



City of Alameda

Meeting Agenda

City Council

Tuesday, February 18, 2020

7:00 PM

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

SPECIAL MEETING - 5:30 P.M.

- 1 **Roll Call - City Council**
- 2 **Consent Calendar - Items are routine and will be approved by one motion unless removal is requested by the Council or the public**
Consent Calendar -
- 2-A [2020-7692](#) Recommendation to Approve Eric Levitt, City Manager, Gerry Beaudin, Assistant City Manager, Nancy Bronstein, Human Resources Director, and Alan Cohen, Assistant City Attorney, as Labor Negotiators for the City of Alameda. (Human Resources 2510)
- 3 **Public Comment on Closed Session Items - Anyone wishing to address the Council on closed session items may speak for 3 minutes per item**
- 4 **Adjournment to Closed Session to consider:**
- 4-A [2020-7689](#) CONFERENCE WITH LABOR NEGOTIATORS (Government Code section 54957.6)
CITY NEGOTIATORS: Eric Levitt, City Manager; Gerry Beaudin, Assistant City Manager; Nancy Bronstein, Human Resources Director; and Alan Cohen, Assistant City Attorney
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), International Association of Firefighter, Local 689 (IAFF) Alameda Fire Managers Association (AFMA), Alameda Police Officers Association (APOA) and Alameda Police Managers Association (APMA), Executive Management Employees (EXME) and Alameda Municipal Power Unrepresented Management Employees (AMPU)
UNDER NEGOTIATION: Salaries, Employee Benefits and Terms of Employment
Attachments: [Correspondence](#)
- 4-B [2020-7693](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Pursuant to Government Code § 54956.9)
CASE NAME: Boatworks v City of Alameda, et al.
COURT: Superior Court of the State of California, County of Alameda
CASE NUMBERS: RG16823346, RG16841240, RG19041531

- 4-C [2020-7694](#) CONFERENCE WITH LEGAL COUNSEL - LIABILITY CLAIMS
(Pursuant to Government Code § 54956.95)
CLAIMANT: Grand Edibles, Inc.
AGENCY CLAIMED AGAINST: City of Alameda

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

[2020-7744](#) February 18, 2020 Closed Session Announcement

Attachments: [Announcement](#)

6 **Adjournment - City Council**

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

Pledge of Allegiance

- 1 **Roll Call - City Council**
- 2 **Agenda Changes**
- 3 **Proclamations, Special Orders of the Day and Announcements - Limited to 15 minutes**
- 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 [2020-7710](#) Minutes of the Special and Regular City Council Meetings Held on January 21, 2020. (City Clerk)
- 5-B [2020-7714](#) Bills for Ratification. (Finance)
Attachments: [Bills for Ratification](#)
- 5-C [2020-7419](#) Recommendation to Accept the Quarterly Sales Tax Report for the Reporting Period Ending September 30, 2019 (Funds Collected During the Period April 1 to June 30, 2019). (Finance 2410)
Attachments: [Exhibit 1 - Quarterly Sales Tax Report](#)

- 5-D [2020-7667](#) Recommendation to Authorize the City Manager, or Designee, to Execute a Third Amendment with Cultivate LLC to Increase Compensation by \$75,000, for a Total Aggregate Compensation Not to Exceed \$145,500, to Continue Providing Technical Planning Support to the City of Alameda General Plan Update. (Planning Building and Transportation 209)
- Attachments:** [Exhibit 1 - Original Contract](#)
[Exhibit 2 - 1st and 2nd Amendments](#)
[Exhibit 3 - 3rd Amendment](#)
- 5-E [2020-7679](#) Recommendation to Authorize the City Manager to Execute an Amendment to Agreement with Ghirardelli Associates to Increase the Compensation by an Amount Not to Exceed \$192,232, for a Total Contract Amount of \$645,136, for Construction Management Services for the Seaplane Lagoon Ferry Terminal Project at Alameda Point. (Community Development 819099)
- Attachments:** [Exhibit 1 - Original Agreement](#)
[Exhibit 2 - First Amendment](#)
- 5-F [2020-7686](#) Recommendation to: 1) Authorize the City Manager to Execute an Amendment to the Service Provider Agreement with Centro Legal de la Raza to Revise the Scope of Services, with No Change to the Compensation, for Legal Services to Lower-Income Tenant Households in Alameda; and 2) Accept Centro Legal de la Raza's Annual Report Concerning Free Legal Services for Low Income Tenants in Alameda. (Community Development 266)
- Attachments:** [Exhibit 1 - Agreement](#)
[Exhibit 2 - Annual Report](#)
[Exhibit 3 - First Amendment](#)
[Correspondence](#)
- 5-G [2020-7619](#) Recommendation to Authorize the City Manager to Execute a Three-Year Agreement with Precision Emprise, LLC, dba Precision Concrete Cutting, for Sidewalk Trip Hazard Removal in an Amount Not to Exceed \$825,000. (Public Works 310)
- Attachments:** [Exhibit 1 - Contract](#)
- 5-H [2020-7673](#) Recommendation to Authorize the City Manager to Approve a Two-Step Procurement Process for Integrated Waste Franchise by First Entering into Sole Source Negotiations with Alameda County Industries. (Public Works 274)
- Attachments:** [Exhibit 1 - Procurement Policy](#)
[Correspondence](#)

- 5-I [2020-7671](#) Adoption of Resolution Appointing an Engineer-of-Work and an Attorney-of-Record for Island City Landscaping and Lighting District 84-2 (Various Locations Throughout the City). (Public Works 275)
Attachments: [Exhibit 1 - District Maps](#)
 [Resolution](#)
- 5-J [2020-7672](#) 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-K [2020-7711](#) Final Passage of Ordinance Approving a Lease and Authorizing the City Manager or Designee to Execute Documents Necessary to Implement the Terms of a One-Year Lease With Four One-Year Extension Options, Each Subject to Reasonable Discretionary Approval of the City Manager, with Shelter In Peace, Inc., a California Non-Profit Corporation, for 2815 San Diego Road Located at Alameda Point to Operate Transitional Housing for Refugees. (Community Development 236)
- 5-L [2020-7712](#) Final Passage of Ordinance Amending the Alameda Municipal Code by Amending Various Provisions of Article VIII (Sunshine Ordinance) of Chapter II (Administration), including Provisions Related to Public Access to Public Meetings and Public Records, and Sunshine Ordinance Enforcement, Including Recommendations to Eliminate the “Null and Void” or “Order to Cure” Remedies and Replace Such Remedies With the Authority for the Open Government Commission to Issue Recommendations to Cure and Correct. (City Attorney/City Clerk)
- 5-M [2020-7713](#) Final Passage of Ordinance Amending the Alameda Municipal Code by: (1) Adding New Section 23-9 (Personal Wireless Service Facilities in the Public Right-Of-Way); and (2) Amending Section 2-59.3 (Limitation and Power to Make Contracts) to Exempt Master License Agreements for Use of Public Assets for Personal Wireless Service Facility Installation. (Public Works)

6 **Regular Agenda Items**

- 6-A [2020-7674](#) Recommendation to Authorize the City Manager to Execute a Memorandum of Understanding (MOU) with the East Bay Regional Park District (EBRPD) Related to the Northwest Territories Regional Shoreline at Alameda Point, and to Approve the Finding that the Northwest Territories Regional Park Disposition is Exempt from the Surplus Lands Act, as Amended, as the Property is Proposed to be

Leased to Another Local Agency (EBRPD) for the Agency's Use and Because It is Located on Public Trust Lands. (Recreation 280 and Community Development 216)

Attachments: [Exhibit 1 - MOU](#)
[Exhibit 2 - Map](#)
[Presentation](#)
[Submittal](#)

- 6-B** [2020-7626](#) Recommendation to Review the Planning and Building Code Enforcement Program in Response to the City Council's November 19, 2019 Referral, and Provide Direction on Potential Future Changes to the Existing Enforcement Program. (Planning, Building and Transportation 481005)

Attachments: [Exhibit 1 - November 2019 Referral](#)
[Exhibit 2 - 2019 Code Enforcement Reports and Status](#)
[Exhibit 3 - 1999 Council Approved Code Enforcement](#)
[Priorities](#)
[Presentation](#)

- 6-C** [2020-7705](#) Introduction of Ordinance Amending the Alameda Municipal Code by Amending Section 1-7 (Administrative Citations) of Chapter I (General) Concerning Code Enforcement and Administrative Citations. (City Attorney)

Attachments: [Ordinance](#)

- 6-D** [2020-7629](#) Introduction of Ordinance Amending the Alameda Municipal Code by Adding Section 5-31 to Establish Procedures for Expediting Permit Processing for Electric Vehicle Charging Stations. (Planning, Building and Transportation 481003)

Attachments: [Exhibit 1 - AB 1236 \(Government Code Section 65850.7\)](#)
[Exhibit 2 - Permit Application](#)
[Ordinance](#)

- 6-E** [2020-7646](#) Public Hearing to Consider Introduction of Ordinance Amending the Alameda Municipal Code by Amending: (1) Article I (Uniform Codes Relating to Building, Housing and Technical Codes) of Chapter XIII (Building and Housing) to Adopt the 2019 Edition of the California Building Code, the 2019 Edition of the California Residential Code, the 2019 Edition of the California Historical Building Code, the 2019 Edition of the California Electrical Code, the 2019 Edition of the Plumbing Code, the 2019 Edition of the California Mechanical Code, the 2019 Edition of the California Energy Code, the 2019 Edition of the California Green Building Standards Code; and (2) Amending Section 15-1 of Chapter XV (Fire Prevention) to Adopt the 2019 Edition of the

California Fire Code with Alameda Local Amendments. (Planning, Building and Transportation 209)

Attachments: [Ordinance](#)

- 6-F [2020-7631](#) Recommendation to Approve the Legislative Agenda for the City of Alameda. (City Manager 2110)

Attachments: [Exhibit 1 - Legislative Agenda - Redlined](#)
[Exhibit 2 - 2020 Legislative Agenda](#)

- 6-G [2020-7684](#) Introduction of Ordinance Amending the Alameda Municipal Code by Revising Section 2-59.3 (Limitation and Power to Make Contracts) of Article IV (Contracts) of Chapter II (Administration), Authorizing the City Manager and the City Attorney to Settle Liability Claims up to \$75,000 Unless Otherwise Limited by Law and to Settle Liability Claims Involving Payments by Excess Liability Coverage. (City Attorney 2310)

Attachments: [Ordinance](#)

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 [2020-7704](#) Consider Modifications to the Art in City Hall Program. (Mayor Ezzy Ashcraft)

Attachments: [October 16, 2018 Staff Report and Guidelines](#)

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 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.