

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -SEPTEMBER 16, 2014- -7:00 P.M.

Mayor Gilmore convened the meeting at 7:22 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 AND ANNOUNCEMENTS

(14-372) Presentation of Certificates of Appreciation to the Mayor's Fourth of July Parade Committee Members.

Mayor Gilmore presented the certificates to Parade Committee members.

(14-373) Proclamation Declaring the Month of September as Adult Literacy Awareness Month.

Mayor Gilmore read and presented the proclamation to Sue Mark, Alameda Reads Literacy Coordinator.

Councilmember Tam left the dias at 7:26 p.m. and returned at 7:28 p.m.

(14-374) Proclamation Declaring September 20, 2014 as Coastal Cleanup Day.

Mayor Gilmore read and presented the proclamation to Doug Siden, East Bay Regional Park District Board Member.

ORAL COMMUNICATIONS, NON-AGENDA

(14-375) Laura Ramirez-Gonzales, Harbor Bay Neighbors, outlined the reasons she is opposed to the proposal to move the Harbor Bay Club.

(14-376) Fred Pecker, Local 6; Jesus Munoz, Alameda County Industries (ACI) worker; William Dow, Local 6 Pension Club; Salvador Hernandez, ACI worker; August Ramirez, Local 6; Ruth Abbe, Sierra Club; expressed concern over some ACI workers not being paid a living wage and urged supporting the workers joining Local 6; urged Council to take action.

(14-377) Vicky Yoshimura, Alameda, expressed concern over speeding on Maitland Drive; urged traffic calming, including additional crosswalks and bikelanes.

CONSENT CALENDAR

Mayor Gilmore announced that accepting the work of Fort Bragg [paragraph no. 14-383] was withdrawn from the agenda.

Vice Mayor Ezzy Ashcraft moved approval of the remainder of the Consent Calendar.

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

(*14-378) Minutes of the Special and Regular City Council Meetings Held on July 15, 2014; and the Special Joint City Council and City of Alameda Financing Authority Meeting Held on July 29, 2014. Approved.

(*14-379) Ratified bills in the amount of \$6,124,432.42.

(*14-380) Recommendation to Accept a Report on Proposed Changes to the Police Department's Draft Policy of the Use of Automated License Plate Readers (ALPRs). Accepted.

(*14-381) Recommendation to Award a Contract in the Amount of \$360,000, to Ellis and Ellis Sign Systems for Alameda Point Temporary Wayfinding Signage Program. Accepted.

(*14-382) Recommendation to Authorize the City Manager to Execute an Agreement with CSG Consultants, Inc. for Professional Plan Review Services for the Term of 12 Months for a Not to Exceed Contract of \$200,000. Accepted.

(*14-383) Recommendation to Accept the Work of Fort Bragg Electric, Inc. for the Group 1 - Sewer Pump Station Renovations for Reliability and Safety Improvements Project, No. P.W. 04-13-11. Not heard.

(*14-384) Ordinance No. 3104, "Levying Special Taxes within City of Alameda Community Facilities District No. 14-1 (Marina Cove II)." Finally passed.

(*14-385) Ordinance No. 3105, "Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a First Lease Amendment with Walashek Industrial & Marine, Inc. for Twelve Months in Building 517 Located at 150 West Trident at Alameda Point." Finally passed.

(*14-386) Ordinance No. 3106, "Approving a Lease and Authorizing the City Manager to

Execute Documents Necessary to Implement the Terms of a Lease Amendment with Pacific Fine Foods, Inc. for Eight Years in Building 42 Located at 2480 Monarch Street at Alameda Point.” Finally passed.

(*14-387) Ordinance No. 3107, “Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a Lease with Love Fellowship Church of God in Christ for Eighteen Months in Building 564 Located at 190 West Trident Avenue at Alameda Point.” Finally passed.

(*14-388) Ordinance No. 3108, “Approving the Second Amendment to the Lease and Authorizing the City Manager to Negotiate and Execute Documents to Implement the Terms of a Second Lease Amendment with Kai Concepts LLC for Twelve Months in a Portion of Building 168 Located at 1651 Viking Street, Suite 300 at Alameda Point. Finally passed.

(*14-389) Ordinance No. 3109, “Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a Second Lease Amendment with Delphi Productions, Inc. for Twelve Months in Building 117 Located at 2251 Orion Street at Alameda Point.” Finally passed.

(*14-390) Ordinance No. 3110, “Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a Lease with Natel Energy, Inc. for Three Years with an Additional Three Year Option in Building 400A Located at 1090 West Tower Avenue at Alameda Point.” Finally passed.

Note: Staff provided the final, signed lease.

REGULAR AGENDA ITEMS

(14-391) Recommendation to Appoint Julia Park Tracey as Alameda’s Poet Laureate.

The Library Director gave a brief presentation.

Councilmember Tam moved approval of the staff recommendation.

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

Ms. Park Tracey made brief comments and read a poem about the City: “Home at the Edge of the World.”

Mayor Gilmore presented a proclamation to Ms. Park Tracey.

(14-392) Resolution No. 14968, “Reappointing Michele Bellows as a Member of the Transportation Commission.” Adopted;

(14-392 A) Resolution No. 14969, “Reappointing Thomas Bertken as a Member of the Transportation Commission.” Adopted;

(14-392 B) Resolution No. 14970, “Reappointing Jesus Vargas as a Member of the Transportation Commission.” Adopted; and

(14-392 C) Resolution No. 14971, “Appointing Michael Hans as a Member of the Transportation Commission.” Adopted.

Councilmember Tam 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 Certificates of Appointment to Ms. Bellows, Mr. Bertken and Mr. Vargas.

(14-393) Recommendation to Approve Finalists for an Exclusive Negotiating Agreement (ENA) to Develop Site B at Alameda Point.

The Chief Operating Officer – Alameda Point gave a presentation.

Councilmember Daysog stated the financial teams need to be reviewed; private equity investors might have certain expectations of return rates which could affect what the City wants; during the vetting process, staff should assess whether the financial teams really understand the project.

Mayor Gilmore who the City would be working with is known from the start if the developer is self-funding.

The Chief Operating Officer – Alameda Point stated both sites have one developer that would be self-funding and one that needs to seek outside capital; having choices is good; the ENA does not allow transfers or assignments; the developers should have sufficient funds to fund the cost of the ENA period and have access to the capital to fund the project; during the ENA period, the City would be entering into agreement with a developer and their investors as a team.

Vice Mayor Ezzy Ashcraft stated that she is excited to be moving forward and would like to focus on the corporate user; the project needs to attract high level jobs for employees to be able to support family and live in the Bay Area; Alameda should set high standards and not settle; inquired what happens if the City does not feel any proposals are a fit for Alameda.

The Chief Operating Officer – Alameda Point responded the ENA is structured with no obligation to approve the Development Plan or the Disposition and Development Agreement (DDA); stated staff would work toward a mutually agreeable solution, but the Council has the ultimate decision to approve or not to approve a proposal.

Vice Mayor Ezzy Ashcraft inquired how the proposal would be vetted to the public.

The Chief Operating Officer – Alameda Point responded the public process is the Development Plan review; the plan has to be consistent with all the documents put forward the last 24 months; the Plan is the next level of detail to implement the Town Center Plan and zoning, which is a Planning Board driven process; a subcommittee of the Planning Board would be established to work with staff; there will be a community outreach process to engage the major stakeholders on all entitlement processes and engage the public to understand what is being proposed for the project; the City Manager can grant an extension beyond six months.

Councilmember Daysog inquired whether Councilmembers could be a part of the Planning Board subcommittee.

The City Attorney responded in the negative; stated the Council is a higher body over the Planning Board; the Planning Board should not have fettering from the Council while undertaking its duties and obligations; the Planning Board has Charter and Code-directed authority; the Council receives recommendations from the Planning Board and takes actions after the work has been done; the Council will not be unaware of what is going on.

Councilmember Daysog stated that he does not want the Planning Board to accuse Council of not being involved in the planning; inquired whether there are ways to provide guidance to the Planning Board in setting policy.

The City Attorney responded the Council has already had the opportunity to provide policy direction.

The Chief Operating Officer – Alameda Point concurred with the City Attorney; stated Council created a strict envelope; the Development Plan is the next level, which has to be consistent with the envelope; Council could approve the business transaction and have the final word.

Councilmember Tam stated lessons from history help guide the process; Council will have specific knowledge that the Planning Board will not have, such as finances which may drive design; the project must have a net benefit for all of Alameda; regarding fiscal neutrality, proceeds have to stay at Alameda Point.

Councilmember Chen inquired what staff was referring to when stating the CIM Group withdrew due to the uncertainty of the market.

The Chief Operating Officer – Alameda Point responded the CIM Group based their decision on the current market in Alameda and withdrew because they did not feel Alameda was strong enough to support an investment decision; the Request for Proposals (RFQ) process was done to test the market; the housing market is very

strong and there were more residential than commercial responses; housing is a little more definitive in terms of the market demand; San Francisco has a higher commercial demand; Harbor Bay has more job intensive uses.

Councilmember Chen inquired whether the potential developers would parcel off 82 acres into sub groups.

The Chief Operating Officer – Alameda Point responded both developers are proposing a master developer approach to development.

Councilmember Chen stated receiving only three qualified submissions through the RFQ is disappointing.

The Chief Operating Officer – Alameda Point stated staff would not have to come to Council if the developers were not qualified; staff did not feel pressured to go forward just to provide Council with a recommendation.

The City Manager stated different values have been articulated by each Councilmember; the most important issue for staff is fiscal neutrality; if the goal is to develop Alameda Point as quickly as possible, the market could fund that right now; Site B being purely residential does not serve Alameda's needs and does not solve revenue generation over time; there has to be a balance; if a quality proposal is not available, the City would be better served by not developing Alameda Point than doing it wrong.

In response to Vice Mayor Ezzy Ashcraft's inquiry regarding land banking, the Chief Operating Officer – Alameda Point stated the term sheet will require a phasing and milestone schedule in the DDA; the term sheet will be attached to the ENA indicating that the City does not want the developer to land bank.

Vice Mayor Ezzy Ashcraft requested a definition of land banking.

The Chief Operating Officer – Alameda Point stated land banking is when a developer invests in the land, but holds the land without developing it; having a developer hold land for a public entity does not make financial sense, as the City could hold the land for no cost.

Vice Mayor Ezzy Ashcraft stated the two finalists have a good track record; inquired whether it is possible that both developers would end up working on Site B, to which the Chief Operating Officer – Alameda Point responded it is too early to tell.

The City Manager noted having both developers at Site B is a possible outcome, but not probable.

Councilmember Daysog stated having one developer drop out is their issue; having an industrial commercial market is not Alameda's vision; instead, Alameda's process has yielded two prospects that will fulfill the City's expectation.

The Chief Operating Officer – Alameda Point concurred with Councilmember Daysog; stated the developers are familiar with infrastructure development and know what they are getting into; the developers have worked on similar difficult infrastructure projects and are going in with eyes open; introduced the developers.

Steve Buster, Catellus and Seth Hamalian, Mission Bay Development Group made brief comments.

Discussed how employee wages differ at different hotel; encouraged a card check neutrality or labor peace agreement: Ty Hudson, Local 2850.

Mayor Gilmore stated when the RFQ was issued, it was made known to all the developers that they would be subject to a project stabilization agreement.

Councilmember Tam inquired whether Mayor Gilmore is suggesting project neutrality language be included in a potential future DDA or ENA.

Mayor Gilmore responded that she does not know whether project neutrality language could be included, but that Council should make expectations loud and clear.

The City Attorney stated staff send out a policy message moving forward.

Councilmember Daysog moved approval of the staff recommendation.

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

Mayor Gilmore called a recess at 9:03 p.m. and recomvened the meeting at 9:10 p.m.

(14-394) Recommendation to Establish a Housing Costs and Rents Task Force to Provide Information on the State of Housing and Rental Pricing in Alameda and Prepare a Final Report for City Council Consideration.

The Community Development Director gave a brief presentation.

Councilmember Tam stated that she received emails indicating people seem to think the formation of a task force would lead the City to rent control or rent stabilization; a task force would be formed for fact finding only, not for mediation; that she hopes the community member can help describe what he has done and what are the expected outcomes from stakeholders.

Vice Mayor Ezzy Ashcraft inquired what staff means by stating there would not be a recommendation unless consensus is reached on preferred outcome.

The Community Development Director responded the language was proposed by the Planning Board with the intent that the task force would work to achieve consensus for any recommendations; staff tried to adhere to the Planning Board proposal.

Vice Mayor Ezzy Aschraft stated the Council has a lot of communication from Alameda citizens; the proposed seven task force members are from different bodies or groups; inquired whether the groups were also recommended by the Planning Board.

The Community Development Director responded the Planning Board wanted stakeholders included, staff created the best stakeholder list; the groups agreed to participate on task force.

Councilmember Daysog stated the issues of considering the state of the residential market in Alameda should include the risk of closure and mass evictions.

In response to Councilmember Chen's inquiry regarding staff adhering to Planning Board recommendation, the Community Development Director stated the Planning Board made a recommendation to the Council; when Council charged staff with creating a task force, staff looked to the language that the Planning Board recommended to the City Council.

Mayor Gilmore stated Council received a lot of comments which centered around the composition and necessity of a task force; people assumed defacto there would be rent control; the scope of the issues are not known; rising rents is a big issue; creating a task force is a way to start the discussion that the community wants; there is no predetermined outcome.

Councilmember Tam stated the task force is one alternative; letters received from property management and tenant groups indicate they have been meeting externally to discuss the same issues; that she would like to understand the efforts going on outside of Council discussion; inquired what the discussions have been like, who is involved, the scope, and the expected outcome, and whether the meetings are more inclusive and allow free flowing discussion, rather than a structured and constrained task force.

Jeff Cambra responded that he provided a report to Councilmember Chen regarding the outside efforts; stated that he suggests having a community discussion model; the discussion would not be a mediation, although mediation techniques can be used at an impasse; parties are already in agreement on concepts; the issue is complex and there is not one solution.

Mayor Gilmore inquired how long the process would take before being brought back to Council.

Mr. Cambra responded whether there is chance for success would be known after two meetings; stated the measure would not be the number of people, but the dynamic between the stakeholders at the first meeting.

Mayor Gilmore stated that she is concerned people will discuss events that are more egregious, which does not help Council understand if the experiences being discussed represent a widespread issue or are just a few bad apples.

Mr. Cambra stated the discussions will be qualitative and not quantitative; the questions would not be how many landlords are increasing rents by 25%, but if there are rents being increased by 25%.

Mayor Gilmore stated that she would want the answer to both questions; inquired whether the questions in the staff report may not be answered by the process.

Mr. Cambra responded if he receives Council direction to answer the questions, he would inform the stakeholders to answer the questions within their scope of ability to do so.

Vice Mayor Ezzy Ashcraft inquired what was the resolution of discussions regarding the historic Alameda High School.

Mr. Cambra responded the stakeholders requested information regarding the square footage needs the School District foresaw over the next five to 10 years and a detailed report on the cost to renovate 16 other school sites; an initial report indicated 17 school sites required over \$94 million worth of work to bring them up to standard.

In response to Vice Mayor Ezzy Ashcraft's inquiry, Mr. Cambra stated the historic Alameda High School renovation was part of a larger problem the stakeholders were not tasked to do; the group was not able to get information from the jurisdiction.

Vice Mayor Ezzy Ashcraft stated that she is concerned taking the matter out of City staff hands would take the process longer and be repetitive; questions would have to be answered in another forum; the City should not be deferring possible solutions for too long; suggested the East Bay Housing Organizations (EBHO) could bring a regional perspective to the table if included as one of the stakeholders; she envisioned a task force similar to the Other Post Employment Benefits (OPEB) task force, which was a very diverse group of stakeholders; after several meetings, the OPEB task force came up with a number of items to vote on; although the OPEB task force never reached consensus, the votes on the proposed solutions were helpful to the Council when tackling OPEB issues; the stakeholders configuration in the community group seems more heavily weighted toward landlords; that she favors keeping the matter in City hands and moving toward concrete solutions.

Mr. Cambra stated that he hopes the group would be able to reach consensus during prioritization and finding solutions; if there is no consensus, every voice would still be

heard; Renewed Hope is the only organized group and expects to get a more diverse group of tenants.

Councilmember Daysog stated the proposed task force seems to be equally representative of the community; the Rent Review Advisory Committee (RRAC) and the Social Services Human Relations Board (SSHRB) understand individuals facing a housing related crisis; that he would like to see a well-balanced task force and a workable framework for collecting information.

Councilmember Chen stated that he is concerned members would be arbitrarily appointed to the task force; lots of people are not being represented; suggested allowing the public decide who they want to represent the community and stakeholders in a task force; the task force is a sensitive issue that should not be rushed.

Vice Mayor Ezzy Ashcraft inquired how the representatives would be decided, to which Councilmember Chen responded Mr. Cambra would have meetings to determine the composition of the task force.

Mr. Cambra noted realtors have a desire to participate in the process.

Councilmember Chen stated the task force seems structured and might be intimidating with three city-appointed board members.

Councilmember Tam stated that she is concerned three stakeholders, the Chamber of Commerce, the Association of Realtors, and the East Bay Rental Housing Association, have already decided everything is fine and no changes are needed; inquired whether the process would differently answer the questions regarding changes to the RRAC and the Municipal Code.

Mr. Cambra responded it is impossible to answer the questions until there is an understanding of what the problems are; stated both tenants and landlords understand there are deficiencies in the mechanism; the stakeholders would decide how issues would be addressed after finding about successes and failures.

Councilmember Tam stated it is not clear how a community-based process could come up with changes in the law.

Mr. Cambra stated if the stakeholder suggestions could be translated into law, in the future, rental disputes would not have to come before Council.

In response to Mayor Gilmore's inquiry, Mr. Cambra stated the questions from the staff report were not originally incorporated in the process, but he would take the questions to the stakeholder group and try to get answers for the Council.

Councilmember Daysog stated that he understands the desire to broaden the discussion to include other voices, but there is danger of empowering Mr. Cambra to

move forward which sends a mixed message about the legitimacy of the task force; a task force including members of legislative bodies appointed by Council provides legitimacy; he could live with broadening the task force.

Councilmember Chen stated the Council is not asking the task force to set policy, but to identify issues and bring it back to Council to set policy.

Mr. Cambra stated people have difficulty having a conversation in a task force environment; when people are affected and are directly involved in a process, the full burden of the solution falls on them and they are more committed; the resolution would be more binding than a potential resolution that comes from a task force.

Councilmember Daysog stated the task force would take testimony as to the appropriate measures, not tell people.

Expressed concern over the rental market not being regulated; urged the City to act:
David Rannefeld, Alameda.

Mayor Gilmore called a recess at 10:14 p.m. and reconvened at 10:20 p.m.

(14-395) Mayor Gilmore announced that the Watertight Restoration lease [paragraph no. 14-397], the Steeltown Winery lease [paragraph no. 14-398] and the Public Hearing would be moved to October 7, 2014.

Councilmember Chen moved approval of considering Joint Use Agreement [paragraph no. 14-400] and the Ordinance Amending Chapter 30 [paragraph no. 14-401] after 10:30 p.m.

Councilmember Daysog seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Chen, Daysog, Ezzy Ashcraft and Mayor Gilmore – 4. No: Councilmember Tam – 1.

Expressed concern over rent control: Farhad Matin.

Expressed support for the community discussion: Ryan Hunt, Alameda.

Expressed support for the community discussion: Laura Thomas, Renewed Hope Housing Advocates.

Expressed concern over the composition of the task force; stated the broader problem is renters' representation: Bill Smith, Renewed Hope.

Submitted information and discussed increasing rents and unknown investors

purchasing rental properties: Kathryn Hopping, Alameda.

Urged action be taken to ensure people do not lose housing and urged tenants to organize: Rasheed Shabazz, Alameda.

Vice Mayor Ezzy Ashcraft thanked all speakers; stated that she favors going forward with the staff proposal with some modifications; City staff brings local laws and regulations and should be on the task force; Mr. Cambra's process would just prolong the process; suggested including EBHO on the task force.

Councilmember Daysog stated if the task force opens to eight members, the eighth could be a non-voting member.

Councilmember Chen stated that he understands the urgency to take action; if a task force is approved, the process would take too long; the community can work faster; for the process to move expeditiously, it has to be outside of government constraint.

Councilmember Tam stated she would like to give the alternative process an opportunity to respond and get meaningful information before composing a task force.

Vice Mayor Ezzy Ashcraft stated a task force takes staff time, but dealing with the livelihood of landlords and tenants is a very important issue; there are not mutually exclusive propositions and staff time should not be skimmed, as staff brings lots of institutional knowledge; that she is puzzled by Councilmember Chen's comments that the process would be faster without a task force.

Councilmember Chen clarified his comment that the community would be faster than Council rushing to compose a seven-member task force; urged moving forward on the matter now; Mr. Cambra has been working on the alternative process for months.

Councilmember Daysog stated that he is encouraged by members of community focusing on solutions; suggested involving EBHO as an eighth non-voting member on substantive issues; stated members should not be removed, just add an eighth member.

Councilmember Chen inquired whether staff would have time tomorrow to redo the composition of task force; and whether staff has the same sense of urgency as the community.

The City Manager responded staff did its best to create a balanced group; the Chamber of Commerce as pro-landlord, the Planning Board members incepted the process, the SSHRB as pro-tenant, Renewed Hope to represent tenants, and EBHO to represent landlords; in comparison and as demonstrated by the OPEB task force, there was no benefit to stacking the deck; the OPEB task force was data-driven and did not come back with a consensus; staff do not object to Council choosing the community process; a community process can scope but there will still be the need for staff to prepare data.

(14-396) Councilmember Daysog moved approval of continuing past 11:00 p.m.

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

Mayor Gilmore stated that she is not a proponent of the community process, which would not give her the data needed to make a decision; a community process would be a slower process as there may have to be another process to get data; no process that the City sets up will work unless people believe the group represents their issues; if Renewed Hope is having difficulty finding tenant representatives, it would be hard for the City to find staff to find tenant representatives; that she has doubts the community process will play out, but thinks Council should give the community group a shot; she will vote in favor of the community process.

Councilmember Chen stated both groups want the same result; the community could provide the fastest and most accurate data.

Councilmember Tam moved approval of having a community group facilitated by Mr. Cambra to scope out the process and provide the framework or hard core data that needs to be gathered through some effort with the City; at that point, if a task force is necessary, a city-formed appointed task force could be revisited.

Councilmember Tam stated there needs to be clear data to get policy changes; that she is not confident the community discussion would produce the data which may need to be handled by staff; the community discussion is needed to help the data-gathering effort; a lot of the data would be anecdotal; the community group may not have access to needed resources.

Mayor Gilmore inquired whether the matter would come back to Council, to which Councilmember Tam responded in the affirmative.

Vice Mayor Ezzy Ashcraft inquired whether Council would task the community group with obtaining statistical data, to which Councilmember Tam responded in the negative; stated Council would be tasking the group to scope out data.

Vice Mayor Ezzy Ashcraft inquired whether the motion does away with a proposed task force, even if it is augmented by EBHO.

Councilmember Tam responded the need for a task force would be revisited following the community discussion; if people are not in agreement about the composition of their group, it is harder for them to come to agreement over tougher issues; it may come

back to the Council based on the group's scoping analysis that a task force needs to be formed; Council can then continue the debate over the composition of the task force.

Councilmember Chen stated the community group is the same as the task force with the help of staff.

The City Manager stated a community process cannot direct staff.

Vice Mayor Ezzy Ashcraft inquired whether a community group would answer the correct questions.

The City Manager responded if the questions are not data-based, the community group could answer; data-based questions need to be brought to Council; the City would not staff or run the community process; the Council would dictate policy answers.

Councilmember Daysog stated that he does not support the community forum; the task force is a legitimate entity that would follow guidelines and have experience in core substantive issues; the community group is too vague.

Mayor Gilmore stated if the composition of the task force could be decided, the task force could be formed and there would not be a need for a community group.

Vice Mayor Ezzy Ashcraft stated consensus on the membership is close; the task force is a thoughtful recommendation and could be modeled after the City Manager's OPEB task force.

Councilmember Chen stated the roles of the community group and task force are the same, only the composition is different; both would have to come back to the Council at which time the Council can make the policy.

Councilmember Tam stated the motion is to give the community forum an opportunity to respond to questions identified in the staff report regarding the residential and rental market in Alameda and return information to Council.

Councilmember Chen seconded the motion.

Under discussion, Vice Mayor Ezzy Ashcraft stated the list of stakeholders identified in Mr. Cambra's report seems to be a the task force.

Councilmember Tam stated the list is a stakeholders group, not a task force.

Mayor Gilmore stated the difference between the community group and staff's proposal is that there are additional, not yet identified stakeholders; the staff proposal clearly identifies the composition of the proposed task force.

Councilmember Daysog stated the staff recommendation is clearer and would reach results faster; the community process is improvised and not clear.

Mayor Gilmore concurred with Councilmember Daysog; stated that she is troubled that tenant groups have difficulty reaching out to tenant community.

Vice Mayor Ezzy Ashcraft inquired what it is about the community process that will somehow identify more tenants.

Councilmember Tam responded a community group would be viewed by potential tenant groups as a safer environment than a formal City entity.

Vice Mayor Ezzy Ashcraft stated that she is concerned the community process would take longer.

Councilmember Tam stated a time limit before end of the year could be assigned.

Mayor Gilmore stated the matter would have to come to Council no later than the first meeting in December.

The City Manager stated the deadline to have the item on the December 2nd agenda would be twelve days prior to the meeting date.

The City Clerk noted the deadline date is November 20th.

Mr. Cambra stated he would need to have at least one meeting for the group to come up with productive recommendations.

Councilmember Daysog inquired whether there were legal issues to be concerned about regarding a community group.

The City Attorney responded the community group would be organic and not sanctioned by the City; there would be no City involvement.

Councilmember Tam stated she has no objection to putting a timeline on having the community group come back to Council at its December 2nd meeting.

Councilmember Chen seconded the motion.

The City Clerk read the motion as: Councilmember Tam moved giving a community forum opportunity to respond to questions identified in the staff report and return information to Council by December 2.

On the call for the carried by the following voice vote: Ayes: Councilmembers Chen and Tam and Mayor Gilmore – 3. Councilmembers Noes: Councilmembers Daysog and Ezzy Ashcraft – 2.

(14-397) Introduction of Ordinance Approving a Lease and Authorizing the City Manager to Negotiate and Execute Documents Necessary to Implement the Terms of a Lease with Watertight Restoration, Inc. for Three Years in a Portion of Building 43 Located at 2440 Monarch Street, Suite 200 at Alameda Point. Continued to October 7, 2014.

(14-398) Introduction of Ordinance Approving a Lease and Authorizing the City Manager to Negotiate and Execute Documents Necessary to Implement the Terms of a Lease with Steeltown Winery LLC for Ten Years with Two Additional Five-Year Options in a Portion of Building 43, Located at 2440 Monarch Street, Suite 100 at Alameda Point. Continued to October 7, 2014.

(14-399) Public Hearing to Consider Amendments to the Fiscal Years 2008-2014 Community Development Block Grant Action Plans, and Authorize the City Manager to Negotiate and Execute Related Documents, Agreements, and Modifications. Continued to October 7, 2014.

(14-400) Recommendation to Authorize the City Manager to Enter into a Joint Use Agreement with Alameda Unified School District for the Operation and Maintenance of the District Swimming Pools until February 28, 2015.

The Recreation and Parks Director gave a brief presentation.

Councilmember Tam moved approval of the staff recommendation.

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

(14-401) Introduction of Ordinance Amending Chapter 30 of the Alameda Municipal Code regarding Commercial Recreational Uses, Arcades, Ground Floor Office Uses, and the Definition of Family. This Action is Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15305, Minor Alterations in Land Use Limitations. Introduced.

The Community Development Director gave a brief presentation.

Stated the Park Street Business Association (PSBA) agrees with the amendments:
Robb Ratto, PSBA.

Stated the Chamber of Commerce supports the staff recommendation: Michael McDonough, Chamber of Commerce.

Stated the Pinball Museum supports the recommendation: Michael Schiess, Pinball Museum.

Stated that he supports the staff recommendation: Jim Strehlow, Alameda.

Vice Mayor Ezzy Ashcraft moved introduction of the ordinance.

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

CITY MANAGER COMMUNICATIONS

(14-402) The City Manager announced Alameda Point development team candidates will hold a meet and greet on September 29th.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(14-403) Councilmember Tam announced that she attended the League of California Cities Annual Conference on September 3rd to 5th; labor negotiations and pension costs were discussed; she voted, on behalf of the City, that a summit be convened to deal with environmental impacts for marijuana grows in the north coast area.

(14-404) Councilmember Gilmore announced that she attended an awards ceremony for Alameda Municipal Power's power box art.

ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 11:49 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 AND
PUBLIC UTILITIES BOARD MEETING
TUESDAY- -SEPTEMBER 16, 2014- -6:00 P.M.

Mayor Gilmore convened the meeting at 6:05 p.m.

Roll Call – Present: Councilmembers Chen, Daysog, Ezzy Ashcraft, Tam and Mayor Gilmore; and Board Members Hamm, McCormick, Russo, and President Deaton – 9.

Note: Councilmember Tam left the meeting at 7:42 p.m.

Absent: Board Member Sutter – 1.

The meeting was adjourned to Closed Session to consider:

(14-368) Conference with Legal Counsel – Existing Litigation (54956.9); Case Name: Vectren Communications Services v. City of Alameda; U.S. District Court, Northern District of California; Case No. 08-03137-SI

(14-369) Conference with Legal Counsel – Anticipated Litigation; Initiation of litigation pursuant to subdivision (c) of Section 54956.9; Number of cases: One (As Plaintiff - City Initiating Legal Action)

(14-370) Conference with Legal Counsel – Anticipated Litigation; Initiation of litigation pursuant to subdivision (c) of Section 54956.9; Number of cases: One (As Plaintiff - City Initiating Legal Action)

Following the Closed Session the meeting was reconvened and Mayor Gilmore announced that regarding all items, direction was given to staff.

Adjournment

There being no further business, Mayor Gilmore adjourned the meeting at 7:05 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
AND SUCCESSOR AGENCY TO THE COMMUNITY
IMPROVEMENT COMMISSION (SACIC) MEETING
TUESDAY- -SEPTEMBER 16, 2014- -7:01 P.M.

Mayor/Chair Gilmore convened the meeting at 7:12 p.m. Boy Scout Troop 1015 led the Pledge of Allegiance.

Roll Call - Present: Councilmembers/Agency Members Chen, Daysog, Ezzy Ashcraft, Tam and Mayor/Chair Gilmore – 5.

Absent: None.

Oral Communications

None.

Consent Calendar

Agency Member Tam moved approval of the consent calendar.

Agency Member 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.]

(*14-009 SACIC) Minutes of the Special Joint City Council and Successor Agency to the Community Improvement Commission Meetings Held on March 18, 2014 and June 3, 2014. Approved.

Agenda Item

(14-371 CC/14-010 SACIC) SUMMARY: Approval of Actions to Refund Certain Outstanding Bonds of the Former Community Improvement Commission of the City of Alameda.

(14-010 A SACIC) Resolution No. 14-1, “Approving the Issuance of Refunding Bonds in Order to Refund Certain Outstanding Bonds of the Former Community Improvement Commission of the City of Alameda, Approving the Execution and Delivery of an Indenture of Trust, Escrow Agreements and a Bond Purchase Agreement Relating Thereto, Requesting Oversight Board Approval of the Issuance of the Refunding Bonds, Requesting Certain Determinations by the Oversight Board, and Providing for Other Matters Properly Relating Thereto.” Adopted; and

(14-371 A CC) Resolution No. 14967, “Approving Continuing Disclosure Procedures.” Adopted.

The Interim Finance Director gave a brief presentation.

In response to Vice Mayor/Agency Member Ezzy Ashcraft's inquiry, the Interim Finance Director stated bond insurance used to be quite common, but is not as common since the recession; only two agencies sell bond insurance; closer to the time of the sale, staff and the team will review whether there are any advantages and determine whether purchasing insurance would produce better pricing and more savings.

Vice Mayor/Agency Member Ezzy Ashcraft inquired whether bond insurance guarantees the rate, to which the Interim Finance Director responded the insurance guarantees the bond holders would be paid if the City defaults.

Vice Mayor/Agency Member Ezzy Ashcraft inquired whether the General Fund savings could be applied to the Other Post-Employment Benefits (OPEB) trust fund.

The Interim Finance Director responded the Council could make a policy decision to do so; staff is not making any recommendations at this time; the matter could be addressed as part of the budget.

Councilmember Daysog stated the bonds were issued when two redevelopment areas combined in 2003; joining the areas provided funds for the movie theater; one area had reached the end of its life; that he supported the issuance in 2003 and would support the staff recommendation tonight.

Councilmember/Agency Member Daysog moved adoption of the resolutions.

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

Adjournment

There being no further business, Mayor/Chair Gilmore adjourned the meeting at 7:21 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk
Secretary, SACIC

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