

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -MAY 19, 2015- -6:00 P.M.

Mayor Spencer convened the meeting at 6:00 p.m.

Roll Call – Present: Councilmembers Daysog, Ezzy Ashcraft, Matarrese, Oddie and Mayor Spencer – 5.

Absent: None.

The meeting was adjourned to Closed Session to consider:

(15-328) Conference with Legal Counsel - Existing Litigation (54956.9); Case Name: Hartford Fire Insurance Company v. City of Alameda; Superior Court of California, County of Alameda Case No. RG14729440

(15-329) Conference with Real Property Negotiators (54956.8); Property: 651 West Tower Avenue (Building 91 at Alameda Point); Negotiator: Nanette Mocanu, Assistant Community Development; Director; Negotiating party: Ridge Capital, Inc.; Under negotiation: Price and terms of payment

Following the Closed Session the meeting was reconvened and Mayor Spencer announced that regarding Existing Litigation and Property, direction was given to staff.

Adjournment

There being no further business, Mayor Spencer adjourned the meeting at 6:59 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Sunshine Ordinance.

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -MAY 19, 2015- -7:00 P.M.

Mayor Spencer convened the meeting at 7:10 p.m. and led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Daysog, Ezzy Ashcraft, Matarrese, Oddie and Mayor Spencer – 5.

Absent: None.

AGENDA CHANGES

(15-330) Councilmember Oddie requested that the sewer hearing [paragraph no. 15-349] be heard earlier in the agenda.

Mayor Spencer suggested the item be heard after the wireless telecommunication facility hearing [paragraph no. 15-348].

Councilmember Oddie concurred.

Vice Mayor Matarrese noted that he would recuse himself from voting on the resolution regarding Island City Landscaping and Lighting District 84-2 [paragraph no. 15-341].

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

None.

ORAL COMMUNICATIONS, NON-AGENDA

None.

CONSENT CALENDAR

Mayor Spencer announced that the letters supporting the Assembly Bills [paragraph no. 15-335], the resolution regarding Island City Landscaping and Lighting District 84-2 [paragraph no. 15-341] and the resolution regarding the Measure BB Master Programs Funding Agreement [paragraph no. 15-344] were removed from the Consent Calendar for discussion.

Vice Mayor Matarrese moved approval of the remainder of the Consent Calendar.

Councilmember Ezzy Ashcraft seconded the motion, which carried by unanimous voice vote – 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*15-331) Minutes of the Special City Council Meeting Held on April 16, 2015; the

Special and Regular City Council Meetings Held on April 21, 2015; the Special City Council Meetings Held on April 28 and 29, 2015. Approved.

(*15-332) Ratified bills in the amount of \$1,771,504.10.

(*15-333) Recommendation to Set June 11, 2015 for a Public Hearing to Consider Collection of Delinquent Business License Taxes and Delinquent Integrated Waste Management Accounts Via the Property Tax Bills. Accepted.

(*15-334) Recommendation to Accept the Quarterly Sales Tax Report for the Period Ending March 31, 2015 Collected During the Period October 1, 2014 to December 31, 2014. Accepted.

(15-335) Recommendation to Authorize the Mayor to Sign a Letter of Support for Assembly Bill (AB) 35 Providing Funding for Affordable Housing; and

(15-335A) Recommendation to Authorize the Mayor to Sign a Letter of Support for AB1335, Providing Funding for Affordable Housing.

Submitted and read a letter in support of AB 1335: Anne DeBardeleben, Alameda Association of Realtors.

Councilmember Ezzy Ashcraft moved approval of authorizing the Mayor to sign a letter of support for AB 35 and AB 1335 providing funding for affordable housing.

Councilmember Daysog seconded the motion, which carried by unanimous voice vote – 5.

(*15-336) Recommendation to Authorize the City Manager to Execute an Amendment to an Agreement with Russell Resources, Inc. to Add the Amount of \$157,500 for a Total Contract Amount of \$555,500 for Environmental Consulting Services Related to Alameda Point. Accepted.

(*15-337) Recommendation to Authorize the City Manager to Execute an Amendment to an Agreement with Willdan Financial Services, Inc. to Add the Amount of \$50,000 for a Total Contract Amount of \$120,000 for Economic Consulting Services Related to Alameda Point. Accepted.

(*15-338) Recommendation to Award Contract in the Amount of \$1,391,466, Including Contingencies, to Power Engineering Construction Co. for Alameda Point Pier 2, Above Deck Sewer Replacement Project and Appropriate Funds from the Base Reuse Fund Balance Reserve for Piling Replacement. Accepted.

(*15-339) Recommendation to Award Contract in the Amount of \$222,155, Including Contingencies, to Power Engineering Construction Co. for Alameda Point Pier 3, Sewer Replacement Project. Accepted.

(*15-340) Recommendation to Approve a First Amendment to the Agreement with Faithful & Gould Inc. to Add the Amount of \$74,786, Including Contingencies, for a Total Amount of \$149,785 for Facility Condition Assessments. Accepted.

(15-341) Resolution No.15035,“Preliminarily Approving the Annual Report Declaring the City's Intention to Order the Levy and Collection of Assessments, and Providing for Notice of Public Hearing on July 7, 2015 - Island City Landscaping and Lighting District 84-2.” Adopted.

Councilmembers Daysog and Vice Mayor Matarrese recused themselves and left dais.

Councilmember Ezzy Ashcraft moved adoption of the resolution.

Councilmember Oddie seconded the motion, which carried by unanimous voice vote – 3. [Absent: Councilmembers Daysog and Matarrese – 2.]

(*15-342) Resolution No.15036,“Preliminarily Approving the Annual Report Declaring the City's Intention to Order the Levy and Collection of Assessments and Providing for Notice of Public Hearing on July 7,2015 - Maintenance Assessment District 01-01 (Marina Cove).” Adopted.

(*15-343) Resolution No.15037 “Initiating Proceedings for a Proposed Increase in Assessments and the Filing of an Assessment Engineer's Report for Island City Landscaping and Lighting District 84-2, Zone 4 (Park Street).” Adopted; and

(*15-343A) Resolution No. 15038,“Preliminarily Approving the Annual Report Declaring the Intention to Order the Levy and Collection of Assessments and Providing Notice of Public Hearing on July 7, 2015, Island City Landscaping and Lighting District 84-2, Zone 4 (Park Street).” Adopted.

(15-344) Resolution No. 15039,“Approving the Alameda County Transportation Commission Measure BB Master Programs Funding Agreement and Authorizing the Interim City Manager to Execute all Documents.” Adopted.

Expressed concern over the Fruitvale Bus Rapid Transit (BRT) system; suggested an expressed bus be used instead; urged greater public input: Darcy Morrison, Alameda.

Councilmember Oddie moved adoption of the resolution.

Councilmember Ezzy Ashcraft seconded the motion.

In response to Mayor Spencer's inquiry, the Transportation Engineer stated the master funding agreement is for direct local distribution for infrastructure improvements including bike, pedestrian, and streets; the project is not a capital project part of Measure BB.

Mayor Spencer inquired if it is a one year agreement, to which the Transportation Engineer responded in the affirmative.

In response to Mayor Spencer's inquiry, the Transportation Engineer stated Measure BB is a 30 year program from 2015-2045.

Mayor Spencer inquired whether the community will have opportunities to discuss the Fruitvale BRT system.

The Transportation Engineer responded the projects were included in Measure BB and approved by voters in November 2014.

In response to Mayor Spencer's inquiry, the Transportation Engineer stated the BRT route is from Alameda Point along Lincoln Avenue to the Fruitvale Bart Station.

Mayor Spencer inquired where business stops will be located along Lincoln Avenue, to which the Transportation Engineer responded the location of stops have not been identified and will go through a public process.

In response to Mayor Spencer's inquiry, the Public Works Director stated there is another BRT plan on Ralph Appezzato Parkway through the Posey Tube, which would be funded by a Tiger Grant and matching money from Measure BB.

Mayor Spencer inquired whether there will be public discussion on the project, to which the Public Works Director responded in the affirmative; stated extensive community meetings will be held; there will be newspaper advertising, website postings, and a variety of opportunities for community discussion on all projects prior to implementation.

On the call for the question, the motion carried by unanimous voice vote – 5.

(*15-345) Resolution No. 15040, "Authorizing the Mayor to Sign a Memorandum of Understanding Regarding the Formulation and Implementation of Sister City Relations Between the City of Dumagete, Philippines and the City of Alameda." Adopted.

(*15-346) Resolution No. 15041, "Revising the June 10 and July 15, 2015 Regular City Council Meeting Dates to June 11 and July 16, 2015." Adopted.

REGULAR AGENDA ITEMS

(15-347) Resolution No. 15042, "Appointing Stephanie Shipe as a Member of the Housing Authority Board of Commissioners." Adopted;

(15-347A) Resolution No. 15043, "Appointing Sommer Carter as a Member of the Public Art Commission." Adopted; and

(15-347B) Resolution No. 15044 "Appointing Brandy Graham as a Member of the Public

Art Commission.” Adopted.

Vice Mayor Matarrese moved adoption of the resolutions.

Councilmember Ezzy Ashcraft seconded the motion, which carried by unanimous voice vote – 5.

The City Clerk administered the Oath and presented Ms. Shipe and Ms. Graham with certificates of appointment.

(15-348) Public Hearing to Consider an Application for Design Review Approval for a New Enclosure on the Rooftop of an Apartment Building to House 12 New Panel Antennae and Other Associated Equipment for an AT&T Wireless Telecommunication Facility. The project is located within an R-3-PD (Garden Residential Planned Development) zoning district;

(15-348A) Resolution No. 15045, “Upholding Planning Board Resolution PB-15-04 Approving Design Review Application (PLN14-0731) to Install Telecommunications Facilities at 1777 Shoreline Drive.” PLN14-0731 - 1777 Shoreline Drive;

(15-348B) Public Hearing to Consider an Application for Design Review Approval for a New Enclosure on the Rooftop of an Apartment Building to House Nine New Panel Antennae and Other Associated Equipment for an AT&T Wireless Telecommunication Facility. The proposed facility will be collocated with an existing T-Mobile facility. The project is located within an R-4 (Neighborhood Residential) zoning district; and

(15-348C) Resolution No. 15046, “Upholding Planning Board Resolution PB-15-03 Approving Design Review Application (PLN14-0729) to Install Telecommunications Facilities at 1538 Saint Charles Street”. PLN14-0729 - 1538 Saint Charles Street.

The City Planner gave a Power Point presentation.

Mayor Spencer requested clarification that the City did not independently gather the information about affected service areas.

The City Planner stated the service area maps were provided by AT&T.

Councilmember Daysog left the dais at 7:50 p.m. and returned at 7:51 p.m.

The City Planner continued his presentation.

Mayor Spencer inquired the box height on 1777 Shoreline, to which the City Planner responded the height is 38 feet 6 inches.

Councilmember Ezzy Ashcraft inquired whether the proposed extension will be within the City's height limit, to which the City Planner responded in the affirmative.

Mayor Spencer inquired whether it is possible to have the antenna without the box, to which the City Planner responded in the affirmative; stated antennas at some locations are not contained in a box.

The City Planner continued his presentation.

In response to Councilmember Ezzy Ashcraft's inquiry, the City Planner stated staff, AT&T and Barbara Lee's office held a helpful meeting last week to discuss ideas, including the pros, cons, and frustrations of issues; the City would like to have a little more control; AT&T was encouraging about the type of process and is doing it with other communities.

Mayor Spencer stated correspondence was received suggesting Council consider not allowing the box so the skyline is not obstructed; inquired whether or not Council can make that decision.

The City Planner responded in the affirmative; stated the Planning Board has approved alternatives to the box.

In response to Mayor Spencer's inquiry, the City Planner stated Council can decide to have a box on both locations, one location, or none.

In response to Mayor Spencer's inquiry, the City Planner stated the permit would go to the property and AT&T; the property owner has to disclose the cell tower to all tenants; basic safety information is imposed which will be used as a standard on all facilities.

Councilmember Daysog stated providing notice to residents should be standard policy.

Ken Mintz, AT&T, gave a Power Point presentation.

Mayor Spencer inquired how much higher than the existing elevator enclosure will a box enclosure be, to which the Mr. Mintz responded less than three feet; stated the existing height is 47 feet 10 inches, the top of the antenna is 50 feet 3 inches.

In response to Mayor Spencer's inquiry, Mr. Mintz stated a box will be added to the St. Charles collocation site; T-Mobile currently has antennas on the site without a box enclosure.

Mr. Mintz continued his presentation.

In response to Councilmember Daysog's inquiry, Mr. Mintz stated 1801 Shoreline Drive was considered, but ground equipment created parking space issues; the landlord was not interested.

Councilmember Daysog inquired whether non-AT&T customers would benefit from the new tower, to which Mr. Mintz responded non-customers would not benefit directly; the availability of roaming service could be a benefit for non-AT&T customers.

Councilmember Daysog inquired whether non-AT&T customers would have degraded service; to which Mr. Mintz responded in the negative; stated the beach area is covered by the Shoreline Avenue towers; service is not limited to just residents; people passing through the area would also have service.

Mr. Mintz continued his presentation.

Bill Hammet, Hammet and Edison, gave a brief presentation on radio frequency (RF) Emissions.

Stated Alameda is a safe environment for families and cell towers have a bad effect on people: Ania DeJesus, Alameda student.

Urged Council to honor the School Board ban of cell towers and deny the proposal for 1777 Shoreline Drive: Sarah Cruz, Maya Lin School.

Stated the location is wrong; it was disrespectful for AT&T to move just next door: Jessica Reed, Alameda.

Stated conditions should be imposed on property owners who have a cell tower; he owns the building adjacent to 1538 Saint Charles Street and believes the cell towers are a safety issue: Lester Cabral, Alameda.

Stated wireless systems in homes are closer and have higher RF; people are no longer using home phones; that she supports upholding the Planning Board decision: Anne Debardeleben, Alameda.

Stated legislation should be drafted regarding cell towers in residential areas: Dennis Wong, Alameda.

Councilmember Daysog stated a member of the community asked for 1777 Shoreline Drive to be reviewed; the matter is large and complex in terms of science and federal laws; the federal government process is good discussion.

Councilmember Ezzy Ashcraft stated that she appreciates the public's concerns as well as the federal law; she was told that AT&T was to consider a possible alternative location on Shoreline Drive; if the site is feasible and criteria has been met, the Planning Board decision should not be overturned.

Mr. Mintz stated Kitty Hawk was the alternative location on Shoreline Drive; an evaluation determined the location was very constrained; issues included a 16%

coverage gap, lack of space for ground equipment, and AT&T was unable to connect with the landlord.

Councilmember Ezzy Ashcraft stated Kitty Hawk will be taken off the table since it is not a feasible alternative; the City is also recommending a Citywide preferred location list; the relocation to an adjacent property was due to miscommunication and a change in personnel; that she cannot find a reason to overturn the Planning Board decision.

Councilmember Oddie stated the City has a regulatory role, and the School Board made a decision as a landlord; those opposed having an opportunity to speak is important; that he concurs with Councilmember Ezzy Ashcraft about the findings and does not see anything to overturn the Planning Board decision.

Vice Mayor Matarrese stated taking a strategic look at an acceptable location for a cell tower is valuable; people cannot complain about cell phone towers or service if they all carry and use cell phones; the City's criteria was met and he does not see a reason to overturn the Planning Board decision.

Councilmember Daysog stated the 1777 Shoreline Drive application is incomplete because it does not include an RF study.

The City Planner stated the RF study was submitted to the City.

Councilmember Daysog stated the RF study is not on the website.

In response to Mayor Spencer's inquiry, the City Planner stated for future applications a third party could be hired to conduct an independent analysis to prove there is a gap in coverage.

Mayor Spencer inquired whether an analysis could be done on the two current applications.

The City Planner responded in the negative; stated timing would be an issue as the City's deadline is September.

Mayor Spencer inquired whether property owners should be required to have a business license, to which the City Planner responded apartment complexes already have business licenses.

The City Attorney stated the cell towers are not currently part of the business license fees, which can be amended.

Mayor Spencer inquired what the property owners are being paid to host the cell towers.

Councilmember Ezzy Ashcraft stated discussion on something not agendaized violates the Brown Act.

Mayor Spencer inquired whether City staff investigates the inspection of all facilities, to which the City Planner responded in the affirmative.

Councilmember Ezzy Ashcraft moved adoption of the resolution upholding Planning Board Resolution PB-15-03 approving Design Review Application (PLN14-0729) to install telecommunications facilities at 1538 Saint Charles Street.

Councilmember Daysog seconded the motion, which carried by unanimous voice vote – 5.

Vice Mayor Matarrese moved adoption of the resolution upholding Planning Board Resolution PB-15-03 approving Design Review Application (PLN14-0729) to install telecommunications facilities at 1538 Saint Charles Street and direct staff to return to Council with an analysis of preferred cell tower location sites and other criteria based on community and Council input on how to manage the inventory.

Councilmember Oddie seconded the motion.

Under discussion, Councilmember Daysog stated the 1777 Shoreline Drive application is not complete because it lacks an RF report.

Mayor Spencer requested the motion be separated.

Vice Mayor Matarrese agreed to separate the motion.

Vice Mayor Matarrese moved adoption of the resolution upholding Planning Board Resolution PB-15-03 approving Design Review Application (PLN14-0729) to install telecommunications facilities at 1538 Saint Charles Street.

Councilmember Oddie seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Ezzy Ashcraft, Matarrese and Oddie – 3. Noes: Councilmember Daysog and Mayor Spencer – 2.

Vice Mayor Matarrese moved approval of directing staff to return to Council with an inventory on preferred cell tower location sites with consideration of input from the community and Council.

Councilmember Oddie seconded the motion, which carried by unanimous voice vote – 5.

(15-349) Public Hearing to Consider Introduction of Ordinance Revising the City's Sewer Service Charges. Introduced.

The Public Works Coordinator gave a brief presentation.

Passed on a concern from a business owner whose bill doubled in the past years; suggested business rates be provided in future notices: Robb Ratto, Park Street Business Association.

The Public Works Coordinator announced a majority protest was not received.

In response to Councilmember Ezzy Ashcraft's inquiry, the Public Works Coordinator stated commercial accounts have volumetric rates; residential is flat rate on assumed water usage.

Councilmember Ezzy Ashcraft inquired why rates are increasing, to which the Public Works Coordinator responded the City entered into a federal consent decree in September 2014 which codifies the requirements for the sewer program; requirements include routine cleaning, a prescribed annual replacement, and 34 pump stations need to be updated to current standards.

Vice Mayor Matarrese moved introduction of the ordinance.

Councilmember Daysog seconded the motion, which carried by unanimous voice vote – 5.

(15-350) Recommendation to Award a Contract in the Amount of \$7,960,608, Including Contingencies, to Alten Construction for Construction of the Emergency Operations Center, No. P.W. 06-14-23 and Fire Station 3, No. P.W. 12-14-18; to Appropriate Anticipated Loan Proceeds from IBank and to Appropriate 2003 A&B Tax Allocation Bonds Unspent Bond Proceeds.

The Public Works Director gave a Power Point presentation.

In response to Councilmember Oddie's inquiry, the Public Works Director stated FEMA reimbursement has become very difficult; FEMA wants the City to be prepared for disaster mitigation; Alameda has a series of community training to educate citizens; FEMA's plan preferred to bring supplies on the Island; Alameda does not get penalized for not having an EOC but it is highly recommended.

Vice Mayor Matarrese inquired whether alternative EOC locations have been examined, specifically the Main Library.

The Public Works Director responded in the affirmative; stated the Main Library has been examined and is not a feasible location; the roof solar panels would have to be removed to allow for satellite and there is no room for a communication or data area; a stand-alone communication area would have to be found.

The Assistant City Manager noted the Library would have to shut down for employee training.

Vice Mayor Matarrese stated the Library would be ideal if a disaster extends for months; he has not seen analysis that shows a gap; inquired if an earthquake happens tonight, what is it that could not be done tomorrow.

The Public Works Director responded the Police building was built in 1978 and may not be functional after an earthquake; there are lots of lessons to be learned from Northridge; a building that is guaranteed to perform is proposed; the Library cannot be guaranteed.

Councilmember Daysog stated various departments and personnel would comprise the EOC; realizing that the Mayor needs to be part of the equation is important and is in the City Charter.

The Public Works Director stated the roles for the Mayor and Council have been addressed.

Councilmember Daysog stated there is an Emergency Council in the event of an emergency; the message is that the EOC is inadequate; the EOC is for Alameda residents.

The Public Works Director stated Napa lost both their County and City EOCs after the August 2014 earthquake; both operations delayed response by 24 hours.

Councilmember Ezzy Ashcraft inquired what the result was from the delay, to which the Public Works Director responded fires got out of control.

Councilmember Ezzy Ashcraft stated the 2012 Measure C staff report detailed Fire Station 3 being outdated; the design called for a modern EOC on the second floor; the proposed EOC then became two different structures on a larger parcel; analysis indicates merging the two structures would cost more; that she would like to apply criteria that is best for Alameda citizens; best use of capital is important; different sources of funding have been identified; Alameda has aging infrastructure; that she was distressed when the City withdrew from the Rockefeller Grant Program; other cities in the region were chosen; Alameda needs to partner with neighbors; she would like staff to contact the Rockefeller program to get the grant back; supporting the proposition is important for her; training needs to start even before the EOC is built; the EOC could be widely used and she would like assurances along those lines.

The Public Works Director stated that he defines resiliency like a slinky that needs to be put back after a disaster; training has already started.

Councilmember Ezzy Ashcraft stated that her point about training is a disaster could happen tonight; the City needs to be ready now.

The Public Works Director stated that he has been engaging with resiliency officers of Berkeley and Oakland on the Rockefeller program; Alameda could revisit the grant program after evaluating Berkeley and Oakland's reception of the program.

Urged Council to approve the project: Jon Spangler, Alameda.

Councilmember Oddie stated Council has to balance and weigh the tradeoffs; inquired the amount already spent on the project, to which the Public Works Director responded \$750,000 has already been spent on design and community engagement.

In response to Councilmember Oddie's inquiry, the Public Works Director stated bidding the structures together saved \$500,000; the bid cannot be split; to rebid the project would mean a redesign and split of the structures; the contractor would not take the opportunity to rebid the project.

Councilmember Oddie stated replacing Fire Station 3 and having an EOC is necessary; there would be a lost opportunity of \$3 million if the City does not move forward; the EOC is where the heart of City operations will function; it is not a matter of if a disaster will happen, it is a matter of when; the ultimate responsibility and number one priority as elected officials is to protect the citizens; the City needs to be prepared in the event of an emergency; that he does not want anything to happen on his watch; he is prepared to support the project.

Councilmember Ezzy Ashcraft stated that she wants to be sure Council is going in with open eyes; protecting the citizens is a priority but takes many different forms; understanding there will be tradeoffs is important; she would like a report back from the Public Works Director on the Rockefeller Foundation grant; there is benefit of partnering and training which should be done for the citizens.

The Public Works Director stated he hopes to have something before the end of year on the Rockefeller grant issue.

Councilmember Ezzy Ashcraft stated that she hopes to have something sooner.

Vice Mayor Matarrese stated Fire Station 3 needs to be replaced; there is enough new development to warrant its operation; the EOC still needs analysis; there are no drills; he is glad training and coordination is happening; having shortfalls codified is a valuable exercise; that he would prefer to have the EOC in the City's center and make maximum use of existing buildings; how and where money is spent needs to be reviewed carefully.

Mayor Spencer inquired whether the Emergency Water Supply (EWS) system has been discussed.

The Fire Chief responded the different options of the EWS are being reviewed; an EWS comes with a large price tag; Alameda has asked for FEMA grants, but FEMA does not

fund projects; funding needs to be found elsewhere; the City has a new fire boat that could supply water; Alameda also has relationships with large tugboats for firefighting efforts; a new committee will be established to evaluate funding sources.

Mayor Spencer inquired whether salt water pumps are installed in San Francisco and Vallejo, to which the Fire Chief responded in the affirmative.

Mayor Spencer stated that she does not know how prepared Alameda is to handle an emergency without an EWS; an EWS needs to be prioritized.

The Assistant City Manager stated the EWS could be added to the list of items to be brought back.

Councilmember Ezzy Ashcraft stated Berkeley did a ballot measure to purchase the pump.

The Fire Chief stated various options include large water tankers placed across the Island similar to rural fire departments; hoses cannot be laid with the above ground system with so much debris after an earthquake; he would like several options.

Mayor Spencer stated the EOC is funded by refinanced bonds and unspent bond proceeds; Fire Station 3 funding is not covered.

The Interim City Manager stated a 20-year loan for the Fire Station has already been approved.

The Finance Director stated any proceeds from tax increment repayment would have to be approved within the redevelopment area; Fire Station 3 is in the redevelopment area and is an appropriate use of tax allocation bonds.

In response to Mayor Spencer's inquiry, the Interim City Manager stated the redevelopment area is the old Business Waterfront Improvement Project (BWIP) area.

In response to Mayor Spencer's inquiry regarding the Ibank loan, the Finance Director stated Ibank issues tax exempt bonds in smaller dollar amounts; the bonds are the best option to finance the project because of the low interest spread over 20 years and fees are one time payments; both the Fire and Police Chiefs went to Sacramento when the loan was considered; the State unanimously approved the funding and encouraged that Alameda was ideal for use of Ibank funding.

In response to Mayor Spencer's inquiry, the Finance Director stated the debt service is \$200,000.

In response to Mayor Spencer's inquiry, the Finance Director stated the Ibank loan will not require a payment until the building construction is done, which the Public Works

Director anticipates would take 12 months; the interest will be capitalized until the construction is complete; lbank calculated 12 months with an additional 6 months.

Councilmember Daysog inquired whether the capitalized interest is from lbank, to which the Finance Director responded in the affirmative.

Mayor Spencer inquired whether a consultant was hired to find funding as opposed to shopping banks, to which the Interim City Manager responded in the affirmative; stated the City's financial advisor found the loan.

In response to Mayor Spencer's inquiry regarding budget approval, the Interim City Manager stated the project was incorporated in the 2- and 5-year projections.

Mayor Spencer inquired why the item is not coming to Council at the same time as the budget approval.

The Interim City Manager responded the 60-day hold on bids ends this week.

Councilmember Daysog stated the hodgepodge nature of different revenue sources is because Measure C did not pass.

Mayor Spencer stated the EOC and Fire Station 3 are separate; the argument is having an EOC is critical and the Fire Station does not have funding sources and would have to come from the General Fund.

The Interim City Manager stated the EOC would also be paid from the General Fund.

Mayor Spencer stated the City has not committed to the loan; Council is being asked to make two separate financial decisions; questioned whether it is appropriate to put the Fire Station ahead of other things in the budget; inquired whether there is a way to go forward with the EOC and hold off on the Fire Station until the budget process is complete.

The Interim City Manager responded in the negative; stated the projects were bid together; the projects would have to go out to bid again to separate them.

Mayor Spencer stated Fire Station 3 has not been discussed; reports from 2009 and 2007 indicate fire stations need improvement but there is no analysis; now it seems like the item is moving forward without further discussion or analysis.

Vice Mayor Matarrese inquired whether COPPS refinancing bonds could be used for Fire Station 3, to which the Interim City Manager responded in the affirmative.

Vice Mayor Matarrese stated the future of development has to be considered alongside Fire Station 3 improvements; there could be 6,000 to 8,000 more residents with the multi-family overlay in the Northern Waterfront.

Councilmember Ezzy Ashcraft concurred with Vice Mayor Matarrese; stated Fire Station 5 was closed at Alameda Point; businesses and residents could be more vulnerable without Fire Station 3.

The Fire Chief stated the Ryland Research, CityGate and TriData reports were consistent; the International City/County Management Association (ICMA) report was contrary to the other reports; the other reports indicated Alameda has a correct staffing model and could adequately respond to incidents; the ICMA staffing models did not make sense and did not apply to the City; ICMA reports have been discredited across the country when a report to the City of Lake Havasu was labeled City of Alameda.

Mayor Spencer inquired whether Alameda has a commitment from East Bay Municipal Utility District (EBMUD) that the EWS will be working by 2020.

The Public Works Director responded in the affirmative; stated EBMUD has made a verbal commitment and would be reinforced at a May meeting with the Mayor.

In response to Mayor Spencer's inquiry, the Public Works Director stated Bay Farm Island pipes are buried and would perform well in an earthquake; the water-crossing pipes are challenging.

Councilmember Ezzy Ashcraft stated commitments should be in writing.

The Public Works Director stated that he and the Mayor have a meeting with EBMUD and will get a written commitment.

In response to Councilmember Ezzy Ashcraft's inquiry, the Public Works Director stated EBMUD will make a presentation to Council on June 2nd.

(15-351) Mayor Spencer stated a motion is needed to consider the remaining agenda item: Site A [paragraph no. 15-352].

Councilmember Ezzy Ashcraft moved approval [of considering the remaining item].

Councilmember Daysog seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Daysog, Ezzy Ashcraft, Matarrese and Oddie – 4. Noes: Mayor Spencer – 1.

In response to Mayor Spencer's inquiry, the Fire Chief stated turnout gear gets contaminated with combustion products and produces toxic offgassing; a policy was implemented prohibiting wearing of turnout gear in living quarters; Fire Station 3 has two separate quarters which causes delay in response time because Fire Fighters have to get dressed in a separate building.

Mayor Spencer inquired whether a new Fire Station would address the issue, to which the Fire Chief responded in the affirmative.

Mayor Spencer stated there is also an issue of female fire fighters changing in the front yard.

Councilmember Ezzy Ashcraft stated valid arguments support replacing Fire Station 3.

Mayor Spencer concurred with Councilmember Ezzy Ashcraft, stated it is important for the public to know the arguments.

Councilmember Daysog moved approval of the staff recommendation and to direct staff to reevaluate the Rockefeller Foundation grant and review the EWS.

Councilmember Ezzy Ashcraft seconded the motion.

Under discussion, Mayor Spencer inquired whether the project impacts staffing levels, to which the Interim City Manager responded in the negative; stated the project just replaces an existing facility.

On the call for the question, the motion carried by the following voice vote: Ayes: Councilmembers Daysog, Ezzy Ashcraft, Oddie and Mayor Spencer – 4. Noes: Councilmember Matarrese – 1.

Mayor Spencer called a recess at 10:35 p.m. and reconvened the meeting at 10:47 p.m.

(15-352) Status Report on Site A Development at Alameda Point, including Presentation on City Council Approval Process, Financing Plan, and Fiscal Impact Analysis.

The Chief Operating Officer – Alameda Point gave a Power Point presentation.

(15-353) Mayor Spencer stated a motion is needed to continue the meeting past 11:00 p.m.

Vice Mayor Matarrese moved approval [of continuing the meeting].

Councilmember Daysog seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Daysog, Ezzy Ashcraft, Matarrese and Oddie – 4. Noes: Mayor Spencer – 1.

The Chief Operating Officer – Alameda Point continued the presentation and responded

to questions.

James Edison, Willdan Financial Services, responded to questions on the transfer tax.

The Chief Operating Officer responded to additional questions.

Mayor Spencer stated she would like the condominium rent chart to include household size and square foot size.

Councilmember Ezzy Ashcraft inquired why street related funds are negatively impacted if the developer is paying so much into backbone infrastructure costs.

The Chief Operating Officer – Alameda Point responded there are no dedicated street revenues, thus the cost to maintain roads and sidewalks creates an impact.

Councilmember Daysog inquired if the net impact of distributing \$300,000 over 800 units is \$375.00 per residence, to which the Chief Operating Officer – Alameda Point responded in the affirmative.

The Chief Operating Officer – Alameda Point continued the presentation.

Councilmember Ezzy Ashcraft inquired how many years the \$900,000 deficit is expected to last, to which the Chief Operating Officer – Alameda Point responded the assumption is the deficit will last from buildout going forward; more commercial, retail, and business-to-business users are factors which influence the deficit; assumptions are conservative.

In response to Councilmember Ezzy Ashcraft's inquiry, the Chief Operating Officer – Alameda Point stated the deficit is paid from a special tax; every development will pay a fair share of the \$900,000 deficit; once development is complete, there will be sufficient funds to cover the deficit without any impact; the hope is the development will be successful; using conservative protections going forward is key.

Councilmember Oddie inquired whether the special tax revenue has already been assigned to expenditures.

The Chief Operating Officer – Alameda Point responded there will be a gradual increase in revenues and expenditures over time; property transfer tax revenues will be realized when the first townhomes are sold; expenditures increase as calls for service increase.

Councilmember Oddie inquired whether the revenue would go to the General Fund or be segregated to base reuse, to which the Chief Operating Officer – Alameda Point responded revenues would go to the General Fund.

The Chief Operating Officer – Alameda Point continued the presentation.

Vice Mayor Matarrese inquired whether the estimates used to set the special tax anticipate the same rate, which drives General Fund projections.

The Chief Operating Officer – Alameda Point responded the tax is anticipated to escalate at the Consumer Price Index (CPI) every year; the municipal service tax will escalate over time with the CPI; the inflation factor would be CPI as opposed to a municipal expenditure rate.

Councilmember Oddie inquired whether the estimated impact on the General Fund could be broken out by fiscal year as opposed to by phase, to which the Chief Operating Officer – Alameda Point responded in the affirmative; stated assumptions can be made by year; impacts were done by phase to avoid false precision.

In response to Councilmember Ezzy Ashcraft's inquiry, the Chief Operating Officer – Alameda Point stated the tax burden is higher for residents than commercial because commercial uses tend to be more sensitive to special taxes; residential users can be burdened more without seeing an impact to value.

Joe Ernst, Alameda Point Partners (APP), gave a brief presentation.

Linda Mandolini, Eden Housing, made brief comments on affordable housing.

Vice Mayor Matarrese inquired when the return to 415 units at North Housing will be codified and established, to which the Chief Operating Officer – Alameda Point responded the item will come to Council on June 16th.

Vice Mayor Matarrese stated affordable housing is separate and not included in the proforma numbers; he would like the risk to obtain financing be on the Developer and not the City; he would like inclusion of jobs in Phase 1 with milestones; building a ferry terminal with a low budget of \$10 million is also a risk as there is no commitment from WETA for ferries; the project should consider a reality based TDM; bonafide numbers are necessary to project mitigation once units are populated; a Project Labor Agreement (PLA) is important to keep jobs local.

In response to Councilmember Ezzy Ashcraft inquiry, the Chief Operating Officer – Alameda Point stated the Alameda Point Environmental Impact Report (EIR) showed significant transportation impacts and regional growth with or without the Alameda Point development; saying only one car through the Tubes would be generated by Alameda Point development is incorrect; the tubes are reaching capacity now; adding more cars on the West End diverts cars to other parts of the Island.

Councilmember Ezzy Ashcraft stated Alameda does need to look at another model; there are good opportunities with Site A which encourage people to work and live in the same area.

Councilmember Daysog expressed concern about increased traffic from Alameda Point through Tube as discussed in the EIR and Master Infrastructure Plan (MIP); stated Council did evaluate and make policy decisions with regards to transportation; he likes the changes, which include the 15-minute headway for the shuttle, and the stops at one or more places; he would like language in the Development Agreement (DA) to protect Alameda in the event of a recession; land banking is an important discussion; the Development Plan (DP) is a key part of Alameda Point which has taken decades to get to this point; suggested including the DP on June 16th for ceremonial reasons.

Councilmember Ezzy Ashcraft read a letter from Carol Fairweather in support of Site A.

Councilmember Oddie stated that he is glad to see progress on a PLA; he is encouraged by acceleration of commercial development and more jobs; the North Housing realignment allows Council to consider housing in the context of the Housing Element; he is glad the public has opportunity to see the Site A financials.

Mayor Spencer expressed concern about issues, including housing, traffic, the ferry terminal, and the proposed sports complex.

In response to Mayor Spencer's inquiry, the Chief Operating Officer – Alameda Point stated the ferry terminal would be located in the seaplane lagoon, which is the heart of the development, so people would be able to walk or ride bikes to the ferry.

Mayor Spencer inquired the total cost and timeline of the sports complex, to which the Chief Operating Officer – Alameda Point responded the total cost is \$20 million; stated the timeline will depend on the timeline for the rest of the development which is subject to the City Council desire to dispose and develop land.

The Interim Assistant City Manager stated it is feasible to develop the complex in stages similar to other park projects; the entire \$20 million does not need to be raised before building begins.

In response to Mayor Spencer's inquiry, the Interim Assistant City Manager stated design on the sports complex would depend on how many fields, the type of fields, and the amenities.

Mayor Spencer stated the sports complex could be a better use of money instead of a ferry terminal; Alameda already has two ferry terminals; having a third terminal located one mile from another one does not seem practical.

Mayor Spencer further expressed concern about jobs aligning with housing type, homes being leased as opposed to purchased, roads and bicycle paths, senior housing, and truck routes.

Councilmember Daysog stated Brownfield development is the challenge for any developer of Alameda Point; investment is required to get the property to a developable

state which doubles the cost; a program has to have \$800,000 homes to generate revenue; other challenges include infrastructure related problems, affordable housing, and transportation; meeting the objectives residents want is a struggle; the project is very tight and loading on new objectives is difficult.

Councilmember Ezzy Ashcraft stated Council should not lose sight of solutions that can be done now; she appreciates all of the updates which give Council more information to make an informed decision.

Vice Mayor Matarrese stated negotiations are not over; he hopes Council's input is being heard; the Mayor raised issues that stretch the envelope but are all points that need to go back to the bargaining table; Council has an obligation to deliver and fulfill its promise to the community.

CITY MANAGER COMMUNICATIONS

None.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(15-354) Council Oddie announced that he attended the Alameda County Waste Management Authority (ACWMA) programs and administration meeting last week and discussed expansion of the reusable bag ordinance.

Vice Mayor Matarrese inquired whether ACWMA discussed extending the ordinance to stores other than grocery, to which Councilmember Oddie responded in the affirmative; stated the ordinance could apply to other stores, just not restaurants; that he will ask for Council guidance before voting.

ADJOURNMENT

(15-355) There being no further business, Mayor Spencer adjourned the meeting at 1:47 a.m. in memory of B.B. King.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Sunshine Ordinance.