

City of Alameda

Meeting Agenda City Council

Tuesday, September 7, 2021

7:00 PM

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

Due to Governor Executive Order N-08-21, Councilmembers can attend the meeting via teleconference. The City allows public participation via Zoom.

For information to assist with Zoom participation, please click: https://www.alamedaca.gov/zoom

For Zoom regular meeting registration, please click: https://alamedaca-gov.zoom.us/webinar/register/WN_nwnX_Wp8TkuKH4dfUkXFqw

For Telephone Participants:

Zoom Phone Number: 669-900-9128 Zoom Meeting ID: 865 6452 9898

Any requests for reasonable accommodations should be made by contacting the City Clerk's office: clerk@alamedaca.gov or 510-747-4800.

City Hall will be NOT be open to the public during the meeting.

The Council may take action on any item listed in the agenda.

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

- 1 Roll Call City Council
- Consent Calendar Items are routine and will be approved by one motion; members of the public may speak once for up to 2 minutes on the entire Consent Calendar; following public comment, the Council/SACIC can remove items and speak for up to 5 minutes on each item; recording a non-affirmative vote should be done without removal
- 2-A 2021-1263 Recommendation to Approve Eric Levitt, City Manager, Lisa Maxwell, Community Development Director; and Louis Liss, Base Reuse Manager, as Designated Real Property Negotiators for the West Midway Project and Site A at Alameda Point. (Community Development 29061822)

- Public Comment on Closed Session Items Anyone wishing to have comments read into record on closed session items, please email clerk@alamedaca.gov within 30 minutes of the meeting commencing; comments submitted earlier will not be read
- 4 Adjournment to Closed Session to consider:

4-A	2021-1233	CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code § 54956.9) CASE NAME: Howell v. City of Alameda, et al. COURT: Alameda Superior Court, Hall of Justice, 1225 Fallon Street, Oakland, CA CASE NUMBERS: RG20061693
4-B	2021-1247	CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8) PROPERTY: West Midway Parcel

CITY NEGOTIATORS: Eric Levitt, City Manager; Lisa Maxwell, Community Development Director; and Louis Liss, Base Reuse Manager

NEGOTIATING PARTIES: City, Catellus and Brookfield UNDER NEGOTIATION: Price and Terms

4-C 2021-1124 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code § 54956.9)

CASE NAME: City of Alameda v. Union Pacific (Sweeney)

COURT: Superior Court of the State of California, County of Alameda CASE NUMBERS: RG18921261

<u>Attachments:</u> <u>Correspondence</u>

4-D 2021-1255 CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

CITY NEGOTIATORS: Eric Levitt, City Manager; Gerry Beaudin, 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), 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

4-E 2021-1253 CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to

Government Code Section 54956.8)
PROPERTY: Grandview Pavilion

CITY NEGOTIATORS: Eric Levitt, City Manager; Nanette Mocanu, Assistant Director of Base Reuse & Community Development; Amy

Wooldridge, Recreation and Parks Director

NEGOTIATING PARTIES: City of Alameda and Alameda County and

Greenway Golf

UNDER NEGOTIATION: Price and terms

4 Announcement of Action Taken in Closed Session, if any

2021-1296 September 7, 2021 Closed Session Announcement

<u>Attachments:</u> <u>Announcement</u>

5 Adjournment - City Council

SPECIAL JOINT MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE COMMUNITY IMPROVEMENT COMMISSION (SACIC) MEETING - 6:58 P.M.

Pledge of Allegiance

- 1 Roll Call City Council and SACIC
- Consent Calendar Items are routine and will be approved by one motion; members of the public may speak once for up to 2 minutes on the entire Consent Calendar; following public comment, the Council/SACIC can remove items and speak for up to 5 minutes on each item; recording a non-affirmative vote should be done without removal
- **2-A** Minutes of the Special Joint City Council and Successor Agency to the Community Improvement Commission Meetings Held on June 15,

2021 and July 6, 2021. [City Council/SACIC] (City Clerk)

2-B 2021-1229 Recommendation to Accept the Investment Report for the Quarter

Ending June 30, 2021. [City Council/SACIC] (Finance 10024051)

Attachments: Exhibit 1 - Quarterly Investment Report

3 Adjournment - City Council and SACIC

CONTINUED JULY 20, 2021 CITY COUNCIL MEETING - 6:59 P.M.

- 1 Roll Call City Council
- 2 Regular Agenda Items 6 members of the public may speak for up to 3 minutes; 7 or more may speak for up to 2 minutes
- **6-E** 2021-1101 Introduction of Ordinance Amending the Alameda Municipal Code,

Including Article VIII (Sunshine Ordinance) of Chapter II

(Administration) to Clarify Enforcement Provisions and Provide for Other Updates and Enhancements to the Sunshine Ordinance. (City

Attorney 10023040) [Not heard on July 20, 2021]

Attachments: Exhibit 1 - Subcommittee's Proposal

Exhibit 2 - Newly Installed Commission Proposal

Ordinance - Sunshine

Correspondence - Updated 9/7

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
- Oral Communications, Non-Agenda (Public Comment) Limited to 15 minutes; members of the public may speak for up to 2 minutes regarding any matter not on the agenda; any remaining speakers may comment under Section 8

2021-1297 September 7, 2021 Oral Communications

Attachments: Oral Communications

- Consent Calendar Items are routine and will be approved by one motion; members of the public may speak once for up to 2 minutes on the entire Consent Calendar; following public comment, the Council can remove items and speak for up to 5 minutes on each item; recording a non-affirmative vote should be done without removal
- **5-A** 2021-1224 Minutes of the Continued June 15, 2021 Meeting, the Special City Council Meeting and the Regular Meeting Held on July 6, 2021. (City

Clerk)

5-B 2021-1261 Bills for Ratification. (Finance)

		Attachments: Bills for Ratification
5-C	<u>2021-1189</u>	Recommendation to Accept the Quarterly Sales Tax Report for the Reporting Period Ending March 31, 2021 (Funds Collected During the Period October 1, 2020 to December 31, 2020). (Finance 10024051) Attachments: Exhibit 1 - Quarterly Sales Tax Report Exhibit 2 - Quarterly Transactions Tax Report
5-D	<u>2021-1190</u>	Recommendation to Accept the Quarterly Sales Tax Report for the Reporting Period Ending June 30, 2021 (Funds Collected During the Period January 1, 2021 to March 31, 2021). (Finance 10024051) Attachments: Exhibit 1 - Quarterly Sales Tax Report Exhibit 2 - Quarterly Transactions Tax Report
5-E	2021-1070	Recommendation to Authorize the City Manager to Execute a Six-Year Agreement with Eden Information & Referral, Inc. for an Amount Not to Exceed \$700,000 to Provide a Transportation Network Company (TNC) Concierge Service as Part of the City's Paratransit Program. (Planning, Building and Transportation 20941741) Attachments: Exhibit 1 - Service Provider Agreement
5-F	<u>2021-1121</u>	Recommendation to Accept the Semi-Annual Report for the Period of January 1, 2021Through June 30, 2021, on 1) Litigation and Liability Claims Settlements, 2) Workers' Compensation Settlements, 3) Personnel Settlement, and 4) Whether Any Records Previously Withheld from Disclosure Have Now Become Available to the Public. (City Attorney 61023041 & 61123042)
		Attachments: Exhibit 1 - Semi-Annual Report
5-G	2021-1212	Recommendation to Authorize the City Manager to Execute a Two-Year Agreement, in an Amount Not to Exceed \$250,000, with Alameda Family Services for Student and Family Mental Health Services. (Community Development 10061832)
		Attachments: Exhibit 1 - Agreement
5-H	<u>2021-1226</u>	Recommendation to Authorize the City Manager to Execute a One-Year Agreement with Terraphase Engineering for Environmental Consulting Services at Alameda Point in an Amount Not to Exceed \$147,458 for the First Year, with the Option of Four One Year Extensions for a Total Five Year Agreement in an Amount Not to Exceed \$517,909. (Community Development 29061822) Attachments: Exhibit 1 - Agreement
5-I	2021-1244	Recommendation to Authorize the City Manager to Execute a First Amendment with Akerman LLP, Similar in Form to Exhibit 1 Attached,

for Federal Legislative Services for a Term of 13 Months with Two One-Year Options to Extend, and Compensation for the First Amendment Not to Exceed \$97,500 and Total Four-Year Compensation Not to Exceed \$367,500; and

To Execute a First Amendment with Clear Advocacy, LLC, Similar in Form to Exhibit 2 Attached, for State Legislative Services for a Term of 12 Months with Two One-Year Options to Extend, and Compensation for the First Amendment Not to Exceed \$90,000 and Total Four-Year Compensation Not to Exceed \$322,500 (City Manager 10021030)

Exhibit 1 - Akerman Amendment Attachments:

Exhibit 2 - Clear Advocacy Amendment

Exhibit 3 - Legislative Agenda Exhibit 4 - Akerman Agreement

Exhibit 5 - Clear Advocacy Agreement

5-J 2021-1214 Recommendation to Authorize the City Manager to Remit Payment in the Amounts of \$910,525 and \$655,752 to the East Bay Municipal Utility District (EBMUD) for Alameda Point's Adaptive Reuse Areas Phase 1 and Phase 2 Water Main Extensions, Respectively. (Public Works 31041520)

> Exhibit 1 - Reuse and Development Areas Attachments:

> > Exhibit 2 - Water Infrastructure Agreement with EBMUD Exhibit 3 - Water Main Extension Agreements for Phase 1

and Phase 2

Exhibit 4 - Balance Due Letters for Phase 1 and Phase 2

5-K Recommendation to Accept the Work of Redgwick Construction for the 2021-1215 Otis Drive Traffic Calming and Safety Improvement Project, No.

P.W.05-20-29. (Public Works 31041520)

5-L 2021-1218 Recommendation to Authorize the City Manager to Execute a Second Amendment to the Agreement with Coastland Civil Engineering for City Engineering Services, in an Amount Not to Exceed \$100,000 for an Aggregate Amount Not to Exceed \$249,500. (Public Works 31041500)

> Attachments: Exhibit 1 - Original Agreement

> > Exhibit 2 - First Amendment

Exhibit 3 - Second Amendment

Recommendation to Authorize the City Manager to Execute a 5-M 2021-1219 Five-Year Agreement with NBS for Sewer Service Charge Tax Roll Administrative Services in an Amount Not to Exceed \$278,108.44.

(Public Works 50141600)

Attachments: Exhibit 1 - Agreement

5-N	<u>2021-1220</u>	Recommendation to Authorize the Purchase of Six Vehicles Consistent with Revised Vehicle Replacement Policy in Amounts Not to Exceed \$93,377 from Freeway Toyota for Three Hybrid Vehicles, \$74,984 from Cromer Material Handling for Two Forklifts and \$311,598 from Leader Industries for One Ambulance. (Public Works 60141581)
		Attachments: Exhibit 1 - Freeway Toyota Price Quote RAV4 Hybrid Exhibit 2 - Cromer Price Quote Forklift Exhibit 3 - Leader EV Price Quote Ambulance Exhibit 4 - HGAC Letter
5-O	<u>2021-1234</u>	Adoption of Resolution to Increase Expenditure Appropriations in the American Rescue Plan 2021 Project (96034/C9930) in the Capital Projects Fund (310) by \$23,625 for the Feed Alameda Program to Provide Alameda's Most Vulnerable Residents with Hot Meals and to Provide Support to Alameda Restaurants (Community Development 24161823)
		Attachments: Resolution
5-P	<u>2021-1197</u>	Adoption of Resolution Amending Resolution No. 12121 Setting the Order of Business for Continued Items of City of Alameda City Council Meetings. (City Clerk 10022020)
		Attachments: Resolution
5-Q	2021-1222	Adoption of Resolution Amending the Management and Confidential Employees Association (MCEA) Salary Schedule to Add the Classification of Principal Financial Analyst; Amending the Alameda City Employees Association (ACEA) Salary Schedule to Retitle the Traffic Signal Maintenance Technician to Traffic Signal/Pump Station Maintenance Technician; Upgrading One Senior Management Analyst to Principal Financial Analyst; Upgrading One Public Works Maintenance Foreperson to Traffic Signal/Pump Station Maintenance Technician; and Upgrading one Economic Development Manager to Development Services Division Manager, Effective September 12, 2021. (Human Resources 10025060)
		Attachments: Exhibit 1 - MCEA Salary Table Exhibit 2 - ACEA Salary Table
		Resolution
5-R	<u>2021-1232</u>	Adoption of Resolution Continuing the Declaration of the Existence of a Local Emergency in Response to the COVID-19 Pandemic, Consistent with Government Code Section 8630(c). (City Manager 10021030) Attachments: Resolution
5-S	<u>2021-1216</u>	Adoption of Resolution Authorizing the Issuance of City of Alameda

City Council Meeting Agenda September 7, 2021

Community Facilities District (CFD) No. 13-1 (Alameda Landing Public Improvements) 2021 Special Tax Subordinate Bonds in an Amount Not to Exceed \$24,585,000, and Approve Related Documents and Actions. (Finance)

<u>Attachments:</u> Exhibit 1 - Fiscal Agent Agreement

Exhibit 2 - Bond Purchase Agreement

Exhibit 3 - Preliminary Official Statement

Exhibit 4 - Supplemental Agreement No 1

Resolution

5-T 2021-1193 Final Passage of Ordinance Amending the Alameda Municipal Code by Amending Chapter 30 (Zoning Ordinance) to Modify Public Art Requirements, as Recommended by the Planning Board. (Community Development 24062814)

- Regular Agenda Items 6 members of the public may speak for up to 3 minutes; 7 or more may speak for up to 2 minutes
- **6-A** 2021-1195 Adoption of Resolution Appointing Robert Ferguson, Jennifer Hoffecker and Peter Platzgummer as Members of the Public Art Commission.
- Public Hearing to Consider a Call for Review of the Planning Board's Final Decisions at the July 26, 2021 Meeting to Approve (1) Design Review Application No. PLN21-0077 for an Approximately 29,810-square-foot Medical Respite Facility at 1245 McKay Avenue and (2) Draft Meeting Minutes from the June 14, 2021 Planning Board Meeting; and

Adoption of Resolution Approving Design Review Application No. PLN21-0077 to Allow the Construction of an Approximately 29,810-Square-Foot Medical Respite Facility at 1245 McKay Avenue. (Planning, Building and Transportation 20962710)

<u>Attachments:</u> Exhibit 1 - Planning Board Resolution No. PB-21-09

Exhibit 2 - July 26, 2021 Planning Board Meeting Agenda

Exhibit 3 - Call for Review

Exhibit 4 - Correspondence Narrowing Call for Review

Exhibit 5 - Correspondence from Applicant

Resolution

Correspondence - Updated 9/8

6-C 2021-1200 Recommendation to Provide Further Direction to Staff Regarding the Allocation of \$28.68 Million of Funding from the Federal Government Through the American Rescue Plan Act of 2021 to Assist with Recovery from the Impacts of the COVID-19 Pandemic. (City Manager

10021030/Finance 10024051)

Attachments: Exhibit 1 - Eligible Uses

Exhibit 2 - ARPA Spending Plan

<u>Presentation</u>
<u>Correspondence</u>

6-D 2021-1213 Adoption of Resolution Approving a Revision to the Public Safety

Retiree Medical Provision in the Executive Management Compensation Plan to Provide Up To Five Years of Service Credit for Time Served as a Chief, Assistant Chief and/or Deputy Chief in Another Agency.

(Human Resources 2510)

<u>Attachments:</u> Resolution

6-E 2021-1099 Introduction of Ordinance Authorizing the City Manager to Execute a

Second Amendment to the Lease with Dreyfuss Capital Partners, a California Limited Liability Company to Extend the Term for Five Years for Building 29, Located at 1701 Monarch Street, at Alameda Point. (Community Development 29061822) [Not heard on July 20, 2021]

Attachments: Exhibit 1 - Premises

Exhibt 2 - Lease

Exhibit 3 - 1st Amendment
Exhibit 4 - 2nd Amendment

Ordinance

Correspondence

6-F 2021-1098 Introduction of Ordinance Authorizing the City Manager to Execute a

Second Amendment to the Lease with Small Size Big Mind, Inc., a California Corporation, Substantially in the Form of Exhibit 4, to Extend the Term for One Year with One 12-Month Extension Option for

Building 35, Located at 2450 Pan Am Way in the Main Street

Neighborhood at Alameda Point. (Community Development 29061822)

Attachments: Exhibit 1 - Premises

Exhibit 2 - Lease

Exhibit 3 - First Amendment

Exhibit 4 - Second Amendment

Ordinance

6-G 2021-1227 Recommendation to Implement Water Conservation Measures in

Response to Drought and Provide Direction on Further City of

Alameda Water Reduction Efforts. (Public Works 31041500)

		otmg/igames
		Attachments: Exhibit 1 - EBMUD's Water Use Restrictions Exhibit 2 - July 8, 2021 Signed Executive Order Presentation
6-H	2021-1186	Recommendation to Reconsider Award of the Contract for the Publication of Legal Notices and Consider Providing Direction for Funding Options to Assist the Alameda Sun. (City Clerk 10022020) Attachments: Exhibit 1 - Councilmember Daysog's Referral Exhibit 2 - Alameda Journal Contract Exhibit 3 - Draft Notice of Termination Exhibit 4 - Draft Alameda Sun Contract
		Correspondence
7	City Manag	er Communications - Communications from City Manager
8		unications, Non-Agenda (Public Comment) - Members of the public for up to 2 minutes regarding any matter not on the agenda
9	scheduled a sufficiently to 5 minute	errals - Matters placed on the agenda by Councilmembers may be as future agenda items or dispositive action may be taken on noticed time sensitive legislative matters; presentations are limited s; Councilmembers can speak for up to 3 minutes; 6 members of hay speak for up to 3 minutes; 7 or more may speak for up to 2
9-A	<u>2021-990</u>	Consider Adoption of Resolution Supporting the Goal of Reaching 100% Zero Emission Vehicle Sales in California by 2030. (Mayor Ezzy Ashcraft) [Not heard on June 15, July 6 or 20, 2021] Attachments: Correspondence
9-B	<u>2021-997</u>	Considering Having an Introduction and Update from the New Police Chief regarding Strategies to Address Crimes. (Councilmember Herrera Spencer) [Not heard on June 15, July 6 or 20, 2021; not completed on September 7, 2021]
9-C	2021-998	Considering Directing Staff to Provide an Update on License Plate Readers. (Councilmember Herrera Spencer) [Not heard on June 15, July 6, 20 or September 7, 2021]
		<u>Attachments:</u> Correspondence
9-D	<u>2021-999</u>	Consider Directing Staff to Publicly Share Information on Parking Recreational Vehicles. (Councilmember Herrera Spencer) [Not heard on June 15, July 6, 20 or September 7, 2021]
9-E	<u>2021-1000</u>	Consider Directing Staff to Address Representation for Below Market Rate Homeowners on Homeowner Association (HOA) Boards and with

		Property Management. (Councilmember Herrera Spencer) [Not heard on June 15, July 6, 20 or September 7, 2021]
9-F	2021-1248	Consider Directing Staff to Support Removal of the US Navy Constraints Limiting Housing Development at Alameda Point. (Councilmember Herrera Spencer and Councilmember Daysog) [Not heard on September 7, 2021]
		Attachments: City of Alameda RHNA Appeal
9-G	2021-1249	Consider Directing Staff to Address Identifying New Areas at Alameda Point to Develop a Number of Housing Units Above the Originally-Agreed Upon Numbers of the 2023-2031 Regional Housing Needs Allocation (RHNA). (Councilmember Daysog)
40	Council Cor	mmunications. Councilmombors can enoak for 9 minutes to

- 10 Council Communications Councilmembers can speak for 9 minutes to address any matter not on the agenda, including reporting on conferences or meetings
- **10-A** 2021-1230 Mayor's Nominations for Appointment to the Golf Commission, Housing Authority Board of Commissioners, and Library Board.

11 Adjournment - City Council

- Please contact the City Clerk at 510-747-4800 or clerk@alamedaca.gov at least 48 hours prior to the meeting to any reasonable accommodation that may be necessary to participate in and enjoy the benefits of the meeting.
- 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.
- · Minutes of the meeting available in enlarged print.
- 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.
- The meeting will be broadcast live on the City's website: https://www.alamedaca.gov/GOVERNMENT/Agendas-Minutes-Announcements
- Sign up to receive agendas here: https://alameda.legistar.com/Calendar.aspx

- 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 www.weisiger@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.