

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -MAY 3, 2016- -5:30 P.M.

Mayor Spencer convened the meeting at 5:30 p.m.

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

Public Utilities Board Commissioners Deaton, Sutter, Keimach, and McCormick – 4.

Absent: None.

The meeting was adjourned to Closed Session to consider:

(16-194) Conference with Conference with Legal Counsel - Existing Litigation (Pursuant to Government Code § 54956.9) Case Name: Zachary Ginsburg v. City of Alameda Court: Superior Court of the State of California, County of Alameda CASE NO: RG15791428

(16-195) Conference with Legal Counsel – Anticipated Litigation; Initiation of litigation pursuant to subdivision (c) of Section 54956.9 of the Government Code; Number of cases: One (As Plaintiff - City Initiating Legal Action). Not heard.

Following the Closed Session, the meeting was reconvened and Mayor Spencer Announced Direction was given to Staff.

Adjournment

There being no further business, Mayor Spencer adjourned the meeting at 6:33 p.m.

Respectfully submitted,

Irma Glidden
Acting City Clerk

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

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -MAY 3, 2016- -6:30 P.M.

Mayor Spencer convened the meeting at 6:34 p.m. and led the Pledge of Allegiance.

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

Absent: None.

ORAL COMMUNICATIONS, NON-AGENDA

None.

ITEMS

(16-196) Proclamation Declaring May 2016 as Older Americans Month.

Mayor Spencer read and presented the proclamation to Robby Kiley, Mastick Senior Center Advisory Board President.

(16-197) Receive the Mastick Senior Center 2015 Annual Report.

The Senior Services Manager gave a brief presentation.

Mayor Spencer thanked the Mastick Center for all their work; strongly encouraged community members over the age of 50 to join Mastic Senior Center; stated there is a lot going on at Mastick Senior Center.

Councilmember Ezzy Ashcraft stated that she, Councilmember Oddie and Mayor Spencer attended the Volunteer Appreciation Luncheon at Mastic Senior Center in April; encouraged Mastic Senior Center to keep up the good work.

(16-198) Proclamation Declaring May 12, 2016 as Bike to Work and School Day.

Mayor Spencer read and presented the proclamation John Michael Kyono (Maya Lin school parent) and Lucy Gigli, Bike Walk Alameda.

Lucy Gigli and John Michael Kyono made brief comments.

(16-199) Proclamation Declaring May 13 to May 22, 2016, as the 20th Annual East Bay Affordable Housing Week, "Investing in Homes & Hope."

Mayor Spencer read and presented the proclamation to Patricia Young, Alameda HOME Team, and Doyle Saylor, Renewed Hope.

Patricia Young, Doyle Saylor and Helen Sause made brief comments.

ADJOURNMENT

There being no further business, Mayor Spencer adjourned the meeting at 7:12 p.m.

Respectfully submitted,

Irma Glidden
Acting City Clerk

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -MAY 3, 2016- -7:00 P.M.

Mayor Spencer convened the meeting at 7:26 p.m.

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

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(16-200) Mayor Spencer stated Councilmembers will be allowed to speak for 3 minutes; she would consider granting additional time if needed; clarifying questions will still be done.

ORAL COMMUNICATIONS, NON-AGENDA

(16-201) James Jaber, Prop SF, stated private ferry companies could shorten commutes, improve lives and deploy new ferry routes without public funding; 49-passenger vessels can move 500 to 600 people from Alameda to San Francisco in 15 minutes; he is working with permitting agencies to begin scheduled service to Redwood City; he hopes for further discussion with the City.

(16-202) Michael McDonough, Alameda Chamber of Commerce, read a letter from the Chairperson of the Government Relations and Economic Development Committee regarding the call for review process.

(16-203) C.L. (Anonymous), expressed concerns regarding issues with meeting with Housing Authority staff; stated that she would like explanation of the Rent Ordinance.

CONSENT CALENDAR

Councilmember Ezzy Ashcraft moved approval of the Consent Calendar.

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

(*16-204) Minutes of the Special and Regular City Council Meetings Held on April 5, 2016. Approved.

(*16-205) Ratified bills in the amount of \$3,723,002.80.

(*16-206) Recommendation to Accept the Treasury Report for the Quarter Ending December 31, 2015. Accepted.

(*16-207) Recommendation to Authorize the City Manager to Execute a Second Amendment to an Agreement with Verde Design to Add \$69,975, for a Total Amount of \$279,420 for Design and Construction Administration Services for Estuary Park. Accepted.

(*16-208) Recommendation to Award a Contract in the Amount of \$208,985, Including Contingency, to Coastland Company for Construction Management and Inspection Services for the Lagoon Seawall Trunk Sewer Replacement Project, No. P.W.01-12-03. Accepted.

(*16-209) Recommendation to Authorize Call for Bids for Legal Advertising for the Fiscal Year Ending June 30, 2017. Accepted.

REGULAR AGENDA ITEMS

(16-210) Introduction of Ordinance Amending Ordinance No. 1277, N.S. to Rezone 101-223 Brush Street (Esperanza - APN 74-475-1-7) and 719-727 Buena Vista Avenue (Rosefield Village - APN 73-426-5) Removing the "G" (Government) Overlay Zoning District. [The Proposed Amendment is Categorically Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15305, Minor Alternations to Land Use Limitations.] Introduced.

The City Planner gave a brief presentation.

Councilmember Ezzy Ashcraft moved introduction of the ordinance.

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

(16-211) Public Hearing to Consider Adoption of the Fiscal Year 2016-17 Community Development Block Grant (CDBG)/HOME Partnership Investment Program Action Plan and Authorize the City Manager to Negotiate and Execute Related Documents, Agreements, and Modifications.

The Housing Authority Rent and Community Programs Director gave a Power Point presentation.

Doug Biggs, Social Services Human Relations Board (SSHRB), gave a brief presentation.

Thanked the Council and SSHRB for their ongoing support: Erin Scott, Family Violence Law Center.

Stated the CDBG program is threatened every year; urged Council to support the CDBG programs: Helen Sause, Alameda.

Councilmember Oddie stated money should be set aside for the SSHRB to provide one-time grants if the City has positive financial results.

Councilmember Oddie moved approval of adopting the CDBG/HOME Partnership Investment Program Action Plan and authorize the City Manager to negotiate and execute related documents, agreements, and modifications.

Councilmember Ezzy Ashcraft outlined the CDBG funds origin; stated that she would like the City to ask a representative in Congress to support funding.

Councilmember Ezzy Ashcraft seconded the motion.

Under discussion, Vice Mayor Matarrese stressed the importance of a mid-year review of the transfer tax; stated that he is prepared to vote for the recommendation.

Mayor Spencer thanked Doug Biggs for his years of service; stated that she supports advocating for more funding.

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

(16-212) Resolution No. 15145, “Confirming the Park Street Business Improvement Area (BIA) Annual Assessment Report for Fiscal Year (FY) 2016-17 and Levying an Annual Assessment on the Park Street BIA.” Adopted.

The Economic Development Division Manager gave a Power Point presentation.

Stated he has been improving the Alameda Valero site; having food at the location requires a conditional use permit (CUP); stated the Public Works Department told him the matter needs to be reviewed; having food at the location would increase jobs, provide food for people working in the area and enhance the neighborhood; he will pass on the opportunity if the process becomes too expensive: Antonio Newmann, Alameda Valero.

Vice Mayor Matarrese moved adoption of the resolution confirming the Park Street BIA assessment report and levying the assessment.

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

Mayor Spencer thanked the Economic Development Division Manager for the presentation.

(16-213) Resolution No. 15146, “Confirming the Webster Street Business Improvement Area (BIA) Assessment Report for Fiscal Year (FY) 2016-17 and Levying an Annual

Assessment on the Webster Street BIA.” Adopted.

Councilmember Daysog recused himself and left the dais.

The Economic Development Manager gave a Power Point Presentation.

Invited residents to attend an Alameda Landing Hot August Nights Mixer on August 24th; stated that he met with the owner of Alameda Sports Cards and Comics to help market her business; thanked Council for the funding of the of the Facade Grant Program; urged Council to vote in favor of renewing the BIA: Sandip Jariwala, West Alameda Business Association (WABA).

Vice Mayor Matarrese moved adoption of the resolution confirming the Webster Street BIA Assessment Report for FY 2016-17 and Levying an Annual Assessment on the Webster Street BIA.

Councilmember Ezzy Ashcraft seconded the motion, which carried by unanimous voice vote. [Absent: – Councilmember Daysog - 1.]

(16-214) Resolution No. 15147, “Upholding Planning Board Resolution No. PB-16-10 Approving Design Review, Density Bonus, Density Bonus Waiver and Parking Exceptions Application for Construction of a Three-Story Mixed-Use Development including Nine Residential For-Sale Units and 4,700 Square Feet of Ground Floor Retail at 1435 Webster Street (APN74-427-5-1).” Adopted. [The project is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, In-Fill Development Projects.]

The City Planner gave a Power Point presentation.

Andrew Goldberg, applicant, gave a brief presentation.

Mayor Spencer inquired whether the project includes eight two bedroom, two bath units and one three bedroom, two bath unit, to which the City Planner responded in the affirmative.

Mayor Spencer inquired whether the City is requiring one parking space per unit regardless of the number of bedrooms, to which the City Planner responded in the affirmative.

Mayor Spencer inquired whether one parking space per unit is being proposed.

The City Planner responded there are 18 spaces total, of which nine spaces will be reserved for residential.

Mayor Spencer inquired whether nine spaces means one space per unit, to which the City Planner responded in the affirmative; stated the Code requires a minimum of nine

spaces for nine units; nine of the 18 spots need to be for residential; if residents need more than one space they can ask for more than one space; the balance of the parking would go to the businesses.

Mayor Spencer inquired if any of the parking spaces are bundled with the units.

The City Planner responded in the negative; stated the space is a shared parking lot which is managed by the property owner.

Mayor Spencer inquired whether the residents have to pay for a parking space, to which the City Planner responded in the affirmative.

Mayor Spencer inquired how many parking spaces would be required if the nine units were on Taylor Avenue.

The City Planner responded the requirement is 2 parking spaces per unit in a residential neighborhood.

Mayor Spencer stated there is already a reduction from 18 to 9 residential parking spaces.

The City Planner stated the Zoning Code states the minimum requirement is one parking space per unit if residential units are built above ground floor retail on Webster Street or Park Street; for residential units on a side street with no ground floor retail, the requirement is two spaces.

Mayor Spencer inquired whether the City can require a resident to buy a space if they live in the unit.

The City Planner responded there is no incentive to overprice the parking; stated the project should not create vacant parking spaces; the problem is Citywide, people choose not to park their cars in their garages.

Mayor Spencer inquired whether there is a waiver to have three fewer spaces than the minimum required for the businesses.

The City Planner responded the requirement is three spaces per 1,000 square feet; the City's code states one space can be waived for Americans with Disabilities Act (ADA), one for recycling and one can be waived for electrical; the minimum can be adjusted in return for transit type improvements, such as, the shared parking program and AC Transit passes.

Mayor Spencer inquired whether the requirement is being reduced by three spaces because the bus passes are being offered.

The City Planner responded only 18 spaces can fit at the site; stated if the amount of retail space is changed, the ratio would change, and a waiver would not be necessary.

Mayor Spencer inquired whether the trade is three spaces for the bus passes, to which the City Planner responded in the affirmative.

Councilmember Daysog inquired how staff determines the transit development portion of the Zoning Code with regard to parking.

The City Planner responded the previous parking Code only sets a minimum; the City does not tell a developer how much more parking to create; the developer can decide to do more; transit experts say there needs to be a minimum and a maximum for parking; the City leaves the decision up to the property owner as long as they are in range and up to Code.

In response to Councilmember Daysog's inquiry, the City Planner stated the project proponent cannot have less than the minimum or more than the maximum number of parking spaces.

Councilmember Daysog inquired whether there is a possibility to move the storm water drainage system to another area of the parking lot; stated having the system in the center would be more efficient to capture water from Taylor Avenue and the north side of the building.

The City Planner responded there are regional and State requirements; stated the system has to be a green area and of a certain size; the system has to be put on the edge for the project.

Councilmember Daysog stated a parking space in the northwest corner would not work with the drainage system; inquired whether the project proponent could install stacked parking spaces with lifts to allow for more spaces.

The City Planner responded in the affirmative; stated there are elevator type lifts for parking; the lifts would only work for residents or businesses that need two cars.

Councilmember Daysog inquired whether there has been analysis or discussion regarding the typical number of cars owned by persons who might buy the units.

The City Planner responded an analysis on the number of cars was not done; residents of Alameda are not using their garages for parking, they are parking on the street and using their garages for storage.

Councilmember Daysog stated the Fair Political Practices Commission (FPPC) verified he is not in conflict to the project.

Councilmember Ezzy Ashcraft inquired what demographic would be interested in the units.

Mr. Goldberg responded the project will appeal to two demographics: millennial families and couples; he hopes the project will attract older Alameda empty-nesters; both demographics will be attracted to living in a transit oriented project; the majority of the buyers will have one car per residential unit.

Urged approval of the project; stated a parking structure could be built to address parking issues; the project will add housing units which has been a concern in Alameda: Sandip Jariwala, WABA.

Stated there are no parking spaces on the 700 block of Taylor Avenue where he lives; the realignment of the bus lines and the farmers market on Tuesday and Saturday are the reasons parking was reduced; the driveway radius was changed by the City and casual carpooling also affects parking; the project needs to provide the appropriate number of parking spaces; urged Council not to approve the project: Richard Hunter, Alameda

Stated that he is encouraged by the transformation of Webster Street and a transit oriented community; there are issues with alcohol and drug usage on the benches; urged Council to approve the project: Jon Stier, Alameda.

Stated the 2010 Webster Street Vision document was created as a community effort; the document encourages development; urged Council to approve the project: Daniel Hoy, WABA Design Committee.

Urged support of the development; stated the project supports many goals, strengthens commercial development and provides needed homes: Helen Sause, Alameda HOME Team.

Stated the Planning Board vote was 5 – ayes and none opposed to approval of the project; urged Council to uphold the Planning Board decision; stated the project is the best use of the site with transit oriented development; the Planning Board feels the project fits the required minimum and has a lot of merit with the transit passes: Kristoffer Koster, Planning Board.

Mayor Spencer inquired why the vote was 5 in favor with zero opposed when there are 7 members on the Planning Board, to which the City Planner responded two boardmembers were absent.

Councilmember Daysog inquired whether the City is settled on the design of the art piece on the north face of the building; stated that he would like to know whether there could be tributes to famous Alameda sports figures.

The City Planner responded the design is part of the public arts requirement; if the project is approved, the applicant would have to hire an artist to compose the mural, which would need to be approved by the Public Art Commission.

Councilmember Daysog inquired whether the balconies will be fully functional balconies, to which the City Planner responded in the affirmative.

Councilmember Daysog inquired whether staff can address the mechanics of the parking regime.

The City Planner responded the City has a codified residential permit parking program, which requires neighborhood support; the permit is evaluated by Public Works and Police.

Councilmember Daysog inquired if there is a funding aspect.

The City Planner responded there is a fee; stated parking violation tickets pay for the program; if there are not enough tickets being issued; the City has to talk to the residents in the neighborhood.

Councilmember Daysog inquired whether having a parking permit system for residents is possible, to which the City Planner responded staff has discussed the possibility.

Councilmember Daysog stated that he lives in the neighborhood and there are major issues with parking at night; there is an overflow of cars.

The City Planner stated if residents want to have a residential permit parking, there is a process to discuss the most cost effective way to design a program.

Councilmember Daysog stated residents expressed concern that parking is also a daytime issue.

Mayor Spencer stated that she is concerned with the shortage of the three parking spaces; there are no parking spaces on Taylor Avenue during the day and night; insufficient parking will have a significant impact on the neighborhood; parking is not bundled for residents; steps were not taken to reduce the impact on the neighbors.

Councilmember Ezzy Ashcraft stated the Planning Board was concerned that not enough development is being done on Webster Street; residents welcome the transformation of the vacant lot but are concerned for parking; the developer should not have to solve parking problems; suggested the Planning Board have meetings with neighborhood residents to find solutions; stated the project revitalizes Webster Street and provides more housing, including two affordable housing units.

Vice Mayor Matarrese stated the project meets the Code and guidelines; he would like to make sure the nine units and the two affordable units, which is 22%, is viewed as a new standard and counted against the regional housing need allocation (RHNA); he would like the shared parking management plan to be monitored so that the City can see the outcome and adjust as needed in future projects; the project removes an eye sore in the neighborhood; encouraged parking permits next to commercial uses; suggested reviewing the fee structure next to commercial areas where transit oriented development

is being developed.

Councilmember Daysog stated the project will be a win for the site on Webster Street and for the residents in the surrounding the area; he would like a parking permit plan for the area; suggested waiving the fee for residents for two years to address residents' concerns.

Councilmember Oddie stated the Webster Street Vision Plan was developed by the community and is what the community wants; the parking issues do not have a health and safety impact; he supports upholding the Planning Boards approval; there is metered parking on Webster Street; the parking shortage is on the retail side; the City needs to review park and rides and casual carpools; the City should have a staff presentation and discussion so residents know how to start a parking permit program.

Councilmember Oddie moved approval of the Planning Board approval. [Adoption of the resolution.]

Vice Mayor Matarrese seconded the motion.

Under discussion, Councilmember Daysog requested the motion be amended to uphold the Planning Board approval and include waivers to residents, for a limit of two years, for the fees associated with the parking permit.

Councilmember Oddie did not accept the amendment.

Vice Mayor Matarrese amended the motion to monitor post construction to understand how the experiment of the shared parking program works.

Councilmember Oddie accepted the amendment.

Councilmember Daysog requested the motion be amended to have staff conduct an outreach effort immediately to let residents know about the parking permit system and notice the homes within 300 feet circumference; stated eliminating the fee can be a separate subject.

Councilmember Oddie and Vice Mayor Matarrese accepted the amendment.

Councilmember Ezzy Ashcraft inquired if Councilmember Daysog's amendment is a matter of the City imposing the parking permit fee on a neighborhood.

Councilmember Daysog clarified the point of the noticing is to inform residents since a parking permit fee has not been done before

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

CITY MANAGER COMMUNICATIONS

None.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(16-215) Councilmember Daysog announced that he attended the League of California Cities Housing and Policy meeting in Southern California.

(16-216) Councilmember Ezzy Ashcraft stated that she attended the Association of Bay Area Governments (ABAG) General Assembly regarding the merger between the Metropolitan Transportation Commission (MTC) and ABAG; the California Association of Realtors voted to support a \$1.3 billion proposal by California Assembly Members to create affordable housing programs, which needs the Governor's signature.

(16-217) Vice Mayor Matarrese stated that he attended the AC Transit meeting regarding Route 19; MTC is providing funds for increasing capacity for ferries and increasing connections with AC Transit to BART.

(16-218) Councilmember Daysog announced the Citywide transit strategy implementation meeting would be held from 6:30 p.m. to 8:00 p.m. at the Main Library on Thursday, May 5th.

(16-219) Councilmember Oddie stated Waste Management Authority (WMA) is proposing to expand the plastic bag ban; WMA will be providing a presentation at the City Council meeting on June 7th; the Senate is proposing \$2 billion for affordable housing programs.

ADJOURNMENT

(16-220) There being no further business, Mayor Spencer adjourned the meeting at 9:26 p.m. in honor of Judge George McDonald.

Respectfully submitted,

Irma Glidden
Acting City Clerk

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