
[Resolution](#)

- 5-J** [2019-6494](#) Adoption of Resolution Approving a Memorandum of Understanding (MOU) Between the City of Alameda and the Electric Utility Professionals Association of Alameda (EUPA) for a Forty-Two Month Term Commencing December 27, 2018, and Ending June 30, 2022. (Human Resources 2510)
- Attachments:** [Exhibit 1 - MOU \(Redline\)](#)
 [Exhibit 2 - MOU](#)
 [Exhibit 3 - Public Utilities Board Resolution 5156](#)
 [Resolution](#)
- 5-K** [2019-6501](#) Adoption of Resolution Approving Parcel Map No. 10924 - A Parcel Map for the Proposed Subdivision on a 2.81 Acre Parcel at 2175 North Loop Road into Two Commercial Condominium Units and to Create One Common Area Parcel for Associated Parking and Landscaping. (Planning, Building & Transportation 209)
- Attachments:** [Exhibit 1 - Parcel Map No. 10924](#)
 [Resolution](#)
- 5-L** [2019-6515](#) Adoption of Resolution Authorizing the Interim City Manager to Execute the Landing Rights Agreement License to Land at Harbor Bay Ferry Terminal by and Between San Francisco Bay Area Water Emergency Transportation Authority and Tideline Marine Group. (Base Reuse and Community Development)
- Attachments:** [Exhibit 1 - Landing Rights Agreement](#)
 [Exhibit 2 - Certificate of Inspection](#)
 [Exhibit 3 - Letter Regarding ADA Compliance](#)
 [Resolution](#)
- 5-M** [2019-6503](#) Introduction of Ordinance Authorizing the Interim City Manager to Negotiate and Execute a Fifteen-Year Lease with Ten- and Five-Year Options to Extend, Substantially in the Form of the Attached, with Nautilus Data Technologies, Inc., a Delaware Corporation, for Building 530, an 82,251-Square Foot Building Located at 120 West Oriskany Avenue, and the Adjacent Building 600, an 343-Square Foot Building, at Alameda Point. (Base Reuse 819099)
- Attachments:** [Exhibit 1 - Premises](#)
 [Exhibit 2 - Form of Lease](#)
 [Ordinance](#)
 [Correspondence - Updated 2-19](#)

6 Regular Agenda Items

- 6-A** [2019-6472](#) Public Hearing to Consider the Formation of the Otis/Broadway

Underground Utility District (UUD); and

Adoption of Resolution Establishing the Otis/Broadway Underground Utility District. (Alameda Municipal Power)

Attachments: [Exhibit 1 - District Map](#)
[Exhibit 2 - Survey Results](#)
[Presentation](#)
[Resolution](#)

- 6-B** [2019-6518](#) Adoption of Resolution Approving a Change in Dental Benefits for Public Safety Retirees Who Currently Receive Dental Benefits Through Memorandas of Understanding with the City of Alameda's Four Public Safety Bargaining Units (International Association of Firefighters, Alameda Fire Chiefs Association, Alameda Police Officers Association and Alameda Police Management Association) Effective January 1, 2019. (City Manager 2110)
- Attachments:** [Exhibit 1 - Actuarial Valuation](#)
[Exhibit 2 - June 20, 2018 Actuarial Valuation Report](#)
[Exhibit 3 - Government Code Section 7507](#)
[Acknowledgment](#)
[Resolution](#)
- 6-C** [2019-6522](#) WITHDRAWN Introduction of Ordinance Amending the Alameda Municipal Code by Amending: (1) Section 2-17 of Chapter II (Administration) to Revise the Housing and Building Code Hearing and Appeals Commission; (2) Section 1-7.9 of Chapter I (General) to Revise Hearing Procedures for General Municipal Code Violations; and (3) Section 2-44.1 of Chapter II to Change the Title Chief Building Inspector to Building Official. (Community Development - Building 209) [Will not be heard]
- Attachments:** [Exhibit 1 - Ordinance \(Redline\)](#)
[Ordinance](#)
- 6-D** [2019-6567](#) Recommendation to Discuss and Potentially Take Action Concerning the Open Government Commission's (OGC) Decision Directing that Ordinance Nos. 3227 and 3228 (Relating to Cannabis Businesses) are "Null and Void", including Without Limitation Any Combination of the Following: (1) Take No Action, thereby Confirming that Ordinance Nos. 3227 and 3228 Remain in Full Force and Effect, (2) Adopt a Motion to Implement the Open Government Commission's Null-and-Void Decision, thereby Expressing Council's Concurrence that the Ordinances are Null and Void, (3) Direct Staff to Notice a Public Hearing Concerning the Repeal (if necessary) of Ordinance Nos. 3227 and 3228 and/or the Replacement of Such Ordinances With

the Same or Similar Provisions, (4) Direct Staff to Prepare Amendments to the Sunshine Ordinance to Address Concerns Noted in this Agenda Report, including the Exhibit Files, or Raised at the Meeting, or (5) Any Other Related Actions Proposed by Council.

Attachments: [Exhibit 1 - OGC Administrative File \(Case Nos. 18-02 and 19-01\)](#)
[Exhibit 1 Addendum](#)
[Exhibit 2 - January 15, 2019 Council Agenda, Staff Report, and Excerpted Minutes](#)
[Correspondence - Updated 2-19](#)

- 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**
- 9-A** [2019-6521](#) Consider Establishing a Finance Commission and an Infrastructure Commission. (Councilmember Daysog)
- 10 Council Communications - Councilmembers can address any matter not on the agenda, including reporting on conferences or meetings**
- 10-A** [2019-6551](#) Consideration of Mayor's Nomination for Appointment to the Recreation and Parks Commission, Social Service Human Relations Board and Transportation Commission.
- 11 Adjournment - City Council**

- Meeting Rules of Order are available at:
<https://www.alamedaca.gov/Departments/City-Clerk/Key-Documents#section-2>
- Translators and sign language interpreters will be available on request. Please contact the City Clerk at 510-747-4800 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 either prior to, or at, the Council meeting.
- Accessible seating for persons with disabilities, including those using wheelchairs, is available.
- 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.
- Minutes of the meeting available in enlarged print.
- The meeting will be broadcast live on the City's website:
<https://www.alamedaca.gov/GOVERNMENT/Agendas-Minutes-Announcements>
- Documents related to this agenda are available for public inspection and copying at of 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.