

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -OCTOBER 18, 2016- -5:30 P.M.

Mayor Spencer convened the meeting at 5:06 p.m.

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

[Note: Mayor Spencer recused herself and left the meeting at 5:50 p.m.]

Absent: None.

Public Comment

Eric Gantos, Hot Rod Shop Inc., submitted information; urged Council to proceed with the lease with Hot Rod Shop.

The meeting was adjourned to Closed Session to consider:

(16-513) Conference with Real Property Negotiators (Pursuant to Government Code § 54956.8); Property: Alameda Point – Building 530 – 120 W. Oriskany Avenue, Alameda, CA; City Negotiator: Nanette Mocanu/Cushman & Wakefield; Organizations Represented: Hot Rod Shop Inc., and NorCal Clean Tech, LLC; Issue under negotiation: Real Property Negotiations Price and Terms of Payment.

(16-514) Conference with Legal Counsel – Anticipated Litigation; Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code
Number of cases: One (As Defendant - City Exposure to Legal Action)

Following the Closed Session, the meeting was reconvened and Mayor Spencer announced that regarding Real Property, direction was given to staff and regarding Anticipated Litigation, Council received a briefing.

Adjournment

There being no further business, Acting Mayor Matarrese adjourned the meeting at 5:57 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE OCTOBER 4, 2016 CONTINUED
REGULAR CITY COUNCIL MEETING
TUESDAY- -OCTOBER 18, 2016- -6:00 P.M.

Mayor Spencer reconvened the meeting at 6:05 p.m.

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

Absent: None.

REGULAR ITEM

(16-515) Introduction of Ordinance Amending the Alameda Municipal Code by Amending Chapter 30 (Zoning Ordinance) to Facilitate the City's Ability to Disperse Public Art Funds, and Amend the Fiscal Year 2016-17 Public Art Fund Budget by \$200,000 and Capital Improvement Projects Fund Budget by \$100,000;

(16-515A) Supplemental Report Regarding the Introduction of Ordinance Amending the Alameda Municipal Code by Amending Chapter 30 (Zoning Ordinance) to Facilitate the City's Ability to Disperse Public Art Funds, and Amend the Fiscal Year 2016-17 Public Art Fund Budget by \$350,000 and Capital Improvement Projects Fund Budget by \$100,000. [The Proposed Amendments are Categorically Exempt from the Requirements of the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations.]

The Community Development Director gave a brief presentation on the supplemental report.

Mayor Spencer inquired whether there are two separate votes: 1) Introduction of the ordinance amending the Alameda Municipal Code and 2) Amend the Fiscal Year Budget by \$350,000.

The Community Development Director responded in the affirmative.

Mayor Spencer suggested addressing the two issues separately and having two separate votes, to which Council agreed.

Stated as a potential public art fund contributor, he would want his donation to be allocated to projects via direction from the Public Art Commission (PAC); urged Council to vote against the current proposal: Marcel Sengul, Alameda.

Reviewed the Performing Arts and Learning program (PAL); stated the PAL program serves schools and is run with no financial support from the City; urged the Council not to support the ordinance and develop a fair and transparent process: Laili Goharta.

Stated art is important to the health of a community; she advocates for a fair and transparent system to distribute public art funds and allow the community to experience the benefits of public art: Janet Koike, Alameda.

Stated neighboring cities have public art ordinances; urged Council to support a fair and transparent system for public art for the residents of Alameda: Elaine Fong.

Stated the much needed funds will enhance the legacy of Jean Sweeney Park; urged Council to approve the \$100,000: Jim Sweeney, Jean Sweeney Open Space Park Fund.

Stated the funds should go to fund cultural art: Katina Huston, Alameda.

Stated having art in public parks makes it available for everyone to enjoy; urged Council to approve the appropriation for Jean Sweeney Park, art installation and cultural art in Alameda: Dorothy Freeman, Alameda.

Urged Council to create a fair, transparent and sustainable Request for Proposal (RFP) process for art project funds; stated every artist deserves the chance to apply for funds: Julie Baron, Alameda.

Stated the City of Alameda's art budget is very small; other cities have a larger public art fund; urged Council to develop a fair process: Donna Layburn, Downtown Alameda Business Association.

Stated that she would like to see public art throughout the City; there needs to be a transparent funding program; other cities have an easy process for citizens to take part in public arts; Alameda needs to make a commitment to the arts in a fair and equitable way for all organizations: Audrey Lord-Hausman, Alameda.

Submitted petitions; stated that she would like to see a fair and equitable process in the distribution of public arts funds; urged Council to amend the current staff recommendation to call for an unbiased process to distribute the City's art fund: Tina Blaine, Alameda.

Expressed support for a fair and open process: Carolyn West.

Stated improvement is needed for an open application and a clear RFP process; the real issue is a fair, transparent and equal process to disburse the funds; urged Council to reject the proposal: Corey Hill, Alameda.

Stated that he supports public art; there should be a fair and open process; all funding should be directed to the PAC; urged Council to eliminate the developer cap: Amos White.

Urged Council to keep the historic requirement: Janet Gibson, Alameda.

Vice Mayor Matarrese stated when there was a vote in 2006, he understood the money would be distributed by the PAC; in the two years he has been on Council, not one recommendation has come from PAC on how to distribute the funds; the original intent of the ordinance was derailed; he wants to hear from the PAC on what to do with the money.

Councilmember Ezzy Ashcraft stated that she would like to hear from the PAC; it is not staff's role to decide where the \$100,000 should be disbursed; the process needs to be transparent; the decision is not Council's to make without hearing from the PAC; there is an entire City that is worthy of the placement of public art; the PAC should craft an RFP process; the requirement that public art must be maritime or historically themed should be removed; there needs to be a clear idea of the allowable amount of administrative fees.

Councilmember Daysog stated the challenge is that Jean Sweeney Park is a monumental project; the public needs to be involved and give input to the PAC; the PAC needs to be more involved; the PAC should work with the public to identify the elements everyone wants to celebrate.

Councilmember Oddie inquired whether there will be two votes: one on the budget allocation and one on the ordinance.

Mayor Spencer responded in the affirmative; stated she has not heard from all Councilmembers yet.

Councilmember Oddie stated expanding the non-profit organizations is a good idea; he would like to find a way to preserve the culture for future generations to enjoy; he agrees with the lower cap on administrative costs; spending PAC funds on maintenance and repairs is not a good idea; there is an obligation to preserve the maritime history through art; the City made a commitment to Jean Sweeney Park and the money should go to the park; there should be an RFP process for any artist that would like to put public art at Jean Sweeney Park.

Mayor Spencer stated that she would prefer to have a decision tonight; money has been sitting for years; she wishes the matter had gone through the PAC.

The Community Development Director stated the matter went to the PAC on February 18, 2015, then to the Planning Board, then to Council; PAC has reviewed the ordinance, but has not reviewed the RFP process.

Mayor Spencer inquired if the Jean Sweeney Park allocation went through the PAC, to which the Community Development Director responded in the negative; stated the allocation of funds did not go through any other advisory body, it came directly to the Council.

Mayor Spencer stated her preference would have been to have the allocation of funds go through the PAC, then to Council; inquired whether staff is not looking to raise the percentage to 1.5%; stated 1% is not sufficient; she would prefer to lower administration costs to 10%, rather than 20%.

The Community Development Director responded the fee is for third party administrators; if the funds are awarded to an art program or entity, it would be capped at 20%.

Mayor Spencer stated that she would like Council to consider a 10% cap on administrative costs; maintenance and repair costs should be a question for staff; she agrees with the division of the 75% for performing arts and 25% for physical arts; it is critical to remove the cap; suggested keeping the historic and maritime traditions since the PAC can approve projects that are not historic or maritime.

Councilmember Oddie stated his statements are very close to what Mayor Spencer is requesting.

The City Manager stated if there are changes that staff and Council can agree on, staff can bring the matter back to the PAC again with direction from Council; staff can make the changes in draft form, take the draft to the PAC, then back to Council for the second meeting in November or December.

Councilmember Daysog stated the matter should be brought to the PAC with all the concerns that were raised.

Mayor Spencer stated that she cannot support pulling the Jean Sweeney Park out of the process; it is unfortunate that staff made the recommendation; she feels it is critical to be impartial; it is critical that the proposal for Jean Sweeney Park go through the process.

Councilmember Daysog stated that he would like to hear what the PAC, the artists and the proponents have to say about Jean Sweeney Park.

Councilmember Ezzy Ashcraft suggested directing staff to take the input on amendments Council wants to see for the proposed ordinance.

Mayor Spencer inquired if Council could give direction to increase the 1% to 1.5%.

Councilmember Ezzy Ashcraft inquired whether the cap could be taken away and keep the 1%; stated there are other items the City might want developers to pay for.

Mayor Spencer responded her choice is to have 1.5% and no cap.

Councilmember Daysog stated the public is better served by having the PAC decide with all the input from the public and Council.

Vice Mayor Matarrese moved approval of having the ordinance go back to the PAC for a full discussion of each of the points raised by Council: the cap, the percentage of developer contributions, the administrative fees, the maintenance fees, the RFP process, making sure the percentage of what is performing arts and what is visual arts is discussed and making clear arts are offered to the general public free of charge; questions of the proposed allocations should go back to the PAC for their recommendation to the Council.

Councilmember Ezzy Ashcraft requested clarification whether the allocations would go back to the PAC; stated she would prefer the PAC come up with an application process and Council would make the final decision.

Vice Mayor Matarrese accepted the friendly amendment.

Councilmember Daysog stated if staff has viewpoints or recommendations for Jean Sweeney Park, they should come back to Council with recommendations.

Vice Mayor Matarrese stated said suggestion is the usual way the process works.

Councilmember Oddie seconded the motion.

Under discussion, Councilmember Oddie stated he would like to make sure his thoughts regarding the position on the historic and maritime are known to the PAC.

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

ADJOURNMENT

There being no further business, Mayor Spencer adjourned the continued meeting at 7:23 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- -OCTOBER 18, 2016- -7:00 P.M.

Mayor Spencer convened the meeting at 7:32 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

(16-516) Councilmember Ezzy Ashcraft requested the Project Stabilization Agreement [paragraph no. 16-536] be addressed first under Regular Items.

Council agreed to move the Project Stabilization Agreement item to be heard first on the Regular agenda.

Councilmember Oddie requested to hear the lease of Building 21 [paragraph no. 16-537] before the Library Annual Report [paragraph no. 16-538] or the Ordinance regarding Chapter 30 [paragraph no. 16-540].

Mayor Spencer reviewed the new order of items to be heard: Project Stabilization Agreement, lease of Building 21, Annual Report and Ordinance regarding Chapter 30.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(16-517) Proclamation Declaring October 2016 as Disability Awareness Month.

Mayor Spencer read and presented the proclamation to Beth Kenny, Commission on Disability Issues.

Ms. Kenny made brief comments.

(16-518) Proclamation Declaring November 2, 2016 as Alameda Free Library Day.

Mayor Spencer read and presented the proclamation to Luzanne Engh, Friends of the Library.

Ms. Engh made brief comment.

(16-519) Presentation by the Alameda County Mosquito Abatement District.

Ryan Clausnitzer, Alameda County Mosquito Abatement District, gave a Power Point presentation.

Councilmember Ezzy Ashcraft inquired whether the street gutters on Gibbons Drive, Bay Street and Eagle Avenue are more prone to mosquitos.

The Alameda County Mosquito Abatement Field Operator for the City of Alameda responded the particular areas are constantly being tested because the sump pumps under the houses and the uneven grade of the street to cause water to collect there.

ORAL COMMUNICATIONS, NON-AGENDA

(16-520) Samuel Bray, Alameda, discussed a proposed bus stop on Buena Vista Avenue; stated the bus stop would preclude access to the house.

Barbara Bailey, Alameda, stated the proposed bus stop would hinder the ability of her disabled mother to exit the property; small children near the area cause a safety issue; she is looking into a disabled marking.

Chandra Bailey, Alameda, stated the bus stop at the proposed location is a hindrance on her family.

Vice Mayor Matarrese stated there is an AC Transit liaison committee meeting on October 26 that is open to the public.

(16-521) Catherine Pauling, Alameda Renters Coalition, submitted information; stated there is a lack of data Citywide in Alameda regarding the rental market; urged the local government to act and develop regulations to protect the City.

(16-522) Helen Sause, Alameda Home Team, gave the Councilmembers a calendar; stated the purpose of the calendar is to recognize the need for housing for children and seniors.

CONSENT CALENDAR

Mayor Spencer announced that the Housing Element Annual Report [paragraph no. 16-525] and the Draft Project List [paragraph no. 16-528] 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.]

(*16-523) Minutes of the Special and Regular City Council Meetings Held on September 20, 2016. Approved.

(*16-524) Ratified bills in the amount of \$6,220,998.89.

(16-525) Recommendation to Direct Staff to Transmit the City of Alameda 2015 Housing Element Annual Report to the State of California Department of Housing and Community Development. Approval of an annual report is not subject to the review under the California Environmental Quality Act (CEQA), nor is an annual report defined as a “project” under CEQA. No future review is required.

Mayor Spencer inquired whether the report means that the City is agreeing to build any housing in the future, to which the Assistant Community Development Director responded in the negative; stated the report is telling the State what was built and what building permits were issued.

Mayor Spencer stated there is a misunderstanding on what Council is being asked to approve.

The Assistant Community Development Director stated under State law, the City has to ensure Council has seen the report.

Councilmember Ezzy Ashcraft inquired what a universal design ordinance is and when the ordinance would come back to Council.

The Assistant Community Development Director responded subcommittees from the Planning Board and the Housing Authority will set standards for all new housing in Alameda to ensure that a percentage of the housing is designed in a way to either allow someone with a disability to visit or allow someone with a disability to live independently; stated staff anticipates the matter will come to Council in January.

Councilmember Ezzy Ashcraft moved approval of directing staff to transmit the City of Alameda 2015 Housing Element Annual Report to the State of California Department of Housing and Community Development.

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

(*16-526) Recommendation to Authorize the City Manager to Negotiate and Execute a Loan Agreement and Related Documents with Island City Development (ICD) for HOME Partnership Investment Program (HOME) Funds in the amount of \$248,740 at 3% Simple Interest for the Del Monte Senior Housing Project and Appropriate \$53,537 in HOME Program Income. Accepted.

(*16-527) Recommendation to Amend the Contract with MV Transportation to Extend the Term by One Year and Amend the Amount by \$85,000 for a Total Compensation of \$301,999 Over Five Years for Paratransit Shuttle Services. Accepted.

(16-528) Recommendation to Approve the Draft Project List for the Alameda County Transportation Commission Call for Projects.

The Base Reuse Director gave a Power Point presentation.

Councilmember Daysog inquired whether the cost of an additional study would come from money outside of the grant money, to which the Base Reuse Director responded in the affirmative.

Councilmember Daysog inquired whether General Fund money would be used, to which the Base Reuse Director responded in the negative; stated there are other potential sources for funding.

Councilmember Oddie stated the community has provided input on bike sharing; inquired if there is going to be an update on bike sharing.

The Base Reuse Director responded that there will be an update on bike sharing; stated staff is still evaluating the matter, which will come back to Council as part of the Transportation Demand Management (TDM) plan later this year.

Councilmember Ezzy Ashcraft inquired whether there is a meeting that people could attend.

The Base Reuse Director responded staff is holding a community workshop for Citywide transit and TDM plans to get into the detailed strategies; stated staff will address proposed solutions to some issues raised by the community.

Mayor Spencer inquired about the navigational uses regarding all vessels that use the estuary, not just the Coast Guard vessels; requested clarification on specifications.

The Base Reuse Director responded the main issue is the Coast Guard vessels; there are specifications for other boats.

Mayor Spencer inquired about crane barges, to which the Base Reuse Director responded staff can look at crane barges more closely.

Mayor Spencer stated that she would like the community to understand the specifications; inquired why the City is not seeking assistance from regional leaders.

The Base Reuse Director responded staff can talk with regional leaders.

Stated traffic and congestion issues are getting worse; urged Council do something now to solve the West End egress issues; requested Council to support staffs work on the infrastructure project and prioritize the traffic, health and safety of the West End:
Denyse Trepanier, Bike Walk Alameda.

Stated 1,700 people have signed a petition in favor of a West End estuary crossing that is safe and convenient for walking and biking; urged Council to recommit to taking the

next steps and prioritize the estuary crossing to solve the problem: Lucy Gigli, Bike Walk Alameda.

Stated the estuary crossing project is the best option and will have a transformative effect for residents and businesses on both sides of the estuary; there needs to be a solution and a commitment from the City: Brian McGuire, Bike Walk Alameda.

Mayor Spencer inquired when staff will figure out the plan for bicycle access across the estuary; stated the issue is not on the priority list; inquired whether the matter will be worked on independently, to which the Base Reuse Director responded in the affirmative.

Mayor Spencer inquired whether the matter is currently being worked on.

The Base Reuse Director responded direction can be given to staff by motion to continue to work with Bike Walk Alameda on the items specified in the email.

Mayor Spencer inquired whether staff will work with Bike Walk Alameda and all stakeholders, to which the Base Reuse Director responded in the affirmative.

Mayor Spencer inquired whether increased advocacy to all regional leaders could be included, to which the Base Reuse Director responded in the affirmative.

Councilmember Ezzy Ashcraft stated that she supports the idea of including a resolution of support for the Bike Walk Alameda direction.

Stated the Alameda Home Team is arranging a Cross Channel Panel on December 1st: Helen Sause, Alameda Home Team.

Councilmember Ezzy Ashcraft moved approval of the Draft Project List for the Alameda County Transportation Commission Call for Projects, as well as direction to staff to continue to pursue the items listed in the Bike Walk Alameda correspondence dated October 13, 2016, including, but not limited to, hiring a maritime engineer to get more information and working with the coalition of federal, State, county partners, and engage the Coast Guard, all towards the goal of building a bicycle/pedestrian bridge on the West End of Alameda.

Vice Mayor Matarrese seconded the motion.

Under discussion, Mayor Spencer inquired whether hiring a maritime engineer would come back to Council.

The City Manager responded only if the cost is over \$75,000.

Mayor Spencer inquired whether staff anticipates the cost being over \$75,000, to which the City Manager responded in the negative.

Councilmember Oddie requested a friendly amendment to the motion to seek out regional partners to share in the funding, and examine and pursue potential funding sources, including Regional Measure 3 (RM3).

Councilmember Ezzy Ashcraft inquired if Councilmember Oddie referring to RM3 is the additional bridge toll that might be on the 2018 ballot, to which Councilmember Oddie responded in the affirmative.

Vice Mayor Matarrese stated the funding needs to be identified; he does not want the project to take funds from Central Avenue; the case to the Coast Guard will be stronger if there are funds in hand to construct the bridge; stated his words are only comments not a friendly amendment to the motion.

Mayor Spencer inquired whether Councilmember Ezzy Ashcraft accepts Councilmember Oddie's friendly amendment, to which Councilmember Ezzy Ashcraft responded in the affirmative.

Councilmember Ezzy Ashcraft stated the City would not build the bridge, CalTrans would build it; the Coast Guard issue is not that the City wants the Coast Guard to pay for the bridge.

Councilmember Oddie stated the point is to start at the ground floor; the friendly amendment is in addition to doing the study and the City start identifying funding.

Councilmember Ezzy Ashcraft accepted the amendment.

Councilmember Daysog expressed how critical it is to move forward; thanked the Transportation Commission and Bike Walk Alameda.

Mayor Spencer thanked staff and Bike Walk Alameda; stated it is critical to come up with a better way to cross the estuary for bicyclists and pedestrians.

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

(*16-529) Recommendation to Award a Five-Year Contract for City of Alameda Property Management Services to RiverRock Real Estate Group for Management of Commercial and Residential Properties at Alameda Point, Fleet Industrial Supply Center, Tidelands, Alameda Beltline, and Other City-Owned Commercial Properties. Accepted.

(*16-530) Recommendation to Amend a Contract to Extend the Term for One Year to Coastland Civil Engineering, Inc. for Contract Engineering Services. Accepted.

(*16-531) Recommendation to Amend a Contract with Brown Reynolds Watford Architects to Provide Professional Services for Design and Contract Management to Extend the Term Until January 31, 2017 for the Emergency Operations Center (EOC)

and Until December 31, 2016 for Fire Station 3 (FS3). Accepted.

(*16-532) Resolution No. 15205, “Approving the Final Map, Accepting the Dedications and Easements, Authorizing Execution of the Subdivision Improvement Agreement and Approving Bonds for Tract 8254 (Del Monte Warehouse).” Adopted.

(*16-533) Resolution No. 15206, “Approving the City of Alameda Local Hazard Mitigation Plan (LHMP), June 2016.” Adopted.

(*16-534) Resolution No. 15207, “Amending the Alameda Management and Confidential Employees Association (MCEA) Salary Schedule Revising Titles for the Classifications of Public Safety Information Technology Systems Coordinator to Public Safety Information Technology Systems Analyst and Information Technology Systems Coordinator to Information Technology Systems Analyst Effective October 16, 2016.” Adopted.

(*16-535) Ordinance No. 3166, “Amending the Alameda Municipal Code by Amending Subsection 3-70.5 (Establishment of a Community Facilities District to Finance Certain Services) of Section 3-70 (Special Tax Financing Improvement Code), of Division I (General Provisions), of Article IV (Special Tax Financing), of Chapter III (Finance and Taxation) to Allow the Financing of Additional Services, including Transportation Services and Programs. Finally passed.

REGULAR AGENDA ITEMS

(16-536) Recommendation to Authorize the City Manager to Enter into a Citywide Project Stabilization Agreement on Public Works or Improvement Contracts Valued at Over \$1,000,000 Awarded by the City of Alameda with the Building and Construction Trades Council of Alameda County.

The Base Reuse Director gave a Power Point presentation.

Mayor Spencer inquired if the local hire includes the Charter school graduates or just School District graduates.

The Base Reuse Director responded however district graduates are defined.

Mayor Spencer inquired whether it is only Alameda Unified School District, to which the Base Reuse Director responded in the affirmative; continued the presentation.

Councilmember Ezzy Ashcraft stated the Joint Administrative Committee (JAC) is a committee of six, inquired what happens in the case of a tie vote.

Michael Vlaming, Outside Counsel, responded the JAC addresses issues before they become problems and before they go to a vote; issues are resolved by unit voting.

Councilmember Ezzy Ashcraft inquired if a tie vote has ever come up in one of the

Committees, to which Mr. Vlaming responded in the negative.

The Base Reuse Director continued the presentation.

Councilmember Daysog stated prevailing wage adds costs; the City of Alameda is a prevailing wage City; thanked staff for including information about prevailing wage and the risks involved.

The Base Reuse Director stated there is less risk on larger projects; there is a \$1 million threshold to help mitigate risk.

Councilmember Oddie inquired what projects might be impacted by the \$1 million threshold.

The Base Reuse Director responded Krusi Park renovation and Jean Sweeney Park Phase II.

Councilmember Oddie inquired whether the Emergency Operations Center (EOC)/Fire Station project would have been affected by the \$1 million threshold, to which the Deputy Public Works Director responded in the affirmative.

Councilmember Oddie inquired if the golf course renovation would be affected, to which the Deputy Public Works Director responded he is unsure about the golf course renovation; stated the annual street resurfacing, sidewalk repair contracts and sewer main replacements would be affected.

Councilmember Oddie inquired whether the second phase of the golf course renovation would be covered by the Project Stabilization Agreement (PSA).

The Base Reuse Director responded the golf course renovation is a public-private partnership; a private partner would be responsible for the golf course renovation, which would not be subject to the PSA.

Councilmember Oddie stated there is a PSA for Site A; inquired what is the outlook for a PSA for the rest of Alameda Point.

The Base Reuse Director responded there are some Public Works projects in the adaptive reuse area that will be subject to the PSA or any Disposition Development Agreements.

Councilmember Oddie stated staff and Council should continue to negotiate something for Alameda Point.

The Base Reuse Director concurred.

Mayor Spencer inquired who determines the relevant union master labor agreement, to

which Mr. Vlaming responded it depends on the type of work being done.

Mayor Spencer stated the Council negotiates contracts with employees that work for the City and determines benefits; inquired who determines the relevant union master labor agreement; inquired whether the City is relinquishing input on what employees are getting paid.

Mr. Vlaming responded in the negative; stated the projects are covered by prevailing wage rate determinations; there are different classifications for different types of construction work; the affiliate unions and their applicable local master agreements are the agreements negotiated between the affiliate union and the traditional bargaining party.

Mayor Spencer stated the PSA does not require the workers to be union workers; inquired whether the City gets input into the union master labor agreement or could the worker receive better benefits than City employees.

Mr. Vlaming responded the agreement does not require employees to become a union member but employees do have to be dispatched by particular union; the benefits would be under the particular labor union agreement; the employees under a particular contract are entitled to the prevailing wage and benefits specified under the particular contract; the relationship to City employee's benefits are very different.

Mayor Spencer inquired how non-union workers get jobs.

Mr. Vlaming responded anyone can use the union referral procedures; stated the contractors are responsible for hiring; the contractor goes to the applicable union hall and requests workers.

Mayor Spencer inquired if a worker is not in the union where would the worker be placed on the list.

Mr. Vlaming responded when a worker signs up and pays the association fees, they do not have to become a member; the list is in chronological order.

Mayor Spencer inquired whether the City has input in the union master labor agreement; inquired who negotiates the agreements with the union.

Mr. Vlaming responded the negotiation is with an employer association, which is a group of signatory employers; stated the association bargain the terms, conditions and wage rates applicable to the craft.

Mayor Spencer inquired whether the employer association is union workers or people on behalf of the union.

Mr. Vlaming responded the unions represent the members; stated the employers

negotiate individually or through an association that represents the employers or the contractors.

Mayor Spencer inquired who Mr. Vlaming's position works for.

Mr. Vlaming responded that he is a consultant for the City Attorney's office.

Stated that she is speaking on behalf of her husband who strongly supports the PSA; there are many reasons why the PSA supports union workers; urged Council to put the agreement into effect: Ingrid Dayton, Meat and Frost Insulators Local 16.

Stated that he strongly supports the PSA; the agreement keeps local money in Alameda and creates career opportunities for local residents; urged Council to pass the agreement: Andrew Slivka, Alameda resident and Carpenters Union.

Stated that he strongly supports the PSA; he would like to work in the community; he is proud to say he helped build parts of Alameda: Preston Dula, Alameda resident and Carpenters Union.

Stated that he is excited about the partnership with the City; there are apprenticeship programs at the high schools and a good partnership to develop construction careers for many Alameda residents; urged Council support: Andreas Cluver, Alameda County Building Trades.

Councilmember Ezzy Ashcraft stated that she supports the PSA; outlined the great features of the PSA and all of the people it helps.

Councilmember Daysog stated that he would only support the PSA if the wording is changed from "...local resident is a high school graduate of Alameda Unified School District" to "or any private or Charter schools in Alameda"; a student residing in Alameda attending school outside of Alameda should also be given the same opportunity.

Councilmember Oddie stated hearing from the speakers about the partnership between the City and its working families benefiting the workers lives is a highlight; parts of the program still need to be worked on.

Vice Mayor Matarrese stated any direction should include having a discussion about the public-private projects and ways to modify the agreement as it is being executed; the risk of increased costs due to lack of competition will be the difference between the paid wage and a paid pension; there is assurance that the wage and benefits are being paid.

Mayor Spencer inquired whether Councilmember Daysog's request to expand who would qualify for the apprentice program could be included; stated there are also students who drop out of high school and obtain a GED; inquired whether there is there a way to accommodate said students; stated the tax payers that live in Alameda will pay for the PSA; the offset is to have benefits like apprenticeship programs, good career

paths or helping students that are not going on to college and need jobs; she is concerned with limiting the program to AUSD graduates.

Mr. Slivka, responded that they support expanding the definition and working with disadvantaged residents to create careers.

Mayor Spencer requested the following changes to the PSA: page 18 paragraph 14.1: replace the word “goal”, with the word “hire”; the reference of “an Alameda High School graduate,” add some mention that a student living in Alameda with a GED would count towards the goal; more priority should not be given to the graduate as opposed to an Alameda resident who drops out and obtains a GED; residents that live in Alameda no matter where they go to school should also be included.

The City Manager stated the Council can direct the changes be made.

Councilmember Ezzy Ashcraft inquired how Mayor Spencer would propose the changes.

Mayor Spencer inquired whether the PSA could be modified or does Council have to accept the PSA as is.

Councilmember Oddie inquired if Council is negotiating the provisions.

The Base Reuse Director responded said provision is one that the Trade Council is okay to defer to the City to decide unless the provision is being drastically reworded and wants to ensure the changes are easy to enforce.

Mayor Spencer inquired whether the form would say: “When you graduated from high school, were you a resident in the City of Alameda?”

Vice Mayor Matarrese stated some AUSD students live in Oakland.

Mayor Spencer inquired whether Council wants to include students who live out of town.

Councilmember Daysog responded non-residents attending AUSD schools should count.

The City Attorney stated the provision is for local residents; there is an additional benefit if you happen to be a graduate of an Alameda school.

Mayor Spencer inquired whether a local resident that that drops out of high school but obtains a GED is included.

The City Manager responded a GED is a high school equivalent.

Mayor Spencer suggested adding the phrase “...or high school equivalent.”

Councilmember Daysog stated the staff report states: "...if the local resident is also a High School graduate of Alameda Unified School District those hours count as double towards meeting the goal"; requested adding "...if the local resident is also a high school graduate of a private high school in Alameda those hours will count as double towards meeting the goal".

The City Attorney inquired if Council is saying the person has to be a local resident, to which Mayor Spencer responded in the affirmative.

The City Attorney inquired whether Council's request is the extra benefit is for a student graduating high school or obtaining a GED in Alameda, or being an Alameda resident at the time they graduated high school.

Mayor Spencer responded in the affirmative.

Councilmember Ezzy Ashcraft inquired whether Council is reducing the number of required local hours worked; stated the hours for a graduate of AUSD will count as double, therefore, one person would have twice as much impact on the 25%; questioned if that is what Council wants to do.

Mayor Spencer stated maybe Council does not want the language to read double.

Councilmember Daysog stated the double phrase is needed because there needs to be an incentive to pull people from Alameda into the positions.

The City Manager inquired if the interest is to keep within the 25% and allow some double for all high school students or equivalent high school students of schools in Alameda, including private, charter and other schools.

Mayor Spencer inquired if that would exclude O'Dowd High School.

The City Manager responded in the affirmative.

Councilmember Daysog stated his concern is if you are a parent in Alameda and pay property taxes, your child should have as much right as any other child.

The City Manager responded said individual would qualify as a local resident.

Mayor Spencer stated there are special needs students that are not graduates of Alameda Unified going to school outside of the City.

The City Manager stated they would still be a resident.

Councilmember Daysog inquired whether the student would still receive the benefit for the future employer or trainer by being a local resident, to which the City Manager

responded in the affirmative.

Councilmember Daysog inquired if the student is a local resident and attends school in Alameda is there a double benefit, to which the City Manager responded in the affirmative.

In response to Mayor Spencer's inquiry, Councilmember Ezzy Ashcraft questioned whether the Council could agree to the request to modify a resident who attends a high school in Alameda and not specify if it was AISD.

All Councilmembers agreed.

Mayor Spencer expressed concerned with accumulating data; stated the project has a three year follow up; Section 20 addresses periodic review; the program is a pilot program and should be reviewed during the three year period; inquired whether data would be collected during the three year period, to which the City Manager responded in the affirmative.

Mayor Spencer inquired whether Council will know how many students were high school graduates when the matter returns in three years.

The City Manager responded in the affirmative.

Mayor Spencer inquired if the process is the same data would be collected for helmets to hardhats, to which the City Manager responded in the affirmative; stated the helmets to hardhats is given priority.

Mayor Spencer inquired where the PSA states data is being collected; inquired whether the data requirement is in the PSA or needs to be added.

The Base Reuse Director responded the data requirement is under section 14.3 related to local residents.

Mayor Spencer inquired whether the helmets to hardhats program is the same and data is collected.

Councilmember Ezzy Ashcraft responded the helmets to hardhats information regarding data collection is in paragraph 19.2.

Mayor Spencer stated said section refers to the database; she is looking for data on who received the jobs to see if the program is working; there needs to be data collection on the helmets to hardhats and the high school students.

The Base Reuse Director stated a sentence will be added in the PSA and the data will be collected.

Mayor Spencer inquired how it is determined who participates in the apprenticeship program.

Mr. Slivka responded each apprenticeship program is State certified with specific requirements that need to be met; an apprentice would choose a trade and meet the basic set requirements.

Mayor Spencer inquired whether that means students from Alameda schools would be on career pathways.

Mr. Slivka responded there could be a career day at the schools; stated the Trade Council could reach out to graduates and get the pathways going to the apprenticeship program.

Councilmember Ezzy Ashcraft inquired whether she and Mayor Spencer could bring the idea up to the School District since they sit on the subcommittee.

Mayor Spencer responded in the affirmative; stated the program is a pilot program and it is critical to collect data to evaluate if the program is working in three years.

Mr. Slivka stated the District is also looking to reach goals.

Vice Mayor Matarrese moved approval of authorizing the City Manager to enter into a Citywide Project Stabilization Agreement on Public Works or improvement contracts valued at over \$1,000,000 awarded by the City of Alameda with the Building and Construction Trades Council of Alameda County, including modification as described for graduates of schools in Alameda to broaden the scope in the section to refer to graduates of Alameda Unified School District and GED equivalents, also include gathering data for the helmets to hardhats targets and to include the evaluation of the program in a frequency to allow Council to renegotiate in three years.

Councilmember Oddie seconded the motion.

Under discussion, Councilmember Daysog inquired whether the language includes the private school and Charter school issue.

Vice Mayor Matarrese responded in the affirmative; stated the wording reads a graduate of a school in Alameda.

Mayor Spencer inquired whether the gathering of data for the local workforce development and apprenticeship programs is included.

Vice Mayor Matarrese responded in the affirmative.

Councilmember Oddie inquired whether Vice Mayor Matarrese included the private-partnerships.

Vice Mayor Matarrese responded the private-partnerships is not imbedded in the agreement, it is more of a direction to staff that there continues to be discussion about public-private partnerships.

Councilmember Oddie inquired whether Vice Mayor Matarrese would accept a friendly amendment to add the items regarding the private-partnerships mentioned previously.

Vice Mayor Matarrese responded in the affirmative.

Mayor Spencer inquired whether cost will be evaluated to see how much the program is costing the City.

The City Manager responded evaluating costs is very difficult because of the types of trades and the market.

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

(16-537) (A) Introduction of Ordinance Approving the Lease of Building 21, Located at 2601 Monarch Street at Alameda Point, with St. George Spirits, Inc., a California Corporation for: (1) A Ten-Year Term With One Five-Year Extension Option; (2) An Option to Purchase the Property for \$8 Million (or \$7.9 Million if a Restaurant is Constructed Within 2 Years of Lease Commencement); and (3) An Authorization for the City Manager to Execute Documents Necessary to Implement the Terms of the Lease. [Requires Four Affirmative Votes]; and (B) Recommendation to Consent to a Sublease Between St. George Spirits, Inc., a California Corporation, and Heads, Hearts, Tails, LLC, a California Limited Liability Company, for a Portion of the Leased Space. [In accordance with the California Environmental Quality Act (CEQA), this project is Categorically Exempt under the CEQA Guidelines Section 15301(c) - Existing Facilities.] Introduced.

The Assistant Community Development Director gave a Power Point presentation.

Councilmember Ezzy Ashcraft inquired whether there is more information regarding the sublease with the third party vendor.

The Assistant Community Development Director responded the third party vendor Heads, Hearts, Tails, LLC, would sell products on site.

Mayor Spencer inquired whether the lease has criteria on the restaurant, such as, how many the restaurant needs to accommodate.

The Assistant Community Development Director stated State law just changed to allow distillers to open restaurants inside distilleries; deferred question to the owner of St. George Spirits.

Mayor Spencer inquired whether there is more information regarding the restaurant.

Responded there is currently no information regarding the restaurant; stated there is a space of approximately 2,000 square feet and they would like to accommodate as many people as possible in the space; there is clean up legislation that needs to take place before plans could be made: Lance Winters, St. George Spirits.

The Assistant Community Development Director stated the owners were looking at a specific type of restaurant for the facility.

Mayor Spencer inquired whether Council could weigh in on the change in the legislation.

The Assistant Community Development Director responded that Mr. Winters has been working with local legislators to resolve the issue.

Stated St. George Spirits is happy to be at Alameda Point; thanked staff and the Council for their work and allowing them the opportunity: Lance Winters, St. George Spirits.

Mayor Spencer requested including a section that would allow Council to support the change in legislation; stated that she intends to submit a letter to the legislators.

Councilmember Oddie stated legislators are out of session; the matter will not be introduced until December or January.

Mayor Spencer stated that she does not have authority until she receives authorization from Council.

Councilmember Oddie stated there is nothing to support currently.

Mayor Spencer stated eventually there will be something to support.

Councilmember Oddie stated at that time there would be a report from the lobbyists on which bills the Council wants to support.

Mayor Spencer stated she would like to encourage the project to happen.

Councilmember Ezzy Ashcraft moved introduction of the ordinance approving the lease of Building 21 with St. George Spirits for: (1) a ten-year term with one five-year extension option; (2) an option to purchase the property for \$8 million (or \$7.9 million if a restaurant is constructed within 2 years of lease commencement); and (3) an authorization for the City Manager to execute documents necessary to implement the terms of the lease.

Vice Mayor Matarrese seconded the motion.

Under discussion, Councilmember Daysog thanked St. George Spirits for advertising the City of Alameda.

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

Councilmember Ezzy Ashcraft moved approval of the staff recommendation to consent to a sublease between St. George Spirits, Inc., a California Corporation, and Heads, Hearts, Tails, LLC, a California Limited Liability Company, for a portion of the leased space.

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

Councilmember Ezzy Ashcraft moved approval of authorizing Mayor Spencer to write an appropriately worded letter encouraging support of legislation that would allow Mr. Winter of St. George Spirits to be allowed to open a restaurant.

Mayor Spencer seconded the motion, which carried by unanimous voice vote – 5.

(16-538) Presentation of Alameda Free Library Fiscal Year 2015-2016 Annual Report.

The Library Director gave a Power Point presentation.

(16-539) Mayor Spencer stated a motion is needed to consider remaining items.

Councilmember Ezzy Ashcraft moved approval of considering the Public Hearing to amend the Zoning Ordinance [paragraph no. 16-540].

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

The Library Director continued the presentation.

Councilmember Oddie inquired what the increased budget was used for, to which the Library Director responded a lot of material was purchased.

Mayor Spencer inquired how the do-it-yourself bike station at the main library was paid for to which the Library Director responded the station was paid for with a grant received by the library cooperative.

Mayor Spencer stated that she has heard very good feedback on the station; inquired whether a station will be available at the other Alameda libraries.

The Library Director responded there is not currently a plan to add the station to the

other libraries, but it is a possibility.

Mayor Spencer stated there is equity involved to have a station at the Harbor Bay and West End libraries.

The Library Director stated the issue is finding a large enough space where someone could work on their bike and not impede the walking path.

Mayor Spencer inquired whether Alameda Science and Technology Institute (ASTI) will be included in the Student Success Card program.

The Library Director responded ASTI will not be included in the pilot phase.

Mayor Spencer inquired how long will the pilot phase be, to which the Library Director responded one year.

Vice Mayor Matarrese thanked the Library Director for keeping up with future needs.

(16-540) Public Hearing to Consider Introduction of Ordinance Amending the Alameda Municipal Code by Amending Chapter 30 (Zoning Ordinance) to Streamline Improvements to Existing Residential Properties and Minor Administrative, Technical, and Clarifying Revisions to the Zoning Ordinance Regarding Chimneys, Accessory Buildings, Windows, Existing Driveways and Parking, Non-Conforming Setbacks, Home Occupation Signage, and Other Miscellaneous Amendments. [The proposed amendments are categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations]. Introduced.

The Planning Services Manager gave a brief presentation.

In response to Mayor Spencer's inquiry, the Planning Services Manager listed the ten amendments.

Mayor Spencer inquired whether there is any impact to the General Fund, to which the Planning Services Manager responded in the negative.

Councilmember Daysog inquired whether the floor area under amendment number 5 has to do with an accessory unit in the back.

The Planning Services Manager responded in the negative; stated the floor area refers to converted space that meets building space requirements.

Councilmember Daysog inquired whether a homeowner add space in the attic does not trigger a parking change.

The Planning Services Manager responded 750 square feet is the threshold for how

much new floor area triggers additional parking.

Mayor Spencer inquired whether the credit for ceiling height is 7 feet, to which the Planning Services Manager responded in the affirmative.

Councilmember Ezzy Ashcraft moved introduction of ordinance amending the Alameda Municipal Code by amending Chapter 30, Zoning Ordinance, to streamline improvements to existing residential properties and minor administrative, technical, and clarifying revisions to the Zoning Ordinance regarding chimneys, accessory buildings, windows, existing driveways and parking, non-conforming setbacks, home occupation signage, and other miscellaneous amendments.

Councilmember Oddie seconded the motion.

Under discussion, Councilmember Daysog stated he will support this motion but he would like to follow up on amendment number 5.

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

CITY MANAGER COMMUNICATIONS

(16-541) The City Manager announced the Public Utilities Board refund a geothermal bond that Northern California Power Agency bonded for in 2009, which is saving \$174,000 for Alameda Municipal Power; stated that she has asked Joe Ernst to give a presentation to Council and the public regarding the Building 9 and 91 leases.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

(16-542) Consider Directing the City Manager to Initiate and Begin the Process with the Planning Board to Propose Revisions to the Ordinance and Code Sections Defining Alameda's Inclusionary Housing for Residential Development. (Vice Mayor Matarrese) Not heard.

(16-543) Consider Directing the City Manager to Schedule a Priority Setting Work Session. (Mayor Spencer) Not heard.

(16-544) Consider Directing the City Manager to Immediately Hold a City Council Workshop on the Final Phase of the Bayport-Alameda Landing Disposition and Development Agreement (DDA)\Development Plan. (Councilmember Daysog) Not heard.

(16-545) Consider Directing the City Manager to Have the Social Service Human

Relations Board (SSHRB) Review City Policies and Procedures for Aiding Alameda's Homeless in Order to Make Recommendations to the City Council for Policy Revisions and Additions. (Vice Mayor Matarrese) Not heard.

(16-546) Consider Directing the City Manager to Initiate Revisions to the Ordinances and Code Sections for Mixed-Use Zoning in the City of Alameda to Aid Retention of Beneficial Commercial Uses within Areas Zoned for Mixed Use. (Vice Mayor Matarrese) Not heard.

(16-547) Consider Directing Staff to Review Enacting a Minimum Wage Increase in Alameda. (Mayor Spencer) Not heard.

COUNCIL COMMUNICATIONS

(16-548) Councilmember Ezzy Ashcraft announced that she attended the League of California Cities conference and she was sworn in as the At-Large Representative for the Easy Bay division.

(16-549) Councilmember Oddie stated that he attended the Alameda International Film Festival.

(16-550) Mayor Spencer stated that she attended the League of California Cities Conference and she just returned from Yeongdong-gun District in South Korea exploring whether to have a Sister City in said location; she participated in a four day cultural festival.

ADJOURNMENT

There being no further business, Mayor Spencer adjourned the meeting at 10:53 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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