

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
TUESDAY- -FEBRUARY 17, 2015- -7:00 P.M.

Mayor Spencer convened the meeting at 7:23 p.m.

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

Absent: None.

AGENDA CHANGES

(15-113) Mayor Spencer announced that the contract with Urban Planning Partners [paragraph no. 15-124] was removed from the agenda by staff; suggested moving up the Council Referral to accommodate the City Treasurer's comments<sup>4</sup>.

Councilmember Daysog stated he would not mind his Council Referral being moved.

Mayor Spencer suggested allowing the City Treasurer to speak under Oral Communications and hear the item later; Councilmembers agreed.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(15-114) Mayor Spencer read the Season of Non-Violence daily reading on "Acceptance".

(15-115) Presentation by Friends of the Alameda Animal Shelter (FAAS) - Annual Progress Report

Nancy Evans and Nancy Baglietto, FAAS, made brief comments and provided handouts.

Councilmember Ezzy Ashcraft commended FAAS for their work.

Councilmember Daysog stated the volunteer service hours is a good tribute to FAAS.

ORAL COMMUNICATIONS, NON-AGENDA

(15-116) Kevin Kennedy, City Treasurer, addressed the Council Referral on the proposed Charter Amendment relative to the creation of a Municipal Finance Commission [paragraph no. 15-136]; proposed a more robust public budget session before Council makes final decisions; stated slides which address OPEB, CalPers, and deferred liabilities should be integrated as a permanent part of the budget presentation for full transparency and accountability.

Councilmember Daysog stated that he would like to incorporate the City Treasurer's comments and likes the idea of having quality discussions; too many meetings could dilute OPEB and CalPers discussions.

(15-117) Catherine Adelhoff, Alameda Family Physicians, discussed bicycle safety; expressed support for the bike lane on Shoreline Drive and encouraged the project proceed.

(15-118) Kurt Peterson, Alameda, stated that he agrees with the City Treasurer about public input during budget sessions; urged Council to obtain more information on the transportation plan before making a decision.

(15-119) Doug Biggs, Alameda Point Collaborative (APC), stated APC is a partner in the Metropolitan Transportation Commission (MTC) grant for the Main Street plan and is concerned that the plan is being postponed; the APC budget is being used to take care of degrading infrastructure; urged Council to move ahead on the planning process.

Councilmember Ezzy Ashcraft inquired whether the City would still be pursuing the grant.

The City Manager responded the item would be brought back on the March 3<sup>rd</sup> so that staff could provide additional information.

(15-120) Former Councilmember Doug deHaan, Alameda, stated that he is concerned with the Town Center plan elevation and that the ferry terminal location has been moved.

### CONSENT CALENDAR

Mayor Spencer announced the Urban Planning Partners contract [paragraph no. 15-124] was withdrawn from the agenda.

Councilmember Ezzy Ashcraft moved approval of the remainder of the Consent Calendar.

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

(\*15-121) Minutes of the Special and Regular City Council Meetings Held on January 20, 2015. Approved.

(\*15-122) Ratified bills in the amount of \$1,966,294.42.

(\*15-123) Recommendation to Authorize the City Manager to Negotiate and Execute an Agreement in an Amount not to Exceed \$290,000 with Power Engineering to Demolish

the Todd Shipyard Crane Located at Pier 5, near 2900 Main Street, on the Alameda Gateway Property. Accepted.

(\*15-124) Recommendation to Award Contract in the Amount of \$256,292 to Urban Planning Partners, Inc. to Prepare the Main Street Neighborhood Specific Plan for Alameda Point. Not heard.

(\*15-125) Recommendation to Accept the Work of Dixon Marine Services, Inc., for Alameda South Shore Lagoon Dredging, No. P.W. 11-13-26. Accepted.

(\*15-126) Recommendation to Authorize the City Manager to Enter into a Joint Use Agreement with Alameda Unified School District for the Operation and Maintenance of the District Swimming Pools until December 31, 2016. Accepted.

### REGULAR AGENDA ITEMS

(15-127) Resolution No. 15004, "Supporting a Conveyance of the Surplus Federal Property on McKay Avenue for Park and Open-Space Purposes and Approve the Work Plan pursuant to City Council's Direction on January 21, 2015." Adopted.

Stated that he is concerned that the federal General Services Administration (GSA) is continuing to pursue imminent domain to assume easements rights; suggested the Council liaison committee liaise with congressional representatives to look into the matter: Richard Bangert, Alameda.

Stated that she supports the resolution and opposes imminent domain; the City should work to secure the highest and best use for property: Irene Dieter, Sierra Club,.

Provided a slide show with two maps: Doug Siden, East Bay Regional Parks District (EBRPD).

Expressed support for the resolution and urged the City to fight Crab Cove: Gretchen Lipow, Alameda.

Councilmember Ezzy Ashcraft stated that she is not sure how much the City can do to help mend fences.

Councilmember Daysog stated joining EBRPD on Crab Cove is important for the City.

Councilmember Oddie concurred with Councilmember Daysog; stated that he supports the resolution.

The City Manager acknowledged the Mayor's role in working with both parties.

In response to the City Manager's inquiry regarding a City/EBRPD liaison committee, the City Clerk stated several joint meetings of the City Council and EBRPD Board were held in the 1980s, but a liaison subcommittee was never established.

The City Manager stated Council could direct staff to create a liaison committee or have joint meetings; stated a liaison committee is preferable as joint meetings are harder to facilitate.

Vice Mayor Matarrese stated the formation of the liaison committee is clear in the referral; that he would like to get started now; part of referral was to help the relationship between with EBRPD and the City; he supports the resolution.

Councilmember Daysog moved adoption of the resolution.

Vice Mayor Matarrese seconded the motion.

Under discussion, Mayor Spencer thanked the EBRPD General Manager for continuing to protect Alameda's parks; stated that she is proud to work with EBRPD.

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

Vice Mayor Matarrese moved approval of establishing a liaison committee as stated [in the referral heard on January 21, 2015]: two members from each board, as an overture to EBRPD, to be seated at the earliest convenience.

Councilmember Oddie seconded the motion.

Under discussion, Mayor Spencer inquired whether members for the committee would be selected tonight or at a future meeting.

The City Manager responded protocol would be to wait for members to formally accept appointment to the committee; the item can be placed on the agenda for the March 3<sup>rd</sup> Council meeting.

Councilmember Ezzy Ashcraft suggested because it has been sufficiently publicly noticed, perhaps Council can decide on the two Council committee members pending EBRPD's acceptance.

The City Manager stated the agenda item does not say "appoint" members.

The Acting City Attorney stated the item does not sufficiently state that Council take action to "appoint" members of the liaison committee; waiting until the next meeting is safer.

Councilmember Oddie stated Councilmembers could express interest in being part of the liaison committee.

Vice Mayor Matarrese amended the motion to agendize the item [committee selection] for March 3<sup>rd</sup>.

Councilmember Oddie concurred with the amendment.

Councilmember Ezzy Ashcraft inquired what the work plan is that Council is discussing.

The City Manager responded that he understands the work plan to mean the four items listed in the staff report [1) Settle any remaining issues related to the aforementioned litigation regarding Crab Cove, 2) Petition the Federal Government to cease eminent domain efforts regarding McKay Avenue, 3) Establish a Council-EBRPD liaison committee, 4) Ask the City's lobbyists in Washington and Sacramento to speak with Alameda's legislators about supporting the EBRPD in its plans for Crab Cove]; stated the only issue is whether somebody looking at the agenda would know an appointment was happening.

Mayor Spencer stated the third point states: "establish a liaison committee" and does not include language to appoint members.

Councilmember Ezzy Ashcraft stated that she is not overly anxious to appoint members tonight, but there are a lot of agenda items coming to the Council; she is just looking for economy of time.

The Acting City Attorney stated the item can be brought back on the consent calendar.

Mayor Spencer inquired whether the Council agrees to discuss the matter tonight and bring the item back on Consent on March 3<sup>rd</sup>.

The City Manager stated if the item is brought back on Consent, that means the Council would have to the names, which means Council would have discuss the matter tonight, however the item does not address appointments; suggested having the item as a Regular Agenda item at the next meeting so the appointments can be decided then.

Vice Mayor Matarrese clarified the motion to establish the liaison committee and, after hearing back that EBRPD agrees to the committee, agendize the item on March 3<sup>rd</sup> to seat the committee.

In response to Councilmember Ezzy Ashcraft's inquiry, the City Manager stated Council is being asked to approve the workplan; that he is advising Council against making the appointments, or bringing it back on Consent which violates the Brown Act by having a chain meeting to decide members.

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

(15-128) Introduction of Ordinance Approving and Authorizing the City Manager to

Execute Documents Necessary to Implement the Terms of the Lease with Complete Coach Works, a California Corporation, for a Lease for Two Years and Nine Months in a Portion of Building 24 Located at 2301 Monarch Street at Alameda Point. Introduced.

The Economic Development Division Manager gave a brief presentation.

Ted Anderson, Cushman and Wakefield, discussed the terms of the lease and rental rates being more commiserate with the market.

Councilmember Ezzy Ashcraft stated the City would benefit from the short term lease with Complete Coach Works; Site A development will make Alameda Point more attractive.

Vice Mayor Matarrese moved introduction of the ordinance.

Councilmember Oddie seconded the motion.

Under discussion, Mayor Spencer thanked Complete Coach Works for continuing to do business in Alameda; stated that she is confident the business is being environmentally safe and practicing good work habits in following the appropriate protocols to protect the environment.

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

(15-129) Status Report on Site A Development at Alameda Point.

The Chief Operating Officer - Alameda Point gave a brief presentation.

Councilmember Ezzy Ashcraft inquired who would bear the cost of dredging and subsequent maintenance for the Seaplane Lagoon ferry terminal.

The Chief Operating Officer – Alameda Point responded ultimately, the City and Developer would bear the cost of the Seaplane Lagoon dredging; stated \$10 million contribution is part of the Disposition Development Agreement (DDA); the service being implemented will ultimately dictate who owns the maintenance agreement for dredging.

Joe Ernst, Alameda Point Partners (APP) and Linda Mandolini, Eden Housing, gave a Power Point presentation.

Councilmember Ezzy Ashcraft inquired what the combination of 128 affordable units for seniors would look like.

Ms. Mandolini responded she does not have the final numbers.

Councilmember Ezzy Ashcraft stated opportunities are limited for seniors on the Island; seniors do not drive and would not be heading through tube during rush hour.

Councilmember Daysog stated apartments are not suitable for large families; that he prefers housing which would accommodate large size families.

Ms. Mandolini stated one third of the housing would be required to be three bedrooms.

Councilmember Daysog inquired whether Eden Housing will have their own architects and designers sync up with the developer.

Ms. Mandolini responded in the affirmative; stated Eden Housing works very closely with the developer; architects will design in concert with the developer team so the built environment will be seamless.

Mayor Spencer inquired whether townhomes or single-family homes will be built.

Ms. Mandolini responded in the affirmative; stated some townhomes and single-family homes will be built; Eden Housing is building 16% of low and very-low income housing.

Mayor Spencer inquired whether senior age is 55 or 62.

Ms. Mandolini responded senior age depends on the City's preference; stated Housing and Urban Development (HUD) funding creates a cut off at 62 and the California tax credit program has a minimum threshold of 55.

Mayor Spencer stated she would like to see both scenarios.

Councilmember Daysog stated a person attending the Community Development Block Grant (CDBG) meeting argued for affordable housing for seniors starting at age 55; there is an indication of demand in the community and a mix would be good.

Ms. Mandolini stated Eden Housing is open to either possibility but HUD funding requires age 62.

David Israel, BAR Architects, continued the Power Point presentation.

Councilmember Ezzy Ashcraft inquired why the proposed ferry terminal is not shown on any diagrams, to which Mr. Israel responded because the ferry terminal is outside of Site A.

April Phillips, BAR Architects, continued the presentation.

Councilmember Daysog stated that he is concerned there is too much dead space; inquired whether the plan contemplates having the buildings much closer to the water; inquired the distance between Building 5 and the water's edge.

Ms. Phillips responded approximately 70 feet; stated sea level rise and accessibility are issues; the goal is to have grand events in the plaza; terraces are designed to go down to the waterfront and the smaller buildings are retail elements.

In response to Councilmember Daysog's further inquiry, Ms. Phillips stated Building 5 is existing and cannot be moved; the space between the building and the waterfront cannot be changed; the building can be extended with a porch or similar element to bring it closer to the water.

Councilmember Oddie inquired where the community garden would be located.

Ms. Phillips responded the garden would fit in the residential area, not in the waterfront or urban park; stormwater management is being explored for best fit.

Mayor Spencer inquired what is being envisioned for the bike paths.

Ms. Phillips responded the bike paths are the same as the precise plan; paths are separated from the streets on Appexzato Parkway and on Orion Street; other roads had various degrees on how they are shared; all other roads support bike paths exactly as shown in the precise plan; the main bike connection will connect all the way through Alameda.

Mayor Spencer stated that she would like to see an illustration; she is looking for more detail.

Expressed support for APP and the process which keeps evolving; stated the plan provides housing for employees; Midway Shelter places women in affordable housing: Kari Thompson, Chamber of Commerce.

Expressed supports for the project; stated job creation is essential to the economic health of Alameda; there is a shortage of housing for employees; the project will attract businesses to Alameda Point: Michael McDonough, Chamber of Commerce.

Read letter by Jerry and Susan Serventi in favor of Site A development: Desiree Scott, Alameda.

Read letters from Patricia Pierce and Daniel Hoy in support of the project: Bryan Graves

Stated Alameda Point infrastructure is haphazard for biking; Site A is important for the rest of Alameda Point development; urged council to move forward: Brock Grant, Alameda.

Stated that he likes the plan and supports the project; there is a good mix of market rate and affordable housing: Robert Doud, Alameda.



Stated that she is hoping Site A can be enjoyed by her daughter's generation as well as seasoned residents: Vicki Sedlack, Alameda

Stated Site A development is controlled by the City and responds to the community's wishes to benefit the entire Island; stated Site A is a great contribution to infrastructure and a solid start for the rest of development: Helen Sause, Alameda Home Team

Stated that she is excited about the cultural landscape and having youth work at Alameda Point; housing is important for the future of Alameda Point; she supports the Site A plan: Laura Thomas, Renewed Hope Housing Advocates.

Stated that he is happy the plan is evolving nicely and that the developer worked public comments in nicely; he likes the 75% rental housing plan and affordable housing: William Smith, Renewed Hope Housing Advocates

Stated Site A supports System infrastructure and open space; affordable housing is a great way to support the community moving forward; that she supports the plans; urged Council to move forward: Anne DeBardeleben, Alameda.

Stated that she appreciates the Site A public process, which inspired her to get involved; Site A will provide benefits of a unique culture and community for Alameda: Rachel Campos, Alameda.

Stated APC's success is tied to the success of Site A; the selection of Eden Housing is tremendous and adds value to the neighborhood; that he is excited for opportunities to innovate: Doug Biggs, APC.

Expressed supports for APP; stated building proper types of housing and amenities to support the residents and employees is important: Rich Krinks, Alameda.

Urged Council to move the project forward; stated that she appreciates the community outreach by APP: Karen Bey, Alameda.

Stated being able to live in Alameda Point in a transit-rich sustainable community is always what he has looked for; transit is key to congestion in all of Alameda: Jon Spangler, Alameda.

Urged Council to focus on the waterfront aspect; stated the entire waterfront being part of Phase 1 is nice; making the waterfront plan vibrant will make the property more valuable and jumpstart Site B: Irene Dieter, Alameda

Councilmember Matarrese stated a letter from the developers went to the Planning Board asking for exemption to Measure A with no density bonus; requested staff to explain the letter as it relates to the town center and precise plan.

The Chief Operating Officer – Alameda Point responded the letter will be made available at the next Council meeting on March 3rd; the town center plan and any project with housing would require a request to waive the multifamily housing prohibition in the Alameda Municipal Code consistent with the Charter; the letter is consistent with the precise plan and the developer is requesting a waiver and not requesting any density bonus units.

Vice Mayor Matarrese requested the matter be brought back to Council after Planning Board deliberation and analysis; questioned the Council's ability to waive a provision of the Charter; stated that he would like to see more information on commercial tenants and truck routes.

Councilmember Oddie stated that he would like an update at the next meeting about Assembly Bill (AB) 229 for Infrastructure and Revitalization Finance Districts (IRFD) and Senate Bill (SB) 628 for enhanced Infrastructure Finance Districts (IFD) explaining to what extent both can be utilized at Alameda Point.

The City Manager stated the bills require a waiver to secure the money and may not be feasible for Alameda; staff will provide more IRFD and IFD information in the next update.

Councilmember Oddie encouraged the public to attend the eight remaining meetings on Site A before the Council makes a decision; stated the developer is very responsive; the positive public input and comment is refreshing; Site A will be a lasting legacy for everyone.

Councilmember Ezzy Ashcraft thanked APP for addressing all comments from Council and the Planning Board; stated that she appreciates the presentations from the different components of the team.

Councilmember Daysog stated APP has done fantastic outreach; moving forward and narrowing the details that will drive the discussion is exciting; that he is concerned about the proximity of the buildings to waterfront; he would like to make sure sets of buildings in Blocks 7 and 8 are mixed architectural styles; Alameda should aim high and continue on the path of making things good.

Mayor Spencer stated that she appreciates the modifications and commended APP for listening and reaching out to the community; she would like to see 3-D models for a side view; she is concerned about the ratio of rentals versus ownership; there is no rent control for new units; she would like to know the price range of the units.

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(15-130) Mayor Spencer stated a motion is needed to consider the remaining agenda items after 10:30 p.m.

Vice Mayor Matarrese moved approval [of considering the remaining items].

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

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(15-131) Presentation on Proposed Process for Preparing Approach to Comprehensive Citywide Transportation Planning and Implementation Effort.

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

Vice Mayor Matarrese stated that he appreciates the approach of holding the March 10<sup>th</sup> workshop; the workshop setting is a good way to flesh out talking points and inform the Council; to understand the public point of view on the implication of the developments and transportation is extremely important; the number of vehicles is the problem; people living at Alameda Point would have to commute elsewhere without solid commercial development.

Councilmember Daysog stated creating a framework from which more precise follow-up tasks will emerge is a good approach.

The Chief Operating Officer – Alameda Point stated the intent is to set principles and goals and create a framework people understand.

In response to Councilmember Daysog's comment regarding the TDM needing extra steps, the Chief Operating Officer – Alameda Point stated hopefully what staff presents will facilitate a productive conversation about the TDM.

Councilmember Oddie inquired about the ballpark timeframe to finish the end product and the budget for the deliverable.

The Chief Operating Officer – Alameda Point responded the detailed process scope estimates the 17 month timeframe: four to six months to do an RFP and select a consultant, and 12 to 18 months to complete the end product; the cost estimate to do the study is \$250,000 to \$400,000 for the consultant.

Stated Alameda traffic is not as bad as San Francisco traffic; bicycle commuting is up 70% over the last 10 years; BART and AC Transit ridership is increasing; people are giving up cars; urged the trend to continue with the new development: Jon Spangler, Alameda.

In response to the Mayor's inquiry, the City Clerk stated an agenda would be posted for the February 25<sup>th</sup> meeting to allow Councilmembers to attend.

(15-132) Resolution No. 15005, "Declaring the City's Intention to Revise the Sewer Service Charge and Establish Procedures for Accepting Protests Pursuant to Article XIID, Section 6(a) of the California Constitution Regarding Property-Related Fees and

Charges.” Adopted.

The Public Works Coordinator made brief comments and Alison Lechowicz, Bartle Wells Associates, gave a Power Point presentation.

Councilmember Ezzy Ashcraft stated she is fully aware of reasons to revise the fees and is ready to move forward.

Councilmember Daysog stated the annual sewer rate is exactly what was in presentation; the 3% increase is normal inflation and reasonable.

Councilmember Oddie inquired whether the majority of the 19,500 customers have to protest in order for the fee revisions not to go into effect, to which Ms. Lechowicz responded in the affirmative; stated 50% plus one is needed.

Councilmember Oddie’s inquired how many miles of pipeline will be replaced, to which the Public Works Coordinator responded the consent decree requires replacing three miles per year for the next 23 years.

In response to Councilmember Oddie’s inquiry, the Public Works Coordinator stated the fees go into a dedicated sewer fund and are collected on the County Tax Roll.

Councilmember Oddie inquired whether the 23-year plan will be presented at a future meeting, to which the Public Works Coordinator responded in the affirmative; stated the Sewer Master Plan is near completion.

The Public Works Director stated sewers are the City’s largest asset at \$202 million; replaced pipes have a longer seismic lifetime.

In response to Councilmember Oddie’s inquiry regarding trenching accommodating broadband as well as sewer, the Public Works Director stated building a broadband infrastructure is feasible but depends on the condition of the pipes.

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(15-133) Mayor Spencer stated a motion is needed to continue meeting past 11:00 p.m.

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

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

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Mayor Spencer stated page 8 of the staff report indicates since 2010, there have been significantly higher increases than what is being discussed tonight.

The Public Works Coordinator stated the 2010 rate study is based on projected scenarios of the workload under the regulatory requirements; the highest scenario projected replacing two miles of pipeline per year; the consent decree requires an additional one mile per year; the 2012 sewer bond provided a lump sum of money to pump station renovation and softens the 3% rate increase.

Mayor Spencer inquired what the rate increase was for Fiscal Year (FY) 2011-2013.

The Public Works Coordinator responded the rate increase was 14% per year for three years and Consumer Price Index (CPI) for the last two.

In response to Mayor Spencer's inquiry, Ms. Lechowicz stated the CPI was 2.4% in 2014 and 2.7% in 2015.

Mayor Spencer stated in FY 2011 through 2013, there was a 14% increase per year; this increase is a little higher than the last two years, but significantly less than the prior three years; page 9 of the staff report indicates there will be a debt service reduction; two State Revolving Fund (SRF) loans will be paid off in FY 2018; inquired whether a 3% increase will still be needed at that point.

The Public Works Coordinator responded in the affirmative; stated the 2012 sewer bond will be exhausted by then.

Mayor Spencer inquired whether the \$15 million reserve will remain for future years or will it continue to be drawn down.

The Public Works Coordinator responded the reserve will remain at \$15 million.

Mayor Spencer inquired whether 3% would be sufficient to maintain the \$15 million, to which the Public Works Coordinator responded in the affirmative; stated Council is approving a five-year period tonight.

Mayor Spencer inquired how many years would it take to draw down the \$15 million, to which Ms. Lechowicz responded five years.

Mayor Spencer inquired whether there is a projection beyond five years.

The Public Works Coordinator responded staff has to come back in 2019 for the very same process.

Mayor Spencer stated the study shows a significant reduction, not a moderate one; inquired whether the fee would be increased above 3% after year five to avoid drawing down on the \$15 million.

Ms. Lechowicz responded the appendix of the report shows the 20-year period; inflationary increases are shown each year; the fund balance would continue to be at

the minimum operating recommended target of 60% of annual operating costs plus one year pipeline replacement and annual debt service costs; the forecast over the 20 years maintains the reserve level; FY 2015 is higher than normal because the bond funding is legally required to be spent on projects; FY 2015-2016 also have high expenditures for the pump station replacements.

Mayor Spencer stated that she is concerned there will be new numbers in the next five years; inquired what the protection to consumers is.

The Public Works Coordinator responded per Proposition 218 Council is not authorized to commit to any rates beyond five years.

Mayor Spencer stated that she is speaking to the target of maintaining the reserves at \$15 million.

The Public Works Coordinator stated maintaining the reserves could be established as a financial or administrative sewer fund policy.

Mayor Spencer stated that she would appreciate that.

In response to Mayor Spencer's inquiry regarding the City of Piedmont rate, Ms. Lechowicz stated there is a lower rate for Piedmont residents with lower square footage.

Mayor Spencer stated the lower rate should be substituted in the comparison; the average lot in Alameda is less than 5,000 square feet; the rate for Oakland includes a wasteflow of 4,055 gallons per month; inquired whether 4,055 is the average for Alameda.

Ms. Lechowicz responded each agency sets its typical residential rate based on the average for the service area, so each agency has a slightly different definition of a single family home.

In response to Mayor Spencer's inquiry, the Public Works Coordinator stated Alameda does not look at water usage for a single family home; the usage is assumed; Oakland uses the same assumption of what is called an equivalent dwelling unit: it is assumed that each equivalent dwelling unit would use the same amount of water; comparing a single family home in Oakland to a single family home in Alameda is apples to apples.

Mayor Spencer stated a lower rate could be used when comparing Piedmont.

The Public Works Coordinator stated Piedmont's whole structure is unique; the fee is actually part of a tax; the statistics could be updated.

Councilmember Ezzy Ashcraft stated that she is satisfied with the information laid out in the report; she is less concerned about Oakland or Piedmont; Alameda's pipes are old

and repairs should be done in a timely manner otherwise there may be another law suit and more money will be spent on litigation costs.

The Public Works Coordinator stated Alameda's flatness is a unique feature; Alameda has 34 pump stations which are a significant capital investment; Oakland is blessed with gravity and does not have to incur pump station costs.

Mayor Spencer clarified that she raised the issue because the chart on page 17 refers to Piedmont; if there is a more accurate dollar amount similar to Alameda, it is appropriate to substitute the amount to be clear to Alameda residents.

Vice Mayor Matarrese stated people need to understand the law suit and consent decree was because pipes were spilling sewage; Alameda is bonded and paying for pump stations; Council has no choice but to fund the project.

Vice Mayor Matarrese moved adoption of the resolution.

Councilmember Ezzy Ashcraft seconded the motion.

Under discussion, Mayor Spencer requested the charts be modified with regards to the Piedmont rate comparison, especially since the presentation will be shared with the public; inquired whether Councilmembers agree to the modification.

Councilmember Ezzy Ashcraft responded Council has all the necessary information and needs to move forward.

Councilmember Daysog stated additional information would not hurt; the Mayor is characterizing the information as accurately as possible; in the larger picture, a 3% increase is reasonable.

Councilmember Oddie stated that he is not convinced anything in the report is inaccurate; concurred with the Vice Mayor that Council is obligated to move forward with the rate increase; stated time should not be spent arguing over one person's interpretation of a certain rate versus another person's interpretation; that he does not do sewer rate studies for a living so he has to put trust in the folks that do.

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

(15-134) Recommendation to Approve Joining and Participating in the United States Department of Transportation's (DOT) Mayors Challenge for Safer People, Safer Streets.

The Transportation Coordinator gave a brief presentation on the seven challenges.

Vice Mayor Matarrese moved approval [of joining and participating in the United States Department of Transportation's Mayors Challenge for Safer People, Safer Streets].

Mayor Spencer seconded the motion.

Under discussion, Councilmember Ezzy Ashcraft requested clarification of what is being voted upon.

Mayor Spencer responded the motion is to sign up; stated one of the steps to signing up states: the Mayor or top elected official has to get approval and support from their city or jurisdiction to join the challenge; the Council has to approve signing up.

Councilmember Ezzy Ashcraft concurred Council approval is needed; stated that she would not like to see the City limiting the goals before even beginning; she believes the City can accomplish all of the goals; sights should be set high; the City has probably already completed more than three of the goals and is probably not far from doing all seven [take a complete streets approach; identify and address barriers to make streets safe and convenient for all road users, including people of all ages and abilities and those using assistive mobility devices; gather and track biking and walking data; use designs that are appropriate to the context of the street and its uses; take advantage of opportunities to create and complete pedestrian-bike networks through maintenance; improve walking and biking safety laws and regulations; educate and enforce proper road use behavior by all]; Alameda is equal to the challenge and should complete all of the goals.

Councilmember Oddie concurred with Councilmember Ezzy Ashcraft; stated the City should not just give lip service and make a statement to commit to having safe convenient roads, then not do anything about it, which would be silly.

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

#### CITY MANAGER COMMUNICATIONS

None.

#### ORAL COMMUNICATIONS, NON-AGENDA

(15-135) Carol Gottstein inquired the definition of a personal mobility device.

The Transportation Coordinator responded a device, such as a wheelchair.

Vice Mayor Matarrese stated a little electrical car is a personal mobility device.

Ms. Gottstein inquired whether segways and skateboards are considered personal mobility devices, to which the Transportation Coordinator responded in the affirmative; stated everyone has to be accommodated.

#### COUNCIL REFERRALS



(15-136) Consider Directing Staff to Draft a Proposed Charter Amendment Relative to the Creation of a Mayor-Nominated and Council-Appointed Five Member Municipal Finance Commission. (Councilmember Daysog)

Councilmember Daysog made brief comments on the referral.

Councilmember Oddie stated that he would prefer to have each councilmember appoint a representative on a new commission; questioned what would be the ultimate deliverable or action from the commission.

Vice Mayor Matarrese stated unfunded liability needs to be periodically checked; Council should have the front line on checking; Council ultimately has the responsibility to approve the budget; did not know the value of the Fiscal Sustainable Committee and would like Council to address Task C [As part of its Quarterly Meeting(s), review progress toward reducing any major unfunded or underfunded long-term obligations/liabilities, narrowly and specifically defined for purposes of this Commission as: i. Retirement Pension (i.e., CalPers or any pension regime that replaces CalPers, should CalPers be replaced); ii. Other Post-Employment Health Benefits (OPEB)]; that he is not convinced a Charter committee is needed.

Councilmember Ezzy Ashcraft concurred with Vice Mayor Matarrese; stated Council should not take charter amendments lightly; Council needs to keep focus on unfunded liabilities and OPEB; adding more meetings for the public is not necessarily increasing transparency and increases amount of staff time; the Council can direct staff through the City Manager; the process would be time consuming for a function already done by Council.

Councilmember Daysog stated unfunded liabilities and long term solutions is challenging; there should be a vehicle to track issues over time; the magnitude of the budget requires additional community input and ranks up there as being a Charter committee.

Mayor Spencer stated that she appreciate the goal here; staff is planning to have budget workshop.

The Assistant City Manager stated six budget meetings are planned, including one to discuss OPEB.

Mayor Spencer suggested trading one of the weekdays for a Saturday so it is easier for the public to attend.

Councilmember Ezzy Ashcraft expressed concern that families with children may not be able to attend a Saturday meeting.

Mayor Spencer stated the Saturday meeting gives the public a choice; the same can be said about evening meetings.

The Assistant City Manager stated the first two presentations would be at regular meetings; the special meetings are individual presentations by departments, which is not ideal for a Saturday; budget adoption would be on June 2<sup>nd</sup>.

In response to Mayor Spencer's inquiry, the Assistant City Manager stated the slides that the City Treasurer discussed would be a part of all budget presentations.

Councilmember Daysog stated that he understands the substance and process; his referral is independent of the budget process and is about creating a lasting institution; that he would like to put the matter on the ballot.

Councilmember Daysog stated he would prefer it move forward but the referral would be tabled.

The City Manager stated the referral should be described as withdrawn; tabled would mean it has to come back.

Councilmember Daysog stated he would prefer not to withdraw and moved approval of adopting the recommendation [directing staff to draft a proposed Charter Amendment relative to the creation of a Mayor-nominated and Council-Appointed five member Municipal Finance Commission].

The motion failed due to a lack of second.

(15-137) Recommend that the City Council Adhere to the Council Referral Process Adopted by the City Council on December 4, 2007. (Councilmember Ezzy Ashcraft)

Councilmember Ezzy Ashcraft provided background on the referral process and made brief comments.

Mayor Spencer stated minutes from the December 4, 2007 meeting were not included in the referral; the resolution passed by a four to one vote and was not unanimous; the motion from the December 4, 2007 meeting stated the process would come back in six months; she understands the item did not come back in six months; suggested the matter could come before the Council for review.

Councilmember Ezzy Ashcraft stated that she is interested in hearing what her colleagues think; enough information was included in the referral to move forward tonight.

Vice Mayor Matarrese stated the Council Referral process works; the question of what gets on a regular agenda is fuzzy; there may be some point in looking at how an agenda is constructed in the first place; that he supports following the procedure

established in 2007; dealing with procedure gaps is not a priority against all the other things Council has to do; the matter does not have to be dealt with tonight; that he supports the referral.

Mayor Spencer clarified that the resolution speaks to what goes on the agenda; the minutes speak to the process.

Vice Mayor Matarrese stated everyone knows the process.

Councilmember Oddie stated all five members on the Council have to follow the referral process; Council equity is important; each member is elected but ultimately has just one vote; there were a couple times the responsibility was not exercised; if Council followed the referral process in the Del Monte situation, staff would have been able to hear Council needs; meetings could be more productive with more order; suggested trying the process of requiring all five members of the Council to go through the referral process for one year.

Councilmember Daysog stated the Del Monte item had a time frame and he understands the Mayor's desire to agendize the item; there were different opinions with regard to the Special meeting called; past and future Mayors rise to responsibility of a situation and place matters on the agenda accordingly; he is not of the opinion of treating the Mayor differently; it is his understanding that there has been some deference with interactions between the City Manager and the Mayor; he trusts the City Manager to do a professional job.

Mayor Spencer stated in the December 2007 minutes, the City Attorney stated making a request is not a violation of the Charter; all five members can equally suggest something to the City Manager; the City Manager ultimately determines what ends up on the agenda; stated that she has not done any referrals; she has called a special meeting, which is separate from what is discussed; she appreciates Councilmember Daysog's comments about the tight time frame; the City Manager would accommodate any one of the Council on matters brought to him.

Vice Mayor Matarrese stated the key word in referral process is direct the City Manager, which was the root of setting up the process.

Councilmember Daysog stated that he defends the argument referring to past deference; the deference should not be done away with unless it becomes overbearing; he trusts that the City Manager would handle the situation accordingly.

Councilmember Ezzy Ashcraft stated Council spends a lot of time talking about transparency; Council did not vote on the tradition of deference; the Council is better served as a body when adhering to the rules; the procedure was already approved by Council; Council should make sure to use staff and people's time judiciously and prudently as there are a lot substantive issues; there is nothing keeping members from going to the City Manager, who will listen; special requests would still be addressed.

Councilmember Ezzy Ashcraft moved approval of the referral [to adhere to the Council Referral process adopted by City Council on December 4, 2007].

Councilmember Oddie seconded the motion.

Under discussion, Councilmember Daysog stated it is the Mayor's prerogative to call special meetings; past practice could continue if proceeded reasonably.

Councilmember Oddie stated he is not here to attack Mayor Spencer; the existing process works; a rules committee has not been established; he agrees that the Mayor has prerogative to call special meetings; if the Council had been able to go through more thorough discussion during the Council referral period and give staff direction, there would be concrete action items to discuss; Council should be expanding transparency instead of moving toward contracting transparency; he suggested a six month to one year trial basis and revisit the issue; he is open to having a time limit on the issue as the Council learns to work together.

Vice Mayor Matarrese stated the resolution adopted in 2007 did not preclude the Mayor from calling a special meeting.

On the call for the question, the motion passed by the following votes: Ayes: Councilmembers Ezzy Ashcraft, Matarrese and Oddie – 3. Noes: Councilmember Daysog and Mayor Spencer - 2.

Mayor Spencer stated it is unfortunate the issue was brought forward; that she should be afforded the same courtesy the City Manager gave to the prior Mayor; she is being afforded a different respect from the Councilmembers than the prior Mayor.

### COUNCIL COMMUNICATIONS

(15-138) Councilmember Oddie suggested that the meeting be adjourned in memory of Mildred Parish Massey, Congresswoman Barbara Lee's mother.

(15-139) Councilmember Ezzy Ashcraft stated that she attended the Association of Bay Area Governments/California State Association of Counties/Metropolitan Transportation Commission legislative workshop.

The City Manager suggested that the meeting also be adjourned in memory of Golf Commissioner Tim Scates.

(15-140) Mayor Spencer stated there was a spill in the estuary; the Alameda Fire Department and Coast Guard were unable to confirm the source and are waiting on test results of the spill.

The City Manager stated there will be an oral report on the spill at the next Council meeting.

ADJOURNMENT

(15-141) There being no further business, Mayor Spencer adjourned the meeting at 12:25 a.m. in memory of Mildred Parish Massey and Tim Scates.

Respectfully submitted,

Lara Weisiger  
City Clerk

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

MINUTES OF THE SPECIAL JOINT CITY COUNCIL  
AND SUCCESSOR AGENCY TO THE COMMUNITY  
IMPROVEMENT COMMISSION (SACIC) MEETING  
TUESDAY- -FEBRUARY 17, 2015- -6:59 P.M.

Mayor/Chair Spencer convened the meeting at 7:01 p.m. Mike McDonough led the Pledge of Allegiance.

Roll Call - Present: Councilmembers/Agency Members Daysog, Ezzy Ashcraft, Matarrese, Oddie and Mayor/Chair Spencer – 5.

Absent: None.

Oral Communications

None.

Consent Calendar

(15-109 CC/15-004 SACIC) Minutes of the Special Joint City Council and Successor Agency to the Community Improvement Commission Meeting Held on October 21, 2014 and January 20, 2015. Approved.

Vice Mayor/Councilmember Matarrese moved approval of the January 20, 2015 Minutes. Councilmember/Agency Member Ezzy Ashcraft seconded the motion, which carried by unanimous voice votes – 5.

Councilmember/Agency Member Ezzy Ashcraft moved approval of the October 21, 2014 minutes.

Councilmember/Agency Member Daysog seconded the motion, which carried by the following voice vote: Ayes: Councilmembers/Agency Members Daysog, Ezzy Ashcraft, Oddie and Mayor/Chair Spencer – 4. Abstention: Vice Mayor/Agency Member Matarrese – 1.

Agenda Items

(15-110 CC) Recommendation to Accept the Quarterly Sales Tax Report for the Period Ending December 31, 2014 Collected During the Period July 1, 2014 to September 30, 2014.

The Supervising Accountant gave a Power Point presentation.

Councilmember/Agency Member Daysog moved approval of the staff recommendation.

Vice Mayor/Agency Member Matarrese seconded the motion, which carried by unanimous voice vote – 5.

(15-111 CC) Recommendation to Accept the Treasury Report for the Quarter Ending December 31, 2014.

The Interim Finance Director gave a Power Point presentation.

Mayor/Chair Spencer noted the City Treasurer reviewed the report and found it complies with the investment policy established.

Councilmember/Agency Member Oddie moved approval of the staff recommendation.

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

(15-112 CC/15-005 SACIC) Recommendation to Accept the Second Quarter Financial Report for the Period Ending December 31, 2014.

The Interim Finance Director gave a Power Point presentation.

Mayor/Chair Spencer noted the City Treasurer reviewed the report and found it complies with the investment policy established.

Councilmember/Agency Member Ezzy Ashcraft moved approval of the staff recommendation.

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

### Adjournment

There being no further business, Mayor/Chair Spencer adjourned the meeting at 7:23 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk  
Secretary, SACIC

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