



City of Alameda

Meeting Agenda

City Council

Tuesday, November 1, 2022

7:00 PM

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

The agenda was revised on October 25, 2022 at 7:30 pm to add the 4:59 p.m. continued
Closed Session

***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_dFZTCgHIRse7Fcipn3BVsw***

***For Telephone Participants:
Zoom Phone Number: 669-900-9128
Zoom Meeting ID: 824 1520 5228***

***Closed Session participation options are under Section 2 of the Closed Session
agenda.***

***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.

**CONTINUED SEPTEMBER 28, AND OCTOBER 17, 18 AND 25 SPECIAL CITY
COUNCIL MEETING - CLOSED SESSION - 4:59 P.M.**

1 Roll Call - City Council

2 Continued Closed Session

**3-A [2022-2409](#) PUBLIC EMPLOYEE APPOINTMENT/HIRING
Pursuant to Government Code § 54957
Title/description of positions to be filled: City Manager [Continued from**

September 28, 2022 to October 17, 2022, from October 17, 2022 to October 18, 2022, from October 18, 2022 to October 25, 2022 and from October 25, 2022 to November 1, 2022; public comment closed]

3 Announcement of Action Taken in Closed Session, if any

[2022-2566](#) November 1, 2022 Continued Closed Session Announcement

Attachments: [Announcement](#)

4 Adjournment - City Council

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

1 Roll Call - City Council

2 Public Comment on Agenda Items Only - Anyone wishing to comment via telephone, please call:

Phone Number: 669-900-9128

Meeting ID: 891 1224 7863

To have a comment read into the record, please email clerk@alamedaca.gov no 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** [2022-2353](#) Recommendation to Approve Lisa Maxwell, Community Development Director, Len Aslanian, Assistant City Attorney, and Nanette Mocanu, Assistant Community Development Director as Real Property Negotiators for 650 West Ranger Avenue (Building 92) Alameda Point, Alameda, CA, Parcel # 74-1375-2 and 2450 Saratoga Street, 801 West Ranger Avenue (Building 114), Alameda, CA, Parcel #74-1368-9-2. (Community Development 29061822)

4 Adjournment to Closed Session to consider:

- 4-A** [2022-2507](#) CONFERENCE WITH LEGAL COUNSEL - WORKERS' COMPENSATION CLAIM (Pursuant to Government Code §54956.95)
Claimant: Employee - Fire Department, City of Alameda ; Claim Nos: 9895500046; 0195500062; 2095500022; 1795500017; and 1495500076; Agency Claimed Against: City of Alameda

- 4-B** [2022-2320](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)
PROPERTY: 650 West Ranger Avenue (Building 92) Alameda Point,

Alameda, CA Parcel # 74-1375-2

CITY NEGOTIATORS: Community Development Director Lisa Maxwell, Assistant Community Development Director Nanette Mocanu, and Assistant City Attorney Len Aslanian

NEGOTIATING PARTIES: Alameda Point Collaborative and the City of Alameda

UNDER NEGOTIATION: Price and Terms of Potential Purchase by the City

PROPERTY: 2450 Saratoga Street, 801 West Ranger Avenue (Building 114) Alameda Point, Alameda, CA Parcel #74-1368-9-2

CITY NEGOTIATORS: Community Development Director Lisa Maxwell, Assistant Community Development Director Nanette Mocanu, and Assistant City Attorney Len Aslanian

NEGOTIATING PARTIES: Alameda Food Bank and the City of Alameda

UNDER NEGOTIATION: Price and Terms of Potential Lease/Sale from the City of Alameda (Negotiations commence January 2023 due to the current Surplus Lands Act restriction. Council may give staff negotiating parameters.)

- 4-C** [2022-2506](#) CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION
Potential initiation of litigation pursuant to Government Code Section 54956.9, subsection (d)(4)
Number of cases: One (As Plaintiff - City Initiating Legal Action)
Potential Defendant(s): Steeltown Winery, Inc.
- 4-D** [2022-2522](#) CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9, subsection (d)(2)
Number of Cases: One (As Defendant - City Exposure to Legal Action)
Potential Plaintiff(s): Steeltown Winery, Inc.
- 4-E** [2022-2523](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)
PROPERTY: 2440 Monarch Street, Suite 100, (Building 43) Alameda Point, Alameda, CA
CITY NEGOTIATORS: Community Development Director Lisa Maxwell, Assistant Community Development Director Nanette Mocanu, and Assistant City Attorney Len Aslanian
NEGOTIATING PARTIES: City of Alameda and Steeltown Winery, Inc.
UNDER NEGOTIATION: Price and Terms of Lease

5 Announcement of Action Taken in Closed Session, if any

- [2022-2565](#) November 1, 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**

[2022-2564](#) Proclamation for Elsa Ortiz

Attachments: [Proclamation for Elsa Ortiz](#)**3-A [2022-2339](#) Proclamation Declaring November 2022 as Lung Cancer Awareness Month. (City Manager 10021030)****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****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 [2022-2525](#) Minutes of the Special and Regular City Council Meetings Held on October 4, 2022 and the Continued September 28, 2022 Meetings Held on October 17 and 18, 2022. (City Clerk)****5-B [2022-2526](#) Bills for Ratification. (Finance)****Attachments:** [Bills for Ratification](#)**5-C [2022-2482](#) Recommendation to Authorize Updates to the Existing Alameda Police Department Policy Manual to Conform to Best Practices and to Confirm/Ratify Policies That Have Been Updated Pursuant to Legal Updates, Significant Liability Issues, and Imminent Safety. (Police 10031100)**

Attachments: [Exhibit 1 - Policy 450: Portable Audio/Video Recorders](#)
[Exhibit 2 - Policy 1000: Recruitment and Selection](#)
[Exhibit 3 - Policy 1004: Special Assignment Selection](#)
[Exhibit 4 - Policy 1061: Wellness Program](#)

5-D [2022-2485](#) Recommendation to Approve Findings to Allow City Meetings to be Conducted via Teleconference. (City Clerk 10022020)

5-E [2022-2465](#) Recommendation to Accept the Work of Suarez & Munoz Construction Inc. for Alameda City Hall Lawn Conversion, Project PW No 02-22-05. (Public Works 31041520)

5-F [2022-2467](#) Recommendation to Authorize the Interim City Manager, or Designee, to Execute a Second Amendment to Infrastructure Agreement with Harbor Bay Business Park Association; and
Adoption of Resolution Amending the Fiscal Year 2022-23 Capital Improvement Program Budget by Appropriating \$900,000 in Harbor Transportation Funds (287) for Bus Shuttle Stop Improvements and Signage in Harbor Bay Business Park. (Public Works 31041520)

Attachments: [Exhibit 1 - Agreement](#)
[Exhibit 2 - First Amendment to Agreement](#)
[Exhibit 3 - Proposed Second Amendment to Agreement Resolution](#)

5-G [2022-2451](#) Adoption of Resolution Approving of Administrative Corrections to Revise the Language for Retention Pay in the Memorandum of Understandings (MOU) Between the Alameda Police Officers Association (APOA) and Update the Salary Schedule for the Alameda Fire Chiefs Association (AFCA) to Reflect the Correct Calculation of Management Incentive Pay. (Human Resources 10025060)

Attachments: [Exhibit 1 - 2022-2025 APOA MOU - Clean](#)
[Exhibit 2 - 2022-2025 APOA MOU - Redline](#)
[Exhibit 3 - AFCA Salary Schedule Effective January 2, 2022 Resolution](#)

5-H [2022-2483](#) Adoption of Resolution Authorizing the Interim City Manager, or Designee, to Execute a Consent to Assignment and Assumption of Lease in Favor of Daniel Patrick Nichols With Respect to the Lease of Real Property Between Agnes McKinley, Successor Trustee of Mihailo Crnjanski, and the City of Alameda for the Tidelands Parcel Adjacent to the Uplands Parcel at 1620 Fernside Boulevard, Alameda, CA. (Community Development 21661825)

Attachments: [Exhibit 1 - Assignment and Assumption for Lease](#)
[Exhibit 2 - Lease of Real Property](#)
[Exhibit 3 - Map](#)
[Resolution](#)

- 5-I [2022-2484](#) Adoption of Resolution Authorizing the Interim City Manager, or Designee, to Execute a Fourth Amendment to the License with Amber Kinetics, Inc., a California Corporation, to Extend the License Term for Twelve Months for the Unimproved Lot Located at 641 West Red Line Avenue, Alameda, CA. (Community Development 29061822)

Attachments: [Exhibit 1 - License Area](#)
[Exhibit 2 - License](#)
[Exhibit 3 - First Amendment](#)
[Exhibit 4 - Second Amendment](#)
[Exhibit 5 - Third Amendment](#)
[Exhibit 6 - Fourth Amendment](#)
[Resolution](#)

- 5-J [2022-2530](#) Final Passage of Ordinance Article XIX (Third Party Food Delivery Services) of Chapter VI (Businesses, Occupations and Industries) of the Alameda Municipal Code to Modify the Sunset Provision Such that the Cap on Food Delivery Service Fees Will Remain in Place Until the State Emergency is Rescinded. (City Manager 10021030)

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 [2022-2407](#) Recommendation to Name the New Park known as Alameda Landing Waterfront Park as Bohol Circle Immigrant Park and Direct Staff to Include Educational Signage About Bohol Circle. (Recreation 10051400)

Attachments: [Exhibit 1 - Park Location and Design](#)
[Exhibit 2 - Park Name Ideas from Survey](#)
[Presentation](#)

- 7-B [2022-2410](#) Recommendation to Name the New Park Known as Alameda Point Neighborhood Park as Whale Park. (Recreation 10051400)

Attachments: [Exhibit 1 - Park Location and Design](#)
[Exhibit 2 - Park Name Ideas from Survey](#)
[Presentation](#)

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- 7-C** [2022-2411](#) Recommendation to Name the New Park Known as Alameda Point Waterfront Park as Seaplane Lagoon Promenade. (Recreation 10051400)
- Attachments:** [Exhibit 1 - Park Location and Design](#)
 [Exhibit 2 - Park Name Ideas from Survey Presentation](#)
- 7-D** [2022-2466](#) Introduction of Ordinance Amending Alameda Municipal Code Chapter 21 (Solid Waste and Recycling) to Comply with Senate Bill 1383 and Conform with Alameda County Waste Management Authority's Organics Reduction and Recycling Ordinance. (Public Works 26141630/26241631)
- Attachments:** [Exhibit 1 - Letter Agreement Ordinance](#)
- 7-E** [2022-2350](#) Recommendation to Provide Direction to Staff Regarding Police Accountability. (Police 10031130)
- Attachments:** [Exhibit 1 - Action Items With Status Presentation](#)
 [Correspondence - Updated 11/1](#)
- 7-F** [2022-2518](#) Recommendation to Consider New Information Regarding the Grand Street Resurfacing and Safety Improvement Project and Authorize the Interim City Manager, or Designee, to Proceed with Construction Documents for the Grand Street Resurfacing and Safety Improvement Project Final Concept. (Planning, Building & Transportation 20962710)
- Attachments:** [Exhibit 1 - Proposed Final Concept Plan](#)
 [Exhibit 2 - Examples of Chicanes Presentation](#)
 [Correspondence - Updated 11/1](#)
- 7-G** [2022-2442](#) Adoption of Resolution to Adopt the Revised Pension Rate Stabilization Program (PRSP) and Other Post-Employment Benefits (OPEB) Funding Policy. (Finance 10024051)
- Attachments:** [Exhibit 1 - Pension and OPEB Funding Policy - Revised June 2017](#)
 [Exhibit 2 - Pension and OPEB Funding Policy - Revised October 2022 Resolution Presentation](#)
 [Supplemental Memo](#)

- 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, July 5, September 6, 20, October 4 or 18, 2022]
Attachments: [Email](#)
- 10-B** [2022-2175](#) Consider Directing Staff to Address Massive Corporations Purchasing Housing. (Councilmember Herrera Spencer) [Not heard on July 5, September 6, 20, October 4 or 18, 2022]
Attachments: [Email](#)
- 10-C** [2022-2300](#) Consider Directing Staff to Create a Requirement for Upfront Payment of Candidate Statements if a Candidate for Local Elected Office Has a Balance Due from a Prior Election. (Councilmember Knox White and Vice Mayor Vella) [Not heard on September 6, 20, October 4 or 18, 2022]
- 11 Council Communications - Councilmembers can speak for 9 minutes to address any matter not on the agenda, including reporting on conferences or meetings**
- 12 Adjournment - City Council**

- Meeting Rules of Order are available at:
<https://www.alamedaca.gov/Departments/City-Clerk/Key-Documents#section-4>
- Please contact the City Clerk at 510-747-4800 or clerk@alamedaca.gov at least 48 hours prior to the meeting to request any reasonable accommodation that may be necessary to participate in and enjoy the benefits of the meeting.
- 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.
- 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.
- 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 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.