



City of Alameda

Meeting Agenda

City Council

Tuesday, April 2, 2019

7:00 PM

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

SPECIAL CITY COUNCIL MEETING - 5:00 P.M.

Pledge of Allegiance

1 Roll Call - City Council

2 Agenda Item

2-A [2019-6344](#) Recommendation to Provide Direction to Staff Regarding Various Amendments to the City's Rent Review, Rent Stabilization, and Limitations on Evictions Ordinance (No. 3148) Which May Include Amending Various Sections of Article XV of Chapter VI Concerning Review of Rent Increases, Limitations on Evictions, Eliminating the Sunset Clause, and Making Clarifying Amendments; and

Public Hearing to Consider an "Ellis Act" Policy and Adoption of Resolution Adopting a Policy Concerning the Requirements, Procedures, Restrictions and Mitigations Concerning the Withdrawal of Residential Rental Units From Rent or Lease (Ellis Act Policy). (Housing 265)

Attachments: [Exhibit 1 - Ellis Act Policy](#)
[Exhibit 2 - Summary of Council Direction and Staff Recommendations](#)
[Exhibit 3 - Additional Staff Recommendations](#)
[Exhibit 4 - Rent Stabilization Ordinance Review Resolution](#)
[Correspondence](#)
[Presentation](#)

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** [2019-6697](#) Proclamation Declaring April 2019 as Parkinson's Awareness Month. (City Manager 2110)
- 3-B** [2019-6703](#) Proclamation Declaring April 8 through April 12, 2019 at National Boys and Girls Club Week. (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** [2019-6727](#) Minutes of the Special and Regular City Council Meetings Held on March 5, 2019. (City Clerk)
- 5-B** [2019-6721](#) Bills for Ratification. (Finance)
Attachments: [Bills for Ratification](#)
- 5-C** [2019-6679](#) Recommendation to Authorize the Interim City Manager to Accept the Work of TriPointe Homes, for Tract 8131, Alameda Landing Phases I, II, and III. (Public Works 4210310)
- 5-D** [2019-6696](#) Recommendation to Authorize the Interim City Manager to Award a One-Year Contract in the Amount Not to Exceed \$128,230, including Contingency, to Ninyo & Moore for the Cross Alameda Trail/Ralph Appezzato Memorial Parkway Improvements, No. P.W. 03-18-11. (Public Works 310)
Attachments: [Exhibit 1 - Contract](#)
- 5-E** [2019-6666](#) Adoption of Resolution Amending the City of Alameda Emergency Operations Plan (EOP). (Fire 3240)
Attachments: [Exhibit 1 - 2019 EOP Basic Plan Draft Resolution](#)
- 5-F** [2019-6689](#) Introduction of Ordinance Authorizing the Interim City Manager to Execute a Fifteen-Year Lease with Two 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 529, a 3,200-Square Foot Building, and

Building 600, a 343-Square Foot Building, at Alameda Point. (Base Reuse 819099)

Attachments: [Exhibit 1 - Premises](#)
[Exhibit 2 - Form of Lease](#)
[Exhibit 3 - Letter of Interest](#)
[Exhibit 4 - Trade Council Letter of Support](#)
[Exhibit 5 - Water Intake and Discharge Paths](#)
[Exhibit 6 - Stockton Environmental Approvals](#)
[Exhibit 7 - Permit Agencies and Requirements Ordinance](#)
[Presentation by Nautilus](#)

- 5-G** [2019-6614](#) Continued Public Hearing (of Item 6-E on the March 19, 2019 City Council Agenda) to Consider Adoption of Resolution Denying the Appeal and Remanding the Design Review for a 96-Room Hotel with 62 Parking Spaces at 1825 Park Street (PLN17-0538) for Further Consideration by the Planning Board (for Reasons Independently Considered by the City Council that Were Not Raised in the Appeal). (Planning, Building & Transportation 481005) [Please note: Public Comment was closed on March 19, 2019]

Attachments: [Exhibit 1 - Petition for Appeal](#)
[Exhibit 2 - Planning Board Resolution and Staff Report](#)
[Exhibit 3 - Project Plans](#)
[Exhibit 4 - Demand Study](#)
[Exhibit 5 - Valet Parking Plan](#)
[Exhibit 6 - Economic Development Strategy Memorandum Presentation](#)
[Resolution](#)

6 Regular Agenda Items

- 6-A** [2019-6691](#) Introduction of Ordinance Amending the Alameda Municipal Code by Eliminating the Sunset Clause (December 31, 2019) from Ordinance No. 3148 (City of Alameda Rent Review, Rent Stabilization, and Limitations on Evictions Ordinance). (Rent Stabilization 265)

Attachments: [Ordinance](#)

- 6-B** [2019-6634](#) WITHDRAWN - Recommendation to Review the Rent Review Advisory Committee (RRAC) Case regarding the Rent Increase at 434 Central Avenue, Apartment 111, and Issue a Non-Binding Decision. (Rent Stabilization 265) [Note: The landlord rescinded the rent increase.]

Attachments: [Exhibit 1 - Tenant Filing](#)
[Exhibit 2 - Landlord Filing](#)
[Exhibit 3 - February 4, 2019 RRAC Minutes](#)
[Exhibit 4 - Letters - RRAC Decision](#)
[Exhibit 5 - Tenant's Request for Council Review](#)
[Exhibit 6 - Landlord's Request for Council Review](#)
[Correspondence from Landlord](#)

6-C [2019-6693](#) SUMMARY: Consider Four Cannabis Related Ordinances (as directed by the City Council on February 19, 2019) and Provide Direction on Phasing Cannabis Permits as Follows: Two Ordinances (A and B) to Repeal the Existing Cannabis Regulations; following a Public Hearing, Two Ordinances (C and D) to Adopt the Same or Similar Regulations; and Consider Phasing the Number of Dispensary/Delivery Permits through the Request for Proposals Process

Recommendation to Consider (A) Introduction of Ordinance to Repeal in Its Entirety Ordinance No. 3227 Concerning Cannabis Regulations in Alameda Municipal Code Article XVI (Cannabis Businesses) of Chapter VI (Businesses, Occupations and Industries) that, Among Other Things, Establishes the Number of Retail Cannabis Dispensaries to be Open to the Public (including Delivery), Disperses Their Operations, Creates a Buffer Zone from Sensitive Uses, and Permits the Sale of Non-Medicinal Cannabis;

(B) Introduction of Ordinance to Repeal in Its Entirety Ordinance No. 3228 Concerning Land Use Requirements in the Zoning Ordinance of Alameda Municipal Code Section 30-10 (Cannabis) that, Among Other Things, Permits Retail Cannabis Dispensaries in Certain Zoning Districts Subject to a Conditional Use Permit and Permits the Sale of Non-Medicinal Cannabis in Certain Zoning Districts;

Public Hearing to Consider: (C) Introduction of Ordinance Concerning Cannabis Regulations in Alameda Municipal Code Article XVI (Cannabis Businesses) of Chapter VI (Businesses, Occupations and Industries) that, Among Other Things, Establishes the Number of Retail Cannabis Dispensaries to be Open to the Public (including Delivery), Disperses Their Operations, Creates a Buffer Zone from Sensitive Uses, and Permits the Sale of Non-Medicinal Cannabis;

(D) Introduction of Ordinance Concerning Land Use Requirements in the Zoning Ordinance of Alameda Municipal Code Section 30-10 (Cannabis) that, Among Other Things, Permits Retail Cannabis

Dispensaries in Certain Zoning Districts Subject to a Conditional Use Permit and Permits the Sale of Non-Medicinal Cannabis in Certain Zoning Districts; and

Consider Phasing the Number of Dispensary/Delivery Permits through the Request for Proposals Process. (Community Development 481007)

Attachments: [Exhibit 1- Open Government Decision](#)
[Exhibit 2 - Draft 2-19-2019 City Council Minutes](#)
[Exhibit 3 - Map of Zones](#)
[Exhibit 4 - Letter](#)
[Exhibit 5 - Redlined Land Use Ordinance \(C\)](#)
[Exhibit 6 - Redlined Regulatory Ordinance \(D\)](#)
[Ordinance \(A\) - Land Use - Repeal](#)
[Ordinance \(B\) - Regulatory - Repeal](#)
[Ordinance \(C\) - Land Use](#)
[Ordinance \(D\) - Regulatory](#)
[Correspondence](#)

- 6-D** [2019-6720](#) Recommendation to Approve Agreement Appointing Eric J. Levitt as City Manager Effective April 10, 2019. (Human Resources 2510)
Attachments: [Exhibit 1 - Contract](#)
- 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** [2019-6718](#) Status of the Emma Hood Swim Center at Alameda High School.
- 10-B** [2019-6627](#) Review and Discuss Charter Amendment Timeline and Issues Proposed by the Council Subcommittee. [Continued from March 19, 2019 to April 2, 2019]
Attachments: [Process and Meeting Plan](#)
- 10-C** [2019-6641](#) February 2019 Topic Brief on Climate Action and Embodied Emissions. [Informational Only] (Councilmember Oddie) [Continued from March 19, 2019 to April 2, 2019]

Attachments: [Topic Brief](#)

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.

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