

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -JUNE 16, 2015- -7:00 P.M.

Mayor Spencer convened the meeting at 7:00 p.m. and led the Pledge of Allegiance.

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

[Note: Councilmember Ezzy Ashcraft arrived at 7:01 p.m.]

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(15-399) Proclamation Declaring June 2015 as Elder Abuse Awareness Month.

Mayor Spencer read and presented the proclamation to Dena Andrew, Alameda County District Attorney's Office – Elder Abuse Unit, and Vanessa Baker, Alameda County Adult Protection Services.

Ms. Baker and Mr. Andrew made brief comments and submitted information.

(15-400) Mayor Spencer announced that a survey is posted on the City's website regarding the City Manager recruitment and a Town Hall meeting would be held next Wednesday, June 24th in the Council Chambers.

ORAL COMMUNICATIONS, NON-AGENDA

(15-401) Kurt Peterson, Alameda, expressed concern over unions influencing the City.

CONSENT CALENDAR

Councilmember Ezzy Ashcraft moved approval 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.]

(*15-402) Minutes of the Special and Regular City Council Meetings Held on May 19, 2015. Approved.

(*15-403) Ratified bills in the amount of \$2,290,947.36.

(*15-404) Recommendation to Approve an Amendment to the Claims Administrator Agreement with York Risk Services Group, Inc. for Professional Services as the Third Party Administrator of the City of Alameda's Self-Insured Workers' Compensation Program, Extending the Term through June 30, 2020. Accepted.

(*15-404) Recommendation to Award a Contract in the Amount of \$100,000 to Coastland Civil Engineering, Inc. for City Engineering Services. Accepted.

(*15-405) Recommendation to Award Contract for Legal Advertising for Fiscal Year 2015-16. Accepted.

(*15-406) Resolution No.15051, "Requesting and Authorizing the County of Alameda to Levy a Tax on All Real and Personal Property in the City of Alameda as a Voter-Approved Levy for the General Obligation Bonds Issued to Refund the Original Bonds Issued Pursuant to the Authorization Given at a General Election held November 7, 2000 for the Alameda Library." Adopted.

(*15-407) Resolution No. 15052, "Amending the City of Alameda Executive Management (EXME) Compensation Plan to Establish the Classification of Information Technology Director." Adopted. [700-20]

REGULAR AGENDA ITEMS

(15-408) Resolution No.15053, "Appointing Jan Brandt as a Member of the Civil Service Board." Adopted;

(15-408A) Resolution No.15054, "Appointing Cookie Robles-Wong as a Member of the Civil Service Board." Adopted;

(15-408B) Resolution No.15055, "Appointing Ronald Carlson as a Member of the Golf Commission." Adopted; and

(15-408C) Resolution No.15056, "Appointing Edward Downing as a Member of the Golf Commission." Adopted.

Vice Mayor Matarrese moved adoption of the resolutions.

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

The City Clerk administered the Oath of Office and presented a certificate of appointment to Ms. Robles-Wong.

(15-409) Public Hearing to Consider Resolution No.15057, "Upholding the Planning Board Resolution No. PB-15-09 Approving a Development Plan for the 68-Acre Mixed Use Development Plan in the Waterfront Town Center Plan Area Referred to as "Site A"

at Alameda Point and Approving a Density Bonus Waiver.” Adopted;

(15-409A) Introduction of Ordinance Approving a Disposition and Development Agreement (and Related Documents) between the City of Alameda and Alameda Point Partners, LLC (APP) for the Site A Development at Alameda Point. Introduced; and

(15-409B) Introduction of Ordinance Approving a Development Agreement between the City of Alameda and Alameda Point Partners, LLC for the Site A Development at Alameda Point. Introduced.

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

In response to Mayor Spencer’s inquiry, the Chief Operating Officer - Alameda Point – stated the developer revised the housing chart to show a larger range of units from 500 square feet to 1100 square feet.

Mayor Spencer inquired how many more units would be added on the lower end, to which the Chief Operating Officer - Alameda Point stated the developer has not committed to a certain number of units and sizes, which is determined in the design review process.

Mayor Spencer inquired whether the shift to offer units for those who qualify with an income of \$65,000 as opposed to \$90,000 is reliable on the chart, to which the Chief Operating Officer - Alameda Point responded in the affirmative; stated the developer has confirmed the shift.

The Chief Operating Officer - Alameda Point continued presentation.

In response to Councilmember Ezzy Ashcraft’s inquiry, the Chief Operating Officer – Alameda Point stated the developer agreed to create more moderate income units if there is profit participation and the project is successful.

Joe Ernst, APP, gave a brief presentation.

Councilmember Oddie inquired what the impacts are to the tenant base and City finances if the project fails.

The Chief Operating Officer - Alameda Point responded Alameda Point has failing infrastructure and it would be difficult to attract private investment, jobs, and potential new leases without the prospect of amenities the development would provide; stated the City has to rely on the private sector to fund development without redevelopment public financing sources; increased liabilities to the City and potential issues for the General Fund could be created if a project is not moved forward.

In response to Mayor Spencer's inquiry, the Chief Operating Officer - Alameda Point – stated the developer created a condominium map overlay for all apartments to create potential for smaller ownership as part of Site A.

Mayor Spencer inquired what the income percentage is by housing type, to which the Chief Operating Officer - Alameda Point responded the percentage is 60% excluding very low and low income.

In response to Mayor Spencer's inquiry, the City Attorney stated the apartments cannot be subject to rent control because they are being built after 1995 and can be converted to condominiums.

In response to Mayor Spencer's inquiry, the Chief Operating Officer - Alameda Point stated the intent of the Thompson Dorfman business model is to retain ownership of apartments, but selling them is an option.

In response to Mayor Spencer's inquiry, the Chief Operating Officer - Alameda Point stated Thompson Dorfman is based in Mill Valley.

Mayor Spencer stated the City's Rent Review Advisory Committee (RRAC) has poor results with rent increase issues and out of town landlords; inquired whether the apartments would have a representative that would be able to come to Alameda to negotiate rent issues, to which Bruce Dorfman responded all properties have onsite management; stated all residents will be income qualified; that he does not anticipate rent increase issues for a long time.

Expressed support of moving forward with the Site A Project: Assemblymember Rob Bonta, Alameda; Kristoffer Koster, Planning Board; Matt Regan, Bay Area Council; former Mayor Marie Gilmore, Alameda; former Mayor Beverly Johnson, Alameda; former Mayor Bill Withrow, Alameda; Bruce Knopf, Alameda; Kathy Moehring, Alameda; Patricia Riley, Alameda; Anne Cevallos, Alameda; Robert Del Rosario, AC Transit; Vicki Sedlack, Alameda; Anne Cook, Alameda; Tony Berg, Alameda Association of Realtors. Bill DeMar, Alameda; Leslie Cameron, Bay Ship and Yacht; Andreas Cluver, Building Trades Council of Alameda County; Dean Santner, Alameda Point tenant; Lucy Gigli, Bike Alameda; Robert Doud, Alameda; David Burton, Alameda; Kari Thompson, Alameda Chamber of Commerce; Andrew Slivka, Alameda and Carpenters Union; Pam Riley Chang, Alameda; Doug Biggs, Alameda Point Collaborative; Sarah Oddie, Alameda; Ernest Sanchez, Water Emergency Transportation Authority (submitted information); Uri Pachter, Greenbelt Alliance; Doyle Saylor, Renewed Hope.

Councilmember Daysog stated the County area median income, adjusted to household size, is used for qualifying for the affordable housing units; he believes Site A is a project that speaks to moderate income and anyone in Alameda.

Mayor Spencer stated she is more concerned with the distribution of the units.

Expressed support of moving forward with the Site A Project: Doug Linney, Alameda; Jerry Serventi, Alameda; Gabrielle Dolphin, Alameda; Lois Pryor, Renewed Hope; Mark Sorensen, Alameda Chamber of Commerce; Victor Rollandi, Alameda Business Owner; Preston Dula, Alameda; Mike Henneberry, Alameda, UFCW Local 5 and Planning Board; Michael McDonough, Alameda Chamber of Commerce.

Mayor Spencer called a recess at 9:50 p.m. and reconvened the meeting at 10:06 p.m.

Expressed support of moving forward with the Site A Project: Alan Pryor, Alameda; Pamela Tozer, Alameda; Heather Chicoine, Alameda; Alexandra Cohn, Alameda; Su-Lin Hennecke, US Green Building Council; Jon Spangler, Alameda; Irma Garcia, Alameda; Ty Hudson, Unite Here Local 2850.

(15-410) Mayor Spencer stated a vote is needed to consider remaining agenda items [paragraph nos. 15-412, and 15-413].

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

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

Expressed support of moving forward with the Site A Project: Jennifer West, TransForm (submitted information); Irving Gonzales, Alameda; John Knox White, Alameda; Angela Hockabout, Alameda Renters Coalition (ARC); Anne Debardelaben, Alameda; Karen Bay, Alameda.

Councilmember Daysog noted that he placed a referral on tourism on the next meeting agenda.

Expressed concern that the average person would not qualify for housing except for low and very low; urged Council to wait for existing development to prove a transportation strategy: Kurt Peterson, Alameda.

Expressed support of moving forward with the Site A Project: Dania Alvarez, Alameda; Allen Michaan, Antiques by the Bay/Michaan Auctions; Garfield Kincross, ARC.

(15-411) Mayor Spencer stated a motion is needed to continue the meeting past 11:00 p.m.

Councilmember Ezzy Ashcraft moved approval [of continuing the meeting].

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

Expressed support of moving forward with the Site A Project: Paul Kangas, US Navy Union; Helen Sause, Alameda Home Team; former Councilmember Doug deHaan, Alameda; Janet Gibson, Alameda Citizens Taskforce (submitted information).

Councilmember Ezzy Ashcraft stated the Warriors victory tonight is a good omen; that she is prepared to make findings on the ordinance tonight; the project is a catalyst for economic opportunity which creates 1,472 permanent specialty jobs; implementing a Project Labor Agreement (PLA) will generate jobs over the life of the project; the labor and development team represent a collaborative, constructive spirit; findings are well documented in voluminous readings; Site A has attracted regional attention; Council should take the proactive next steps and realize the potential of the City now and for the future; now is the time to act by approving the proposed development of Site A.

Councilmember Daysog stated APP's project honors the military past and preserves historic structures at Alameda Point, which is important for local heroes like Jimmy Doolittle; providing a reasonable mix of market and affordable housing is important; APP listened to the concerns of Alameda residents and businesses; he sought out policy changes in the EIR that are still in place today; the economics of housing is important and benefits the average household in Alameda.

Councilmember Oddie concurred with former Mayor Johnson's statement that the current Council is the luckiest Council in 24 years; recognized all the prior Councils; stated Site A is part of the community vision and APP faced a lot of pressure to solve every social ill of Alameda; folks should realize a 60-acre site will not cure every problem; everything about the project reflects the values of the Council and community; everyday workers are not special interest people; the vote on Site A is monumental; that he plans to support it.

Vice Mayor Matarrese stated that he will vote in favor of the Site A project which is a lot more fun than the last vote he had on a development; he is not in favor of a town center; the project has \$103 million in infrastructure; self-funding is not practical; he would rather see a commercial industrial center instead of 800 housing units, but housing pays for infrastructure; he is glad that his compromise regarding North Housing is being honored; the highest priority is delivering jobs to Alameda Point; a PLA delivers short term jobs; \$10 million does not buy a ferry, and the Water Emergency Transportation Authority (WETA) has not made a commitment to the location; that he appreciates the negotiations and cannot underscore the significance of a PLA; he would like the money go to more affordable housing in 600 units not designated as affordable housing in Phase 1; the Chief Operating Officer – Alameda Point did an extraordinary job leading the project; there is more to be done; reminded folks that Site A is a small piece of the entire City.

Mayor Spencer stated that she is concerned about meeting the needs of the entire community; townhomes and condos are beyond median income; income level is just under the median for apartments.

In response to Mayor Spencer's inquiry, Mr. Ernst explained the distribution segments and what will happen in the future; stated the next phase is design review; floor plans will be laid out; market studies will be updated; where there is too much or too little product, the team will determine the product mix design of the buildings.

Mayor Spencer stated she is concerned the units that fall below Alameda's median income of \$75,000 are the low and very low units.

The Chief Operating Officer - Alameda Point stated Alameda County's median income varies; Alameda's is about \$65,000.

Mayor Spencer inquired whether APP would continue to look at the community to figure out a way to help families with children continue to live in Alameda.

Mr. Ernst responded in the affirmative; stated APP can and will look for ways to help retain families; the project is large enough to have a diversified project mix and different unit sizes; APP would like the project to serve new and existing Alamedans.

In response to Mayor Spencer's inquiry regarding the condominium overlay, Mr. Ernst stated the option to convert apartments to condominiums is preserved if the opportunity arises; with success of Phase 1, there could be opportunity in Phase 2.

Mayor Spencer inquired whether APP has given thought to supporting a transit similar to Emeryville's Emery Go Round, to which Mr. Ernst responded in the affirmative; stated that he hopes building the Site A infrastructure becomes a blueprint for other Alameda projects.

Mayor Spencer stated houses should be made comfortable for all abilities, including aging; inquired what percentage of the houses would be universal design.

Councilmember Ezzy Ashcraft inquired whether the design issue was coming back to Council, to which the Chief Operating Officer - Alameda Point responded in the affirmative; stated the Development Plan has universal design provisions.

Mr. Ernst responded 100% of apartments, and a minimum of 10% of townhomes will be universal design.

In response to Mayor Spencer's inquiry, Mr. Ernst stated senior housing is important and necessary; he does not think separate senior housing would be provided in Site A, but Council has the opportunity to do it.

Mayor Spencer inquired whether APP has considered having solar energy, to which Mr. Ernst responded APP has not looked at solar strategies, but is reviewing renewable energy options; APP would like to partner with AMP.

Mayor Spencer stated being aware of other projects that are 100% solar is good; that she is looking forward to working with Mr. Ernst to meet the needs of all Alamedans.

Vice Mayor Matarrese moved adoption of the resolution upholding the Planning Board Resolution No. PB-15-09 Approving a Development Plan.

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

Councilmember Oddie moved introduction of ordinance approving a Disposition and Development Agreement (and related documents) between the City of Alameda and Alameda Point Partners, LLC (APP) for the Site A Development at Alameda Point.

Councilmember Daysog seconded the motion, which carried by the following roll call vote: Councilmember Daysog: Aye; Ezzy Ashcraft: Aye; Matarrese: Aye; Oddie: Aye; and Mayor Spencer: Aye; Ayes – 5.

Councilmember Ezzy Ashcraft moved introduction of Ordinance approving a Development Agreement between the City of Alameda and Alameda Point Partners, LLC for the Site A Development at Alameda Point.

Mayor Spencer seconded the motion, which carried by the following roll call vote: Councilmember Daysog: Aye; Ezzy Ashcraft: Aye; Matarrese: Aye; Oddie: Aye; and Mayor Spencer: Aye; Ayes – 5.

Mayor Spencer called a recess at 12:18 a.m. and reconvened the meeting at 12:26 a.m.

(15-412) Public Hearing to Consider Introduction of Ordinance Amending Alameda Municipal Code (AMC) Section 30-17 Density Bonus Ordinance. The Proposed Zoning Amendments are Exempt from CEQA Pursuant to Guideline Section 15061(b)(3). Introduced.

The City Planner gave a brief presentation.

In response to Mayor Spencer's inquiry, the City Planner outlined the ordinance amendments.

Mayor Spencer inquired whether parking allocation have been changed, to which the City Planner responded in the negative; stated the numbers have not changed; the

amendment just clarifies zoning must meet the City's parking ordinance; if the City's ordinance is not met, State law is the fall-back.

Mayor Spencer inquired what the local law is, to which the City Planner responded the law varies: residential parking is two spaces, commercial zoning is one and a half spaces, and affordable or senior housing is shaped to fit the project.

In response to Vice Mayor Matarrese's inquiry, the City Planner stated a separate document or application is required, which is brought to the Planning Board for action.

Vice Mayor Matarrese stated the scenario of a deficient application would no longer be an issue and the project would not be entitled without a complete application.

Councilmember Daysog moved introduction of the ordinance.

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

(15-413) Public Hearing to Consider Introduction of Ordinance Amending Alameda Municipal Code ("AMC") Section 30-4.17 G, Special Government Combining District and Zoning Map to Ensure Consistency between the City of Alameda Municipal Code and Zoning Map and the NAS Alameda Reuse Plan for 37.36 Acres of Federal Property Located on Singleton Street at the Former Naval Air Station. Pursuant to CEQA Guidelines Section 15162, No Further Environmental Review is Required. Introduced.

The City Planner gave a brief presentation and submitted a revised ordinance.

Expressed concern over the downzoning and meeting the State regional units: Lynette Lee, Renewed Hope.

The City Planner stated the City still has a surplus of units with the downzoning.

Vice Mayor Matarrese stated delivering 90 more affordable housing units and meeting agreement with the Navy and Housing Urban Development (HUD) buy-in was a good trade.

Councilmember Oddie inquired whether there was a plan to put the 800 units of Site A in the Housing Element, to which the City Planner responded Site A is already in the Housing Element; changing the zoning is all that is being done; the Housing Element is still in conformance with the State.

Councilmember Oddie stated he appreciates Vice Mayor Matarrese's leadership, which put Council in a position to ultimately approve Site A without adding any additional housing to the Housing Element.

Vice Mayor Matarrese moved introduction of the revised ordinance amending Alameda

Municipal Code Section 30-4.17 G, Special Government Combining District and Zoning Map to ensure consistency between the City of Alameda Municipal Code and Zoning Map and the NAS Alameda Reuse Plan for 37.36 Acres of federal property located on Singleton Street at the former Naval Air Station.

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

CITY MANAGER COMMUNICATIONS

(15-414) The Interim City Manager announced the Park Street Bridge is open tonight.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(15-415) Councilmember Oddie announced the City received a one-time reimbursement of \$605,785 from the Department of Finance for costs incurred in complying with the State's unfunded mandates prior to 2004.

(15-416) Consideration of Mayor's Nominations to the Commission on Disability Issues, Library Board, Planning Board, Public Art Commission, Public Utilities Board (PUB), Recreation and Park Commission, Social Service Human Relations Board (SSHRB), and Transportation Commission.

Mayor Spencer nominated Laura Giuntini to the PUB and Daniel Davenport and Mark Sorensen to the SSHRB.

ADJOURNMENT

There being no further business, Mayor Spencer adjourned the meeting at 12:51 a.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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