



# City of Alameda

## Meeting Agenda

### City Council

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Tuesday, May 7, 2019

7:00 PM

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

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#### **SPECIAL MEETING OF THE CITY COUNCIL AND THE ALAMEDA PUBLIC FINANCING AUTHORITY (APFA) - 6:59 P.M.**

**1 Roll Call - City Council/APFA**

**2 Consent Calendar**

**2-A** [2019-6852](#) Minutes of the Special Alameda Public Financing Authority Meeting  
Held on September 4, 2018. [APFA] (City Clerk)

**2-B** [2019-6781](#) SUMMARY: Authorize the City Manager to Execute an Extension of  
the Letter of Credit Related to Two Types of Revenue Bonds for  
Alameda Point Improvement Project

Recommendation to Authorize the City Manager to Execute an  
Extension of the Letter of Credit with the Combined Entity, Mitsubishi  
UFJ Financial Group (MUFG) Union Bank, N.A., Related to the Current  
Outstanding \$6,200,000 Alameda Public Financing Authority (APFA)  
Variable Rate Demand Revenue Bonds (Alameda Point Improvement  
Project), 2003 Series A, and the Current Outstanding \$3,200,000  
APFA Taxable Variable Rate Demand Revenue Bonds (Alameda Point  
Improvement Project), 2003 Series B, with Updated Terms and  
Conditions. [City Council and APFA] (Finance 2410)

**Attachments:** [Exhibit 1 - Standby Letter of Credit](#)

**3 Adjournment - City Council/APFA**

#### **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** [2019-6447](#) Proclamation Declaring May 2019 as Alameda Bike-to-Work Day.

(City Manager 2110)

- 3-B**    [2019-6698](#)    Proclamation Declaring May 9 through 19, 2019 as Affordable Housing Week. (City Manager 2110)
- 3-C**    [2019-6809](#)    Proclamation Declaring May 5 through May 11, 2019 as Small Business 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**    [2019-6844](#)    Minutes of the Special and Regular City Council Meetings Held on April 2, 2019. (City Clerk)
- 5-B**    [2019-6851](#)    Bills for Ratification. (Finance)  
**Attachments:**    [Bills for Ratification](#)
- 5-C**    [2019-6137](#)    Recommendation to Accept the Quarterly Sales Tax Report for the Reporting Period Ending September 30, 2018 (Funds Collected During the Period April 1, 2018 to June 30, 2018). (Finance 2410)  
**Attachments:**    [Exhibit 1 - Quarterly Sales Tax Report](#)
- 5-D**    [2019-6444](#)    Recommendation to Accept the Quarterly Sales Tax Report for the Reporting Period Ending December 31, 2018 (Funds Collected During the Period July 1, 2018 to September 30, 2018). (Finance 2410)  
**Attachments:**    [Exhibit 1 - Quarterly Sales Tax Report](#)
- 5-E**    [2019-6748](#)    Recommendation to Approve the State and Federal Legislative Agenda for the City of Alameda. (City Manager 2110)  
**Attachments:**    [Exhibit 1 - Draft Redlined Legislative Agenda](#)
- 5-F**    [2019-6847](#)    Recommendation to Authorize Councilmember Malia Vella to be Absent for More than Thirty Days Consecutively in 2019 in Compliance with Section 2-9 of the Alameda City Charter. (City Manager 2110)  
**Attachments:**    [Exhibit 1 - Charter Section 2-9](#)
- 5-G**    [2019-6789](#)    Recommendation to Authorize the City Manager to Execute a 24-Month Agreement with Ghirardelli Associates for Construction Management Services for the Seaplane Lagoon Ferry Terminal Project at Alameda Point, in an Amount Not to Exceed \$452,904. (Public Works 310/Base Reuse 91814)  
**Attachments:**    [Exhibit 1 - Service Provider Agreement](#)

- 5-H**     [2019-6794](#)     Recommendation to Authorize the City Manager to Execute a Contract Amendment with Ray's Electric for the Park Street Corridor Safety and Operations Improvement Project, No. P.W. 03-15-03, in an Amount Not to Exceed \$99,750, Including Contingency, for a Total Expenditure Under the Agreement, of \$429,830. (Public Works 91170)
- Attachments:**     [Exhibit 1 - Original Agreement](#)  
                                  [Exhibit 2 - Contract Amendment](#)
- 5-I**     [2019-6795](#)     Recommendation to Authorize the City Manager to Execute a First Amendment of the Service Provider Agreement with Eastern Research Group for Continued Climate Action and Resiliency Plan Services by Extending the Term Five Months and Increasing the Compensation in an Amount Not to Exceed \$78,542, Including Contingency, for a Total Agreement Expenditure of \$378,437; and
- Adoption of Resolution Increasing the Fiscal Year 2018-19 Capital Projects Fund Budget for the Climate Action Plan Project by \$50,000 from the Tidelands Fund. (Public Works 310)
- Attachments:**     [Exhibit 1 - Original Contract](#)  
                                  [Exhibit 2 - First Amendment](#)  
                                  [Resolution](#)
- 5-J**     [2019-6796](#)     Recommendation to Authorize the City Manager to Execute an Agreement with MCK Services, Inc. for the Repair and Resurfacing of Portions of Otis Drive and Pacific Avenue, No. P.W. 03-15-02, in an Amount, Including Contingency, Not to Exceed \$1,392,537.60; and
- Adoption of Resolution Amending the Fiscal Year 2018-19 Capital Improvement Program Budget by Defunding Revenue and Appropriations in the Pavement Management Project 91810 by \$750,000 Each and Increasing Revenue and Appropriations for Otis Drive and Pacific Avenue Resurfacing Project 91347 by \$750,000 Each. (Public Works 310)
- Attachments:**     [Exhibit 1 - Contract](#)  
                                  [Resolution](#)
- 5-K**     [2019-6797](#)     Recommendation to Authorize the City Manager to Execute a One-Year Agreement with MCK Services, Inc. for Repair and Resurfacing of Approximately Three Miles of Streets, Phase 38, No. P.W. 02-19-03, in an Amount Not to Exceed \$4,016,266.80, Including Contingency, with the Option of Four One-Year Extensions, for a Total Five-Year Expenditure Not to Exceed \$20,900,813.73; and
- Adoption of Resolution Amending the Fiscal Year 2018-19 Capital

Improvement Program Budget by Defunding Revenue and Appropriations in the Pavement Management Project 91610 (2015-17 Capital Budget) by \$613,000 Each and Increasing Revenue and Appropriations for Pavement Management Project 91810 (2017-19 Capital Budget) by \$613,000 Each. (Public Works 310)

**Attachments:** [Exhibit 1 - Contract Resolution Correspondence - Updated 5-7](#)

- 5-L [2019-6771](#) Adoption of Resolution Approving a Revised Executive Management Compensation Plan for the Period Commencing December 27, 2018 and Ending June 30, 2022; and

Adoption of Resolution Amending the Executive Management Employees Salary Schedule to Establish the Classification of Planning, Building and Transportation Director and to Delete the Director of Base Reuse Classification. (Human Resources 2510)

**Attachments:** [Exhibit 1 - Compensation Plan](#)  
[Exhibit 2 - Compensation Plan - Redlined Version](#)  
[Exhibit 3 - Draft Salary Schedule](#)  
[Resolution - Compensation Plan](#)  
[Resolution - Salary](#)

- 5-M [2019-6787](#) Adoption of Resolution Amending Fiscal Year 2018-19 Base Reuse Fund Budget by Appropriating \$538,128 from the Building Sales Proceeds for Reimbursement for Additional Work Performed While Installing a Portion of the Joint Trench at Alameda Point. (Base Reuse 858)

**Attachments:** [Exhibit 1 - Project Cost Breakdown Resolution](#)

- 5-N [2019-6788](#) Recommendation to Authorize the City Manager to Execute a First Amendment to the Alameda Animal Shelter Services Agreement (Agreement Amendment) with Friends of the Alameda Animal Shelter (FAAS) for Animal Shelter Services Extending the Term by Two Years in an Amount not to Exceed \$1,779,832, including a One-Time Expenditure of \$50,000 in Fiscal Year (FY) 2019-20 for Additional Staff Support, for a Four-Year Total Compensation Not to Exceed \$3,464,800, plus an Escalator in 2020-21 Based on the Bay Area Consumer Price Index; and

Introduction of Ordinance Approving a First Amendment to the Lease Agreement (Lease Agreement) and Authorizing the City Manager to

Execute a First Amendment to the Lease Agreement with Friends of the Alameda Animal Shelter (FAAS) Extending the Term by Two Years with the Same Terms and Conditions, for the Facility located at 1590 Fortmann Way, Alameda, CA 94501. [Requires Four Affirmative Votes] (City Manager 2110)

**Attachments:** [Exhibit 1 - 2011 Lease Agreement](#)  
[Exhibit 2 - 2017 Services Agreement](#)  
[Exhibit 3 - 2017 Lease Agreement](#)  
[Exhibit 4 - 2017-18 Annual Report](#)  
[Exhibit 5 - 2018-19 Mid-Year Report](#)  
[Exhibit 6 - FAAS Audited Financial Statements](#)  
[Exhibit 7 - FAAS 2018 Presentation to City Council](#)  
[Exhibit 8 - 2019 Contract Amendment](#)  
[Exhibit 9 - 2019 Lease Amendment Ordinance](#)

**5-O**     [2019-6778](#)     Introduction of Ordinance Approving a Second Amendment to a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of the Second Amendment to a Lease with Advanced Roofing Services, Inc. for Twenty-Four Months at 1450 Viking Street, Building 612, at Alameda Point. [Requires Four Affirmative Votes] (Base Reuse 819099)

**Attachments:** [Exhibit 1 - Premises](#)  
[Exhibit 2 - Second Amendment](#)  
[Exhibit 3 - First Amendment](#)  
[Exhibit 4 - Original Lease Ordinance](#)

**5-P**     [2019-6772](#)     SUMMARY: Consider Final Passage of Four Cannabis Related Ordinances as Follows: Two Ordinances (A and B) Repeal the Existing Cannabis Regulations; and Two Ordinances (C and D) Adopt the Same Regulations  
Final Passage of Ordinance (A) to Repeal in Its Entirety Ordinance No. 3228 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;  
Final Passage of Ordinance (B) to Repeal in Its Entirety Ordinance No. 3227 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;  
Final Passage of Ordinance (C) 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;  
Final Passage of Ordinance (D) 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. (Community Development 481007)

**Attachments:** [Ordinance \(A\)](#)  
[Ordinance \(B\)](#)  
[Ordinance \(C\)](#)  
[Ordinance \(D\)](#)

- 5-Q**     [2019-6812](#)     Final Passage of Ordinance Amending the Alameda Municipal Code by Amending Various Provisions, Including: (1) Section 2-17 of Chapter II (Administration); (2) Section 1-7 of Chapter I (General); (3) Section 2-44.1 of Chapter II; (4) Section 1-5 (Penalty Provisions; Enforcement) of Chapter I (General); (5) Section 30-23 (Certificate of Occupancy) of Chapter XXX (Development Regulations); and (6) Other Related Amendments Concerning Code Enforcement. (Building 209)

## **6        Regular Agenda Items**

- 6-A**     [2019-6835](#)     Recommendation to Receive a Report on the Status of the Emma Hood Swim Center Repairs and Provide Direction on Options for a City Aquatic Center; and

Adoption of Resolution Amending the General Fund Transfers Out Budget for Fiscal Year 2018-19 by \$250,000 and Capital Projects Fund Transfers In and Appropriations by \$250,000, Each, for Costs Associated with Repair of the Emma Hood Swim Center. (Recreation and Parks 280)

**Attachments:** [Exhibit 1 - Pros and Cons of Potential Locations](#)  
[Exhibit 1 - REVISED Pros and Cons of Potential Locations](#)  
[Presentation](#)  
[Resolution](#)  
[Resolution - REVISED](#)

- 6-B**     [2019-6780](#)     Introduction of Ordinance Authorizing the 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. [Requires Four Affirmative Votes] (Base Reuse 819099) [Continued from April 2, 2019 to May 7, 2019; please note: public comment was closed on April 2, 2019]

**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](#)  
[Presentation by Nautilus](#)  
[Ordinance](#)  
[Correspondence - Updated 5-7](#)

- 6-C**     [2019-6784](#)     Public Hearing to Consider Adoption of the Fiscal Year (FY) 2019-20 Community Development Block Grant (CDBG)/HOME Partnership Investment Program Action Plan and Authorize the City Manager to Negotiate and Execute Related Documents, Agreements, and Modifications at Funding Levels Approved by Congress. (Housing 236)

**Attachments:** [Exhibit 1 - FY 2019-20 Action Plan](#)  
[Exhibit 2 - Summary of Activities](#)  
[Exhibit 3 - Social Service Human Relations Board Letter](#)  
[Presentation](#)

- 6-D**     [2019-6664](#)     Public Hearing to Consider Adoption of Resolution Confirming the Park Street Business Improvement Area (BIA) Annual Assessment Report for Fiscal Year (FY) 2019-20, Changing the BIA Boundaries, and Levying an Annual Assessment on the Park Street BIA. (Community Development 256)

**Attachments:** [Exhibit 1 - Annual Assessment Report](#)  
[Exhibit 2 - Assessment Fee Schedule FY 2019-20](#)  
[Exhibit 3 - Boundaries Map](#)  
[Exhibit 4 - Address List](#)  
[Resolution](#)  
[Correspondence](#)  
[Presentation](#)

**6-E**     [2019-6665](#)     Public Hearing to Consider Adoption of Resolution Confirming the Webster Street Business Improvement Area (BIA) Assessment Report for Fiscal Year (FY) 2019-20 and Levying an Annual Assessment on the Webster Street BIA. (Community Development 256)

**Attachments:** [Exhibit 1 - Annual Assessment Report](#)  
[Exhibit 2 - Assessment Fee Schedule FY 2018-19](#)  
[Exhibit 3 - Boundaries Map](#)  
[Exhibit 4 - Address List](#)  
[Resolution](#)  
[Presentation](#)

**6-F**     [2019-6769](#)     Recommendation to Approve Agreement Appointing Yibin Shen as City Attorney Effective May 13, 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**

**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](mailto: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.