



# City of Alameda

## Meeting Agenda

### City Council

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Tuesday, July 5, 2022

7:00 PM

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

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The agenda was revised on July 5, 2022 at 12:00 p.m. to indicate Closed Session Item 4-C and Consent Calendar Items 5-D and 5-F were withdrawn and would not be heard

***Pursuant to Assembly Bill 361, codified at Government Code Section 54953, 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\\_atuQhrzTS32z9ZGMwSxflg](https://alamedaca-gov.zoom.us/webinar/register/WN_atuQhrzTS32z9ZGMwSxflg)***

***For Telephone Participants:  
Zoom Phone Number: 669-900-9128  
Zoom Meeting ID: 818 6163 4456***

***Any requests for reasonable accommodations should be made by contacting the City Clerk's office: [clerk@alamedaca.gov](mailto: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 - 5:00 P.M.**

- 1 Roll Call - City Council**
- 2 Public Comment on Agenda Items Only - Anyone wishing to have comments read into record, please email [clerk@alamedaca.gov](mailto:clerk@alamedaca.gov) during public comment or not more than 30 minutes prior to the meeting; comments submitted more than 30 minutes prior will not be read**
- 3 Consent Calendar - Items are routine; Council can remove items and speak for up to 5 minutes on each item; recording a non-affirmative vote should be done without removal**

**3-A**     [2022-2150](#)     Recommendation to Approve Dirk Brazil, Interim City Manager, Lisa Maxwell, Community Development Director, Len Aslanian, Assistant City Attorney, and Nanette Mocanu, Assistant Community Development Director, as Real Property Negotiators for Building 360, Located at 1900 Skyhawk Street, Alameda, CA. (Community Development 29061822)

**4**            **Adjournment to Closed Session to consider:**

**4-A**     [2022-2148](#)     CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)  
PROPERTY: 1900 Skyhawk Street (Building 360) Alameda Point, Alameda, CA  
CITY NEGOTIATORS: City Manager Dirk Brazil, Community Development Director Lisa Maxwell, Assistant Community Development Director Nanette Mocanu, and Assistant City Attorney Len Aslanian  
NEGOTIATING PARTIES: City of Alameda and Astra Space, Inc.  
UNDER NEGOTIATION: Price and Terms of Lease

**Attachments:**    [Public Comment Read Into Record](#)

**4-B**     [2022-2082](#)     CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Pursuant to Government Code § 54956.9)  
CASE NAME: Mario Gonzalez et. al. v. City of Alameda et. al.  
COURT: United States District Court, Northern District of California  
CASE NUMBER: 4:21-cv-09733-DMR and  
CASE NAME: Edith Arenales v. City of Alameda, et al.  
COURT: United States District Court, Northern District of California  
CASE NUMBER: e 4:22-cv-00718

**4-C**     [2022-2183](#)     WITHDRAWN - CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)  
CITY NEGOTIATORS: Nancy Bronstein, Human Resources Director; Nico Procos, General Manager Alameda Municipal Power; Jessica Romeo, Human Resources Manager; and Steve Woo, Senior Human Resources Analyst  
EMPLOYEE ORGANIZATIONS: Alameda City Employees Association (ACEA); Management and Confidential Employees Association (MCEA); Electric Utility Professionals Association (EUPA); International Brotherhood of Electrical Workers (IBEW); Alameda Police Officers Non-Sworn (PANS); Alameda Municipal Power Unrepresented Employees (AMPU)  
UNDER NEGOTIATION: Salaries, Employee Benefits and Terms of Employment [Will not be heard on 7/5/22]

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

[2022-2215](#) July 5, 2022 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) - 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 9

[2022-2214](#) Oral Communications

**Attachments:** [Communication](#)

5 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 [2022-2178](#) Minutes of the Special and Regular City Council Meetings Held on June 7, 2022. (City Clerk)

5-B [2022-2179](#) Bills for Ratification. (Finance)

**Attachments:** [Bills for Ratification](#)

5-C [2022-2049](#) Recommendation to Authorize the Interim City Manager to Execute a Second Three-Year Consolidated Agreement with Environmental Systems Research Institute, Inc. (Esri) for Enterprise Geographic Information System (GIS) Software License Maintenance and Support, with Pricing Increase from \$50,000 per Year to \$55,000 per Year in an Amount Not to Exceed \$165,000, for a Total Six-Year Compensation Not to Exceed \$315,000. (Information Technology 60626070)

**Attachments:** [Exhibit 1 - Original Agreement](#)  
[Exhibit 2 - Second Agreement](#)

- 5-D [2022-2121](#) WITHDRAWN - Recommendation to Authorize the Interim City Manager to Purchase Darktrace Enterprise Immune System for a 3-Year Amount Not to Exceed \$292,248 to be Paid Annually at \$97,416. (Information Technology 60626070) [Will be considered on 7/12/22-Item 5-F]

**Attachments:** [Exhibit 1 - Quote](#)  
[Exhibit 2 - Darktrace Business Case](#)

- 5-E [2022-2074](#) Recommendation to Authorize the Interim City Manager to Execute a Third Amendment to the Agreement with CDM Smith to Increase Compensation by \$230,000, Including Contingencies, for a Total Aggregate Compensation Not to Exceed \$1,360,633, to Complete the Plans and to Provide Construction Support for the Clement Avenue Safety Improvement Project. (Transportation 20962740)

**Attachments:** [Exhibit 1 - Agreement](#)  
[Exhibit 2 - First Amendment](#)  
[Exhibit 3 - Second Amendment](#)  
[Exhibit 4 - Third Amendment](#)  
[Exhibit 5 - Proposed Work Scope](#)  
[Exhibit 6 - Proposed Budget](#)

- 5-F [2022-2075](#) WITHDRAWN - Recommendation to Approve Design Concept for Mecartney Road/Island Drive Roundabout Improvement. (Transportation 20962740) [Will not be heard on 7/5/22]

**Attachments:** [Exhibit 1 - Evaluation Summary](#)  
[Exhibit 2 - Online Survey Results](#)  
[Exhibit 3 - Community Workshop Notes](#)  
[Exhibit 4 - Roundabout Concept](#)  
[Exhibit 5 - Bus Turn Templates](#)  
[Exhibit 6 - Truck Turn Templates](#)  
[Exhibit 7 - Fire Truck Turn Templates](#)  
[Correspondence - Updated 7/5](#)

- 5-G [2022-2122](#) Recommendation to Approve Findings to Allow City Meetings to be Conducted via Teleconference. (City Clerk 10022020)

- 5-H [2022-2138](#) Recommendation to Authorize the Interim City Manager to Execute a One-Year Agreement with Bureau Veritas for an Americans with Disabilities Act Self-Assessment and Transition Plan for a Not to Exceed Amount of \$401,500. (Public Works 60341591)

**Attachments:** [Exhibit 1 - Agreement](#)

- 5-I [2022-2084](#) Adoption of Resolution Approving a Memorandum of Understanding (MOU) Between the Alameda Police Management Association (APMA) and the City of Alameda for a Forty-Two Month Term Commencing December 19, 2021 and Ending June 30, 2025. (Human Resources 10025060)

**Attachments:** [Exhibit 1 - APMA MOU - Redline](#)  
[Exhibit 2 - APMA MOU - Clean](#)  
[Exhibit 3 - APMA Salary Schedule](#)  
[Resolution](#)

- 5-J [2022-2119](#) Adoption of Resolution Calling for a General Municipal Election to be Consolidated with the Statewide General Election to be Held in the City of Alameda on Tuesday, November 8, 2022 for the Election of Certain Officers, and Requesting the Alameda County Board of Supervisors to Permit the Registrar of Voters to Render Specified Services to the City Relating to the Conduct of Said Election Pursuant to Section 10403 of the California Elections Code. (City Clerk 10022022)

**Attachments:** [Resolution](#)

- 5-K [2022-2180](#) Final Passage of Ordinance Amending Alameda Municipal Code Section 30-10 (Cannabis) to Add the North Park Street Maritime Manufacturing District (MM-NP) as a Location Where Cannabis Industry (Manufacturing) is Conditionally Permitted, as Recommended by the Planning Board. (Planning, Building and Transportation 20962710)

**6 Continued Agenda Items - Public comment and speaking times are determined based upon the prior meeting discussion**

**7 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**

- 7-A [2022-2182](#) Adoption of Resolutions Reappointing Adrienne Alexander, Alice Nguyen, and Eric Robbins as Members of the Recreation and Parks Commission, and Reappointing Alysha Natchtigall and Tina Yuen and Appointing Geoffrey Johnson and Saravana Suthanthira as Members of the Transportation Commission.

- 7-B [2022-2146](#) Recommendation to Approve a Term Sheet for Development of the West Midway Project; Direct Staff to Negotiate a Disposition and Development Agreement with Brookfield Homes and Catellus for Construction of the West Midway Project at Alameda Point; and Authorize the Interim City Manager to Execute the Fourth Amendment to the Exclusive Negotiating Agreement to Extend the Term.

(Community Development 29061822)

**Attachments:** [Exhibit 1 - Term Sheet with Exhibits](#)  
[Exhibit 2 - Milestone Schedule](#)  
[Exhibit 3 - Fourth Amendment to ENA](#)  
[Exhibit 4 - ENA and Amendments 1-3](#)  
[Presentation](#)  
[Correspondence - Updated 7/5](#)

- 7-C**     [2022-2103](#)     Adoption of Resolution Calling for the Holding of a Consolidated Municipal Election in the City of Alameda on Tuesday, November 8, 2022 Submitting a Proposed Charter Amendment to Revise the Salary of Mayor and City Councilmembers, Establishing the Policies and Procedures for Such an Election, Requesting that the County of Alameda Conduct Such an Election and Authorizing City Councilmembers to File Written Arguments For or Against the Measure. (City Clerk 10022022)

**Attachments:** [Resolution](#)  
[Correspondence](#)  
[Presentation](#)

- 7-D**     [2022-2147](#)     Adoption of Ordinance Enacting an Increase in the City's Transient Occupancy Tax from Ten Percent (10%) to Fourteen Percent (14%), Subject to a Vote of the Electorate at the November 8, 2022 Election; and  
Adoption of Resolution Calling an Election in the City of Alameda to be Consolidated with the City's Next General Municipal Election on November 8, 2022, and Submitting to the Electors A Ballot Measure, "City of Alameda Transient Occupancy Regional Parity Measure," Seeking Amendment to the City's Transient Occupancy Tax from Ten Percent (10%) to Fourteen Percent (14%) by Amending the Alameda Municipal Code Chapter 3-61.3 (Tax Imposed), Establishing the Policies and Procedures for Such an Election, Requesting that the County of Alameda Conduct Such an Election and Authorizing City Councilmembers to File Written Arguments For or Against the Measure. (City Manager 10021030)

**Attachments:** [Resolution](#)  
[Presentation](#)  
[Correspondence](#)

- 7-E**     [2022-2109](#)     Introduction of Ordinance Adopting a Military Equipment Use Policy for the Alameda Police Department. (Police 10031100)

**Attachments:** [Exhibit 1 - Military Equipment Use Ordinance Presentation](#)

- 8      **City Manager Communications - Communications from City Manager**
- 9      **Oral Communications, Non-Agenda (Public Comment) - Members of the public may speak for up to 2 minutes regarding any matter not on the agenda**
- 10     **Council Referrals - Matters placed on the agenda by Councilmembers may be scheduled as future agenda items or dispositive action may be taken on sufficiently noticed time sensitive legislative matters; presentations are limited to 5 minutes; Councilmembers can speak for up to 3 minutes; 6 members of the public may speak for up to 3 minutes; 7 or more may speak for up to 2 minutes**
- 10-A   [2022-2111](#)    Consider Directing Staff to Reform the Fee Towing Companies Require Alameda Residents to Pay to Retrieve Towed Vehicles. (Councilmember Daysog) [Not heard on June 21, 2022]  
**Attachments:**   [Email](#)
- 10-B   [2022-2175](#)    Consider Directing Staff to Address Massive Corporations Purchasing Housing. (Councilmember Herrera Spencer)  
**Attachments:**   [Email](#)
- 11     **Council Communications - Councilmembers can speak for 9 minutes to address any matter not on the agenda, including reporting on conferences or meetings**
- 11-A   [2022-2186](#)    Mayor's Nominations for Appointment to the Civil Service Board, Commission on Persons with Disabilities, Golf Commission, Historical Advisory Board, Housing Authority Board of Commissioners, Library Board, Planning Board, Public Utilities Board and Social Services Human Relations Board.
- 11-B   [2022-2131](#)    Designation of Voting Delegates and Alternates for the League of California Cities Annual Conference.  
**Attachments:**   [League Voting Delegate Form](#)
- 12     **Adjournment - City Council**

- Please contact the City Clerk at 510-747-4800 or [clerk@alamedaca.gov](mailto: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 48 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.
- 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 [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.