

MINUTES OF THE SPECIAL CITY COUNCIL MEETING  
TUESDAY- -SEPTEMBER 17, 2013- -6:00 P.M.

Mayor Gilmore convened the meeting at 6:03 p.m.

Roll Call – Present: Councilmembers Chen, Daysog, Ezzy Ashcraft, Tam and Mayor Gilmore – 5.

[Note: Councilmember Daysog arrived at 6:06 p.m. and Councilmember Tam left the meeting at 7:00 p.m.]

Absent: None.

The meeting was adjourned to Closed Session to consider:

(13-397) Conference with Legal Counsel – Existing Litigation (54956.9); Case Name: USA/Baykeeper v. City of Alameda, et al.; United States District Court, Northern District of California; Case No. CV 09 05684 RS

(13-398) Public Employee Performance Evaluation; Pursuant to Government Code § 54957; Position Evaluated: City Clerk – Lara Weisiger

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

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Mayor Gilmore called a recess at 7:11 p.m. and reconvened the meeting at 10:47 p.m.

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Following the Closed Session, the meeting was reconvened and Mayor Gilmore announced that regarding Performance Evaluation, direction was given to the subcommittee.

Adjournment

There being no further business, Mayor Gilmore adjourned the meeting at 11:10 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

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

MINUTES OF THE SPECIAL JOINT CITY COUNCIL,  
CITY OF ALAMEDA FINANCING AUTHORITY (CAFA), AND  
ALAMEDA PUBLIC IMPROVEMENT CORPORATION (APIC) MEETING  
TUESDAY- -SEPTEMBER 17, 2013- -7:01 P.M.

Mayor/Chair Gilmore convened the meeting at 10:29 p.m.

ROLL CALL - Present: Councilmembers/Authority Members Chen, Daysog, Ezzy Ashcraft, Tam and Mayor/Chair Gilmore – 5.

Absent: None.

ORAL COMMUNICATIONS, NON-AGENDA

None.

AGENDA ITEM

(13-417 CC) Public Hearing to Consider Resolution No. 14862, “Approving the Form and Authorizing the Execution of Certain Lease Financing Documents in Connection with the Offering And Sale of Certificates of Participation Relating Thereto to Refund the City’s Outstanding 2002 Certificates of Participation (City Hall Refinancing Project) and to Finance the Costs of Construction of a New City Emergency Operations Center and Associated Expenses and Authorizing and Directing Certain Actions with Respect Thereto.” Adopted;

(13-03 CAFA) Resolution No. 13-03, “Approving the Form and Authorizing the Execution of Certain Lease Financing Documents in Connection with the Offering and Sale of Certificates of Participation Relating Thereto to Refund the City of Alameda’s Outstanding 2002 Certificates of Participation (City Hall Refinancing Project) and to Finance the Costs of Construction of a New City Emergency Operations Center and Associated Expenses, and Authorizing and Directing Certain Actions with Respect Thereto.” Adopted; and

(13-03 APIC) Resolution No. 13-12, “Resolution Approving The Form and Authorizing the Execution Of a Termination Agreement in Connection with the Refunding by the City of Alameda of its 2002 Certificates of Participation (City Hall Refinancing Project) and Authorizing and Directing Certain Actions with Respect Thereto.” Adopted.

The Finance Director gave a brief presentation.

Councilmember/Authority Member Tam inquired whether the agenda language was legally required and whether the language could have been written to be more easily understood as required by the Sunshine Ordinance.

The Finance Director responded the language on the agenda was legally required;

stated Certificates of Participation (COPs) are more complex than general obligation bonds because the action is actually leasing; going forward, staff will include a clear summary sentence explaining the action.

The City Attorney stated the formatting will be improved; a blogger mentioned the Emergency Operations Center (EOC), which is in the title; the language is not hard to read and understand even though the title is long; listing the actual action is legally required and particularly important in bond deals; bond counsel has to issue legal opinions as to whether the action was duly authorized and issued; going forward, a caption will be added at the top of the title; however, the caption has to be neutral and fair, without editorial comments; the title is in compliance with the Sunshine Ordinance, but the title is long and staff will work to ensure language is as easy to understand as possible.

The Finance Director noted timing is important; stated the City wants to proceed to take advantage of lower interest rates.

Vice Mayor/Authority Member Ezzy Ashrcraft stated the title is lengthy; however, the legislation language is very clear; everything is posted on the website.

Mayor/Chair Gilmore stated that she understands the legal requirements; the public scans agendas to issue spot items which are of interest.

The City Clerk stated the new agenda system allows the public to receive notifications when a matter of interest is on a meeting; the website includes instructions on how to set up notifications.

Councilmember/Authority Member Tam stated the Sunshine Ordinance directs being clear to the average 8<sup>th</sup> grader.

Councilmember/Authority Member Chen inquired what is the estimate to build the EOC.

The City Manager responded \$3 million will pay for the EOC, but does not pay for Fire Station 3.

The Assistant City Manager stated the EOC estimate is \$2.8 million, which does not include any contingency.

Councilmember/Authority Member Chen inquired whether adopting the resolution tonight means an EOC will be built.

The City Manager responded staff would like to start construction in spring 2014.

The Assistant City Manager stated a design contract would be presented at an upcoming Council meeting.

Vice Mayor/Authority Member Ezzy Ashcraft moved adoption of the resolutions.

Councilmember/Authority Member Chen seconded the motion, which carried by the following voice vote: Ayes: Councilmembers/Authority Members Chen, Daysog, Ezzy Ashcraft and Mayor/Chair Gilmore – 4. Abstention: Councilmember/Authority Member Tam – 1.

### ADJOURNMENT

There being no further business, Mayor/Chair Gilmore adjourned the meeting at 10:43 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk  
Secretary, SACIC

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

MINUTES OF THE SPECIAL SUCCESSOR AGENCY TO THE  
COMMUNITY IMPROVEMENT COMMISSION (SACIC) MEETING  
TUESDAY- -SEPTEMBER 17, 2013- -6:59 P.M.

Chair Gilmore convened the meeting at 7:17 p.m. Commissioner Ezzy Ashcraft led the Pledge of Allegiance.

ROLL CALL - Present: Commissioners Chen, Daysog, Ezzy Ashcraft, Tam and Chair Gilmore – 5.

Absent: None.

ORAL COMMUNICATIONS, NON-AGENDA

None.

CONSENT CALENDAR

Commissioner Ezzy Ashcraft moved approval of the Consent Calendar.

Commissioner Chen seconded the motion, which carried by the following voice vote: Ayes: Commissioners Chen, Daysog, Ezzy Ashcraft and Chair Gilmore – 4. Abstention: Commission Tam – 1. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(13-017) Recommendation to Approve a Fourth Amendment to the Agreement with Keyser Marston Associates, Inc. for Financial Services through June 30, 2014, and Adding \$60,000, for a Total Budget Amount of \$149,000. Accepted.

ADJOURNMENT

There being no further business, Chair Gilmore adjourned the meeting at 7:19 p.m.

Respectfully submitted,

Lara Weisiger  
Secretary, SACIC

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
TUESDAY- -SEPTEMBER 17, 2013- -7:00 P.M.

Mayor Gilmore convened the meeting at 7:19 p.m.

ROLL CALL - Present: Councilmembers Chen, Daysog, Ezzy Ashcraft, Tam and Mayor Gilmore – 5.

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY & ANNOUNCEMENTS

None.

ORAL COMMUNICATIONS, NON-AGENDA

(13-399) Sarah Cadwallader, BART, urged the City's BART representative be contacted to prevent a strike.

(13-400) Cozette Ratliff, Alameda Free Library, made an announcement regarding the Banned Books Week Reading Marathon event.

Mayor Gilmore stated that she attended the event last year and encouraged everyone to attend.

(13-401) Deborah Sullivan, Alameda resident and BART employee, urged the City's BART representative be contacted to prevent a strike.

(13-402) Jon Spangler, Alameda, stated not enough has been done to implement the smoking ordinance in the past 18 months; urged the City to take real implementation steps even if funds need to come from reserve.

CONSENT CALENDAR

Vice Mayor 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.]

(\*13-403) Minutes of the Special and Regular City Council Meetings Held on July 23, 2013. Approved.

(\*13-404) Ratified bills in the amount of \$6,945,821.36.

(\*13-405) Recommendation to Accept the Treasury Report for the Quarter Ended June 30, 2013. Accepted.

(\*13-406) Recommendation to Award Contracts in the Amount of up to \$70,000 each to WRA Environmental Consultants, Tetra Tech, and Huffman Broadway Group, Inc. for On Call Environmental Consulting Services, and Permit an Annual Extension of each Contract On a Year to Year Basis, for up to Three Additional Years, and Up to \$280,000 Total Compensation for each Contract, at the Sole Discretion of the Public Works Director, Based Upon Satisfactory Performance of all Aspects of the Contract. Accepted.

(\*13-407) Recommendation to Award a Contract in the Amount of \$567,415 to Rosas Brothers Construction for the Repair of Portland Cement Concrete Sidewalk, Curb, Gutter, Driveway, and Minor Street Patching, FY13 14, Phase 14, No. P.W. 05-13-15 and Allocate \$85,115 in Contingencies. Accepted.

(\*13-408) Resolution No. 14856, "Formally Establishing a Monthly Mileage Allowance for City Council Members." Adopted.

#### REGULAR AGENDA ITEMS

(13-409) Resolution No. 14857, "Appointing Beverly Blatt as a Member of the Golf Commission." Adopted;

(13-409 A) Resolution No. 14858, "Appointing Malia (Mary) Vella as a Member of the Historical Advisory Board." Adopted; and

(13-409 B) Resolution No. 14859, "Appointing Gregory Morgado as a Member of the Transportation Commission." Adopted.

Councilmember Tam moved adoption of the resolutions.

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

The City Clerk administered the Oath of Office and presented Certificates of Appointment to Ms. Blatt, Ms. Vella and Mr. Morgado.

(13-410) Resolution No. 14860, "Authorizing the City Manager to Negotiate the Terms of a \$1.15 Million Loan to the Alameda Unified School District (AUSD) for the Encinal Swim Center Renovation." Adopted; and

(13-410 A) Recommendation to Extend the Current Joint Use Operating Agreement with AUSD for the Operation of the District Swimming Pools to October 21, 2013.

The Recreation Director gave a brief presentation.

Mayor Gilmore inquired about the Encinal renovations.

The Recreation Director responded currently, there is a competition pool, a dive pool, and a training/wading pool; stated the School District would like to pave over the diving pool; leave the training pool, which was recently renovated and is in good shape; replace the competition pool; repair and upgrade the equipment, background infrastructure, heaters, filters and decks; and complete Americans with Disabilities Act improvements in the locker rooms.

Mayor Gilmore inquired what would be the annual School District payment, to which the Recreation Director responded \$142,000.

Mayor Gilmore inquired how much the District currently pays for the operation and maintenance under the Joint Use Agreement.

The Recreation Director responded the City and School District split payments 50/50 and both pay approximately \$150,000 annually.

Mayor Gilmore inquired whether the School District would actually pay less, to which the Recreation Director responded in the negative; stated the amount would be additional; the pools still have to be operated and maintained; the [\$142,000] amount would be repaying the debt.

Vice Mayor Ezzy Ashcraft inquired how long Encinal Swim Center renovations have been discussed by the Council/School Board Subcommittee.

The Recreation Director responded the matter was addressed at two Subcommittee meetings; stated the matter has been discussed for about 6 months.

In response to Vice Mayor Ezzy Ashcraft's inquiry about the Subcommittee membership, the Recreation Director stated Mayor Gilmore and Councilmember L. Tam represent the City and Board Members Kahn and N. Tam represent the School Board.

Vice Mayor Ezzy Ashcraft inquired whether someone attends from the Superintendent's office, to which the Recreation Director responded the Superintendent attends the meetings, as well as City staff and attorneys from both agencies.

Vice Mayor Ezzy Ashcraft inquired how the loan term of 10 years at 4% interest was determined.

The Recreation Director responded City staff held discussions; stated the Finance Director, City Manager and City Attorney felt the terms best represent the tax payers; the terms are similar to the open market.



Vice Mayor Ezzy Ashcraft inquired whether the City would accept the School District establishing a financing source other than the City, to which the Recreation Director responded in the affirmative.

In response to Councilmember Tam's inquiry regarding School District project requirements, the Recreation Director stated any project on School District property or funded by the School District must be approved by the Department of State Architects (DSA); the requirement was previously known as the Field Act, which is specific to earthquake readiness; DSA standards require a longer, more extensive review period; the higher construction standards might increase costs.

Councilmember Tam stated a lot of work has been done during the last 6 months; commend staff for reaching agreement on the design, compliance and cost; stated that she has fundamental questions about the best and highest use of City funds; the City just refinanced bonds to pursue saving \$3 million to pay for an Emergency Operations Center (EOC); the proposal is to loan \$1.15 million to the School District; the funds would come out of the City's equipment replacement fund; the City has been discussing Fire Station 3, which is in need of a seismic retrofit; inquired whether equipment funds could be used for said facility.

The Finance Director responded the equipment replacement fund year-end balance is approximately \$3 million; the EOC would have wiped out the whole balance; staff searched for a fund that is technically unrestricted and would not impact the General Fund; the fund would lower by \$1 million, but over \$2 million would remain in the fund after the loan.

Councilmember Tam stated the Council approved the purchase of replacement Police Department vehicles; the Community Oriented Policing Services (COPS) grant was used since there was not enough in the equipment replacement fund; the COPS grant could have been used for other Police programs; inquired whether the \$1.15 million could have been used instead of the COPS grant.

The Finance Director responded in the affirmative; stated cities typically use the COPS grant for one time purchases.

Councilmember Tam noted the COPS grant could have been used for the license plate readers; stated the City has had many budget discussions; a speaker tonight discussed the need for additional funds to implement the smoking ordinance; inquired why staff believes the pool is the best and highest use of the funds.

The Finance Director responded the School District has three options: a bond issuance, a private loan or the City loan.

The City Manager stated after two years of discussion, the School District has indicated a project amount has finally been determined; in June 2012, the Council directed staff to continue the Joint Use Agreement for only one more year; this June, the Agreement

was extended for approximately three months to accommodate City swim programs; the Encinal pool pricing has been discussed for six months; however, what to do about the pools has been discussed for over two years; the City does not want to make a loan to the School District; at the last subcommittee meeting, the School District indicated it could not afford to do the project unless the City could provide a loan; discussed the terms of the loan; noted the City needs security.

Councilmember Daysog stated swimming is a public good; the City should engage with the School District; the terms are fair; the funds would not be used for highest and best use; however, the City provides services that are not always the highest and best use.

Councilmember Chen acknowledged the work of staff and the subcommittee; inquired whether the 30 day extension of the Joint Use Agreement would allow enough time.

Mayor Gilmore responded there are two issues: a 30 day extension of the Joint Use Agreement to accommodate the swim groups and the loan to repair the Encinal facility; stated that she is not convinced the two are combined.

Councilmember Chen stated his question is what will happen after the 30 day extension expires.

The Recreation and Parks Director responded Mayor Gilmore is correct; stated there are two separate issues; currently, Recreation only has a limited number of programs using the pools; the extension shows good faith to keep the pools open while the loan terms are being negotiated; 30 days is also the term for negotiating the loan, which is a tight timeframe; the Superintendent is presenting the matter to the School Board next week.

Councilmember Chen stated both swim centers are in need of repair; questioned what would happen if Emma Hood closed; inquired whether there is a backup plan.

The Recreation and Parks Director responded the School Board would have the option to keep the pools open for the community swim teams.

Councilmember Chen inquired whether any agreement requires the City to pay for repairs, to which the Recreation and Parks Director responded in the negative; stated the Joint Use Agreement specifically says the City does not have to pay any capital costs.

Councilmember Chen noted the School District is working on a master facility plan; if successful, hopefully the City would be repaid.

The Recreation and Parks Director stated the loan would only be paid back if the District places a bond measure on the November 2014 ballot and the measure passes.

The City Manager noted if a measure passed, the District probably would not pay back

the loan because the interest rate would most likely be lower than the bond.

Councilmember Chen inquired whether the loan would impact the District's bond rating, to which the Finance Director responded it should not; provided information on interest rates.

Councilmember Chen stated that he is very comfortable with the interest rate, which is very good; securing the loan with collateral should not be a problem; the collateral would not be touched if the School District pays the City back.

The Finance Director stated the City has never issued any lease or bonds without collateral; auditors might consider the amount an expenditure if a loan is not done.

Councilmember Chen inquired when staff was provided with the letter from the School District, to which the Recreation and Parks Director responded today at 3:15 p.m.

Councilmember Tam stated that she appreciates the need for a pool; discussing the best and highest use is prioritizing; the City is resource constrained and has to decide what will not be funded if the loan is made; requested staff to elaborate on the option to pursue an aquatic facility at Alameda Point if the School District does not accept the terms by October 18<sup>th</sup>.

The Recreation and Parks Director stated staff tentatively explored an indoor pool adjacent to the Navy gym; the site would require complete renovation and the existing pool would have to be taken out; work needs to be done to establish an accurate cost estimate; negotiations will cease in 30 days if resolution is not reached and staff would move forward with finding a way to build a City pool.

Councilmember Tam inquired whether the project differs from the Alameda Point Sports Complex, to which the Recreation and Parks Director responded the Sports Complex Master Plan includes the pool at the same Alameda Point location; the building shell would be used; noted cost recovery for an indoor pool is much higher.

Mayor Gilmore stated the funds would not automatically be shifted to an Alameda Point pool if the School District does not accept the loan offer; there is \$750,000 which could be used to complete designs; however, the project funds would have to be appropriated; a lack of security when granting funds would be a deal breaker for her.

Urged the Council to approve the staff recommendation to allow the deal to be completed by October 18<sup>th</sup>: Kevin Gorham, Alameda.

Urged greater cooperation and that the resolution be rewritten and brought back: Donald Krause, Alameda Island Aquatics.

Mayor Gilmore noted the two meetings referenced by the Recreation and Parks Director were the Council/School Board subcommittee meetings and did not include the

numerous staff meetings.

Vice Mayor Ezzy Ashcraft inquired whether the School District was informed of the proposed terms prior to the staff report being published, to which the Recreation and Parks Director responded in the affirmative.

Vice Mayor Ezzy Ashcraft inquired whether District staff expressed concern over the terms, to which the Recreation and Parks Director responded in the affirmative; stated the same concerns outlined in the letter were expressed, including not being able to do a security interest, impacts to the District's bond rating and the interest rate.

Vice Mayor Ezzy Ashcraft inquired whether the School District discussed other options to acquire the \$1.15 million, to which the Recreation and Parks Director responded in the affirmative; stated the District has a funding option which would have a 1.5% to 2% interest rate, but does not want to pursue the option because it would impact bonding capacity.

Vice Mayor Ezzy Ashcraft stated the pools need help; the City has financial issues and has to be a good steward of public funds; the proposal makes the best of a tough situation; the City cannot offer the loan for less than 4%; during the month time, the School District can look into the other funding source; that she supports moving forward with both actions; the District asked the City for the loan.

Vice Mayor Ezzy Ashcraft moved adoption of the resolution.

Councilmember Daysog inquired whether the pools would close if the Joint Use Agreement is not extended, to which the Recreation and Parks Director responded the Agreement expires September 21<sup>st</sup>.

Councilmember Daysog inquired whether the pools would close.

The Recreation and Parks Director responded the City would no longer be maintaining the pools and the School District would have to decide whether or not to keep the pools open.

Councilmember Daysog stated the School District would have to backfill the loss of City funds or decide to do something else.

The City Manager stated 16 months ago, the City Council directed that the Agreement not continue to be extended and a permanent solution be sought.

Mayor Gilmore stated everyone agrees the pools are in disrepair; experts have indicated the pools will not be able to be fixed at some point.

Councilmember Chen stated this is the last ditch effort; the City has put in an honest effort and has contributed ongoing funding; the City has a fiduciary duty to ensure funds

are allocated appropriately; that he is comfortable with the terms; collateral is a must; that he is confident an agreement can be reached.

Councilmember Tam inquired whether the motion could be bifurcated into two parts: 1) authorizing negotiation of the loan and 2) extending the Joint Use Agreement.

In response to Vice Mayor Ezzy Ashcraft's inquiry whether Council could take two separate votes on the resolution, the City Attorney responded in the affirmative.

In response to Councilmember Tam's inquiry about which portion was being addressed first, Councilmember Ezzy Ashcraft read the portion of the resolution pertaining to the loan, which is the first motion.

Councilmember Daysog seconded the amended motion.

Under discussion, Mayor Gilmore stated the Council has clearly indicated a desire to require some kind of security; inquired whether said term would be included.

The City Attorney responded resolution Exhibit 1 includes the key terms; collateral security is one of the key terms.

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

Vice Mayor Ezzy Ashcraft moved adoption of the portion of the resolution pertaining to extending the terms of the Joint Use Agreement.

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

(13-411) Presentation on Draft Master Infrastructure Plan and Conceptual Financing Plan for Alameda Point.

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Councilmember Tam left the dais at 8:36 p.m. and returned at 8:39 p.m.

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Angelo Obertello, Carlson, Barbee, and Gibson, and James Edison, Willdan Financial Services, gave a Power Point presentation.

Councilmember Daysog inquired whether the \$566.6 million total cost estimate is based on the Reuse Plan scenario; stated the City might decide to do more; questioned whether unused capacity could be built in and whether the high density scenario would be covered under the \$566.6 million.

Mr. Obertello responded the draft Master Infrastructure Plan (MIP) and costs are based

on the Reuse Plan; stated a chapter called MIP flexibility was included to address the infrastructure needs of different land use intensities, both less and more; the conclusions depict the Reuse Plan systems have inherent capacity; pipe size for water flow would not change if additional housing units are added; minimum sizes have excess capacity; however, areas which would need a larger pipe are identified in the MIP.

Councilmember Daysog stated that he likes the Reuse Plan scenario; having information on the difference between the Reuse Plan and higher use would be great.

Mr. Obertello stated the draft is partially there; noted the project footprint remains the same, which makes flood protection measures similar; the update to the draft will address transit, which would have additional costs associated with higher intensities.

Mayor Gilmore stated the City is discussing phasing and responding to the market; inquired who would be responsible for ensuring the different segments of the backbone infrastructure will connect; what it would look like and how much it would cost; noted that she does not need answers to her questions tonight, but would like answers prior to approving the MIP.

Mr. Obertello responded the MIP serves as the database of the infrastructure plans for all of the parcels and shows how it all comes together; stated the information is presented to prevent something from going into the ground that is not sized or located properly; the information is there; procedures to ensure proper implementation would go into the City's established, normal permitting process.

Mayor Gilmore inquired whether the City would need additional staff and whether additional staff would be funded by a fee charged to developers.

Mr. Obertello responded in the affirmative; stated the amounts were included in costs presented tonight; plan check, review and inspection fees associated with the backbone infrastructure were included to ensure the costs were characterized; the City could use outside plan checking resources.

The Chief Operating Officer – Alameda Point stated staff will have to determine whether to hire consultants and if and when additional staff should be hired.

The Acting Public Works Director stated the development fee is being revised and will include a specific development fee for Alameda Point; the fee will cover additional staff or consultant costs.

Mayor Gilmore stated the City has discussed fiscal neutrality; building the infrastructure has to be done in a fiscally neutral way and the City also needs to know how the infrastructure will be maintained for its lifetime in a fiscally neutral way; currently, the City has infrastructure without any mechanism to fund maintenance; inquired whether fees and infrastructure districts would address maintaining the infrastructure over time;

how the City would phase funding maintenance; and whether requiring a payment to maintain infrastructure after 10 to 15 years would be fair if a business has already paid a premium upfront.

Mr. Edison responded that he considers the infrastructure in three segments: 1) putting it in the ground; 2) maintenance and other municipal services costs; outlined possible mitigations; 3) lifecycle replacement; stated the City's current sewer and water rates take care of costs over a longer term.

Mayor Gilmore stated that she looks forward to seeing figures.

The Chief Operating Officer – Alameda Point stated a number of fiscal impact analyses have been done; Mr. Edison is reviewing prior studies and will update the amounts.

The City Manager stated another public session should be schedule prior to adoption of the MIP and Council should submit questions in writing to allow responses to be included in the report.

The Chief Operating Officer – Alameda Point stated staff would strive to bring the matter back in November and would provide the draft fiscal impact analyses at said time.

Councilmember Tam suggested annual maintenance costs and lifecycle replacement issues be included in the MIP, rather than in a separate report; requested information on sea level rise projections, including annual fees and timelines; stated that preventing cannibalism of existing buildings and businesses should also be discussed, but could be done outside the MIP.

Vice Mayor Ezzy Ashcraft discussed sea level rise; requested the final report address whether sufficient assumptions are being made beyond the next 30 years; stated that she likes the concept of complete streets and connecting to existing grid, but wants to ensure connectivity among developments; provided an example of different development not connecting in Harbor Bay; inquired whether the public would have an opportunity to submit questions.

The City Manager responded staff would like to answer the public's questions, which must be reasonable.

Councilmember Chen discussed the reuse area; stated that he would like to convey the message that tenants are valued; language about improving the infrastructure is too broad and should be revised; discussed cleanup; inquired how planning and infrastructure can be scheduled without knowing when cleanup will be complete.

The Chief Operating Officer – Alameda Point responded the sites will be cleaned up; reviewed the conveyance scheduled; stated planning takes into consideration any possible restrictions; the environmental consultant has good estimates.

Mr. Obertello reviewed how environmental issues would be addressed.

Councilmember Chen questioned how the timeline would be impacted since remedies are not yet known; stated the Council should be kept informed as remediation progresses.

The City Manager responded the issue of what remains to be mediated is one reason the property transfer took several months; stated the City has been careful to create parcels in a way that makes sense; the City will move forward with parcels which are ready to go; discussed how the market impacts development.

Councilmember Daysog discussed revenues; stated that he would like revenue alternatives to be reviewed, such as community benefits.

Mr. Edison stated the incremental approach allows the City to negotiate higher community benefits when there is greater demand in the future; the City has to remain open and flexible.

Councilmember Daysog stated that he would like to see an open framework; the City could consider a special, higher electric rate or sewer rate.

Expressed concern regarding transit and sea level rise: Jon Spangler, Alameda.

Expressed support for the Plan, including it being market driven; offered suggestions, such as the budget including a 10% contingency and reducing risk by having staff manage consultants: Karen Bey, Alameda.

The City Manager made brief comments on infrastructure funding and marketing.

(13-412) Public Hearing to Consider Resolution No. 14861, "Authorizing the Issuance and Sale of City Of Alameda 2013 General Obligation Refunding Bonds." Adopted.

The Finance Director gave a brief presentation.

Councilmember Tam moved adoption of the resolution.

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

#### CITY MANAGER COMMUNICATIONS

(13-413) The City Manager announced that the City received its first grant for the Jean Sweeney Open Space Park; noted the City hired a lobbyist to assist with pursuing grants; discussed the Alameda Point Environmental Impact Report (EIR) and encouraged everyone to comment now and attend the September 25<sup>th</sup> Joint City Council and Planning Board meeting.



## ORAL COMMUNICATIONS, NON-AGENDA

None.

## COUNCIL REFERRALS

(13-414) Consider Providing Direction to Staff Regarding a Resolution in Support of Comprehensive Immigration Reform.

Councilmember Chen gave a brief presentation.

Councilmember Tam stated the resolution provided was adopted by the Alameda County Board of Supervisors; the City can adopt the resolution or customize it for Alameda.

Vice Mayor Ezzy Ashcraft stated that she is concerned about staff time and would favor adopting the County's resolution.

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(13-415) Councilmember Chen moved approval of considering additional items after 10:30 p.m.

Vice Mayor Ezzy Ashcraft seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Chen, Daysog, Ezzy Ashcraft, and Mayor Gilmore – 4. Noes: Councilmember Tam – 1.

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Councilmember Daysog stated the matter could be sent to Social Service Human Relations Board for review.

Mayor Gilmore stated that she would be in favor of either adopting the County resolution or sending a letter of support.

Councilmember Chen stated the County resolution could be used and presented at the next Council meeting.

Mayor Gilmore stated the motion should be to have staff bring the resolution back as soon as feasible.

Councilmember Chen moved approval of directing staff to bring the matter back at the next possible meeting.

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

## COUNCIL COMMUNICATIONS

(13-416) Councilmember Tam stated that she and Councilmember Daysog attended a neighborhood watch meeting at Bayport; residents are impressed with the Police Department; reviewed crime statistics; commended the Police Department.

#### ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 10:28 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

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