

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -OCTOBER 21, 2014- -7:00 P.M.

Mayor Gilmore convened the meeting at 7:19 p.m. Councilmember Tam led the Pledge of Allegiance.

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

Absent: None.

AGENDA CHANGES

(14-430) Mayor Gilmore announced that the Management and Confidential Employees Association (MCEA) resolution [paragraph no. 14-443] and the resolution honoring former Councilmember Hadi Monsef [paragraph no. 14-446] would be heard on November 18, 2014.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(14-431) Proclamation Declaring November 1, 2014 as Extra Mile Day.

Mayor Gilmore read and presented the proclamation to Doug Biggs, Social Service Human Relations Board; and recognized the Community Service Awards Recipients.

Mr. Biggs made brief comments.

Steven Jones, representing Supervisor Wilma Chan, presented certificates to the Community Service Awards Recipients.

(14-432) Proclamation Recognizing Jordan Battani for Her Commitment to Alameda.

Mayor Gilmore read the proclamation and presented it to Ms. Battani.

(14-433) Proclamation Declaring October as Lesbian, Gay, Bisexual, Transgender and Queer/Questioning (LGBTQ) History Month.

Mayor Gilmore read and presented the proclamation to Sean Cahill, LGBTQ Round Table and Community Alliance Resource for Education (C.A.R.E.).

Mr. Cahill made brief comments.

Mayor Gilmore called a recess at 7:41 p.m. to convene the special joint meeting and reconvened the regular meeting at 7:47 p.m.

(14-434) Public Works Annual Report.

The Public Works Director gave a Power Point presentation.

Councilmember Daysog commended Public Works staff for partnering with the Alameda Historic Preservation Society on the tree pruning project.

Vice Mayor Ezzy Ashcraft inquired how the department received the Green Certification for the garage.

The Public Works Administrative Services Manager responded Alameda County sends inspectors to audit facilities on green standards, including urban runoff, recycling, electricity and water usage; stated Alameda's garage met the standards and received the Green Certification.

Councilmember Tam thanked staff for the presentation and for responsiveness; noted Alameda has the highest recycling rate of the 14 cities in Alameda County and her street is being resurfaced after fifty years.

Councilmember Chen thanked the department for their efficiency.

ORAL COMMUNICATIONS, NON-AGENDA

(14-435) Julian Abasolo, Alameda, expressed concern over his house being red tagged by the City.

CONSENT CALENDAR

Mayor Gilmore announced that MCEA resolution [paragraph no. 14-443] would be heard on November 18, 2014.

Vice Mayor Ezzy Ashcraft moved approval of the remainder 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.]

(*14-436) Minutes of the Special Joint City Council and Public Utilities Board Meeting and Regular City Council Meeting Held on September 16, 2014. Approved.

(*14-437) Ratified bills in the amount of \$3,321,494.08.

(*14-438) Recommendation to Accept the Treasury Report for the Quarter Ending June 30, 2014. Accepted.

(*14-439) Recommendation to Authorize the City Manager to Negotiate and Execute Documents, Agreements, and Modifications Related to the Alameda County HOME Partnership Investment Program (HOME) Consortium Funds for a Tenant Based Rental Assistance (TBRA) Program Administered by Building Futures with Women and Children. Accepted.

(*14-440) Recommendation to Accept the Quarterly Report on Litigation and Liability Claims Settlements Paid During the Period April to September 2014. Accepted.

(*14-441) Recommendation to Approve City Attorney Employment Agreement. Accepted.

(*14-442) Resolution No. 14975, "Amending the Executive Management Compensation Plan to Add One Week of Paid Administrative Leave Per Year and to Revise the Medical Benefits for the Classifications of Fire Chief and Chief of Police to Match the Medical Benefits Offered to the Alameda Fire Chiefs Association (AFCA) and the Alameda Police Managers Association (APMA)." Adopted.

(14-443) Adoption of Resolution Amending the City of Alameda Management and Confidential Employees Association (MCEA) Salary Schedule Establishing the Classifications of Public Works Project Manager I, Public Works Project Manager II, and Public Works Project Manager III, and Recommendation to Approve Workforce Change in the Community Development Department to Add One Administrative Services Coordinator Classification. Not heard.

(*14-444) Ordinance No. 3112, "Approving a Lease and Authorizing the City Manager to 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." Finally passed.

(*14-445) Ordinance No. 3113, "Approving a Lease and Authorizing the City Manager to 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." Finally passed.

REGULAR AGENDA ITEMS

(14-446) Adoption of Resolution Honoring Former City Councilmember Hadi Monsef for His Many Contributions to the City of Alameda. Not heard.

Mayor Gilmore announced the resolution would be heard on November 18, 2014.

(14-447) 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.

The Housing Authority Director of Housing and Community Development gave a presentation.

Councilmember Daysog thanked the Recreation Department and staff for resolving the ECHO Housing budget issue.

Vice Mayor Ezzy Ashcraft moved approval of the staff recommendation.

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

(14-448) Information Report Concerning Consent Decree Concerning United States of America et al. v. East Bay Municipal Utility District (EBMUD), et al. ("Environmental Protection Agency (EPA) Litigation").

The Public Works Coordinator gave a Power Point presentation.

Mayor Gilmore thanked staff for an excellent presentation.

Councilmember Chen inquired how staff would address homes that do not have the triggers of being sold or remodeled, but have deteriorated sewer lateral pipes.

The Public Works Coordinator responded the ordinance proposes Alameda join the regional private sewer lateral program which has provisions to address said homes; stated the analysis shows the percentage of homes that do not meet the trigger is small over the length of time.

Jackie Kepke, EBMUD, concurred with the Public Works Coordinator; stated every lateral does not have to be done in order to meet the regional goal; if homes are not turning over as expected, other triggers could be considered; over a 30-year period, 85% of homes meet the trigger, mostly from property sales.

Councilmember Chen stated that he is concerned properties not meeting the triggers will cause issues; inquired whether the 85% is a correct assessment.

Ms. Kepke responded in the affirmative; stated older homes ultimately need remodeling or the lateral needs to be replaced because it fails.

(14-449) Introduction of Ordinance of the City of Alameda Amending the Alameda Municipal Code by Repealing in its Entirety Section 18-5 (Abatement of Improper Sewer Connections), Repealing in its Entirety Section 18-6 (Sewer Lateral Testing) and Adding a New Revised Section 18-5 (Sewer Lateral Ordinance). Introduced.

The Public Works Coordinator gave a brief presentation.

Mayor Gilmore commended staff for successful outreach.

Councilmember Tam inquired whether the City of Oakland is participating in the regional private sewer lateral program.

Ms. Kepke responded in the affirmative; stated EBMUD has been managing the regional program for Oakland since 2012.

In response to Councilmember Tam's inquiry, the Public Works Coordinator stated Alameda originally implemented a program by adopting an ordinance in the late 1980's; after the stipulated order in 2011, Alameda chose to implement its own program no less stringent than the EBMUD regional program; given the centrality and importance of ensuring laterals are addressed, Alameda has reconsidered and proposes to join the regional program.

Councilmember Tam moved introduction of the ordinance

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

(14-450) Resolution No. 14976, "Approving the City of Alameda Sewer System Management Plan, August 2014." Adopted.

The Public Works Coordinator gave a presentation.

Councilmember Tam inquired how new restaurants are dealing with the compliance portion of the Fats, Oil and Grease (FOG) control program.

The Public Works Coordinator responded the aspects of the FOG program are: source control and reaction, when there is an overflow into the sewer; new restaurants would be required to install grease removal devices; there is emerging technology; the FOG program is driven by incidents; if a maintenance crew can see grease in the line, the area would be reported to EBMUD as a hot spot; EBMUD will respond and identify FOG contributors and handle follow-up action.

Councilmember Tam inquired whether Alameda has had any FOG incidents.

The Public Works Supervisor responded one FOG incident occurred last week at the Golf Course; stated EBMUD was very responsive.

Vice Mayor Ezzy Ashcraft inquired how the FOG issue was found.

The Public Works Supervisor responded after a sanitary sewer overflow, staff used camera equipment in the line and detected the FOG.

Councilmember Tam inquired what corrective action EBMUD took.

The Public Works Supervisor responded it is too soon to tell; the incident just happened a week ago.

Vice Mayor Ezzy Ashcraft inquired whether EBMUD takes action after a FOG incident is reported.

The Public Works Coordinator responded EBMUD takes action to research and identify the cause, handles outreach to the identified contributors and provides notification on behalf of the City; but enforcement comes back into City's hands.

Vice Mayor Ezzy Ashcraft inquired about the new grease removal technology.

The Public Works Coordinator responded grease traps are a passive process and do not function properly when caked-up with grease; a grease trap exists, but are often not maintained; the newer technology is an automatic grease removal device which can be more expensive for small businesses.

Councilmember Daysog thanked staff for presentations; stated the sewer systems in Alameda is an important matter.

Councilmember Daysog moved adoption of the resolution.

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

Mayor Gilmore stated one thing that gets people upset is disruption in the sewer system; it is important to stay proactive on maintenance.

CITY MANAGER COMMUNICATIONS

(14-451) The City Manager announced the November 5, 2014 City Council meeting has been cancelled.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(14-452) Councilmember Daysog stated that he attended the Airport Noise Forum meeting to discuss noise issues with the Port of Oakland; a letter written by the Mayor

was presented.

ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 8:44 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 CITY COUNCIL MEETING
TUESDAY- -OCTOBER 21, 2014- -6:00 P.M.

Mayor Gilmore convened the meeting at 6:01 p.m.

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

Absent: None.

The meeting was adjourned to Closed Session to consider:

(14-428) Conference with Real Property Negotiators (54956.8); Property: Site A, Alameda Point; City Negotiators: John Russo, City Manager and Jennifer Ott, Chief Operating Officer - Alameda Point; Organizations Represented: Alameda Point Partners and Brookfield Homes; Issue Under Negotiation: Real Property Negotiations Price and Terms of Payment

(14-429) Conference with Real Property Negotiators (54956.8); Property: Site B, Alameda Point; City Negotiators: John Russo, City Manager and Jennifer Ott, Chief Operating Officer - Alameda Point; Organizations Represented: Catellus Development Corporation and Mission Bay Development Group; Issue Under Negotiation: Real Property Negotiations Price and Terms of Payment

Following the Closed Session the meeting was reconvened and Mayor Gilmore announced that regarding both Site A and Site B, direction was given to staff.

Adjournment

There being no further business, Mayor Gilmore adjourned the meeting at 7:11 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- -OCTOBER 21, 2014- -6:59 P.M.

Mayor/Chair Gilmore convened the meeting at 7:41 p.m.

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

Absent: None.

Oral Communications

None.

Consent Calendar

Mayor/Chair Gilmore announced that the Amendment to an Agreement regarding expenditure of Excess Bond Proceeds [paragraph no. 14-454 CC/14-013 SACIC] was removed from the Consent Calendar for discussion.

Councilmember/Agency Member Daysog moved approval of the consent calendar.

Councilmember/Agency Member 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.]

(*14-453 CC/14-011 SACIC) Minutes of the Special Joint City Council and Successor Agency to the Community Improvement Commission Meeting Held on September 16, 2014. Approved.

(*14-012 SACIC) Recommendation to Approve a Fifth Amendment to the Agreement with Keyser Marston Associates, Inc. for Financial Services through June 30, 2015, and Adding \$50,000, for a Total Budget Amount of \$199,000. Accepted.

(14-454 CC/14-013 SACIC) Recommendation to Authorize the City Manager to Execute an Amendment to an Agreement between the Successor Agency and the City of Alameda Regarding Expenditure of Excess Bond Proceeds.

Vice Mayor Ezzy Ashcraft inquired how unexpended redevelopment bond proceeds would be allocated between the Emergency Operations Center (EOC) and Fire Station 3.

The Community Development Director responded the EOC and Fire Station 3 were

given as examples of projects that could be eligible to be funded by the excess bond proceeds; stated it would be up to the Council to budget the funds once the funds are received in the next Recognized Obligation Payment Schedule (ROPS) period which is in January, 2015; allocation of the funds would go through the standard budget process and staff would return to Council with specific recommendations about expenditures; the amendment is solely to encumber the funds and enter into an agreement in order to transfer the funds from the SACIC to the Council.

The Assistant City Manager noted the funds require Stated Department of Finance approval before returning to Council for approval.

Vice Mayor Ezzy Ashcraft inquired whether the decision about funding will return to the Council before the scheduled groundbreaking of the EOC, to which the Community Development Director responded in the affirmative.

In response to Councilmember Daysog's inquiry, the Community Development Director stated the unexpended bond proceeds are restricted and can only be spent within the merged project area and for capital projects contemplated in the official statement for the original bonds.

Vice Mayor/Agency Member Ezzy Ashcraft moved approval of the staff recommendation.

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

(*14-455 CC/14-014 SACIC) Recommendation to Authorize the City Manager to Execute an Agreement Regarding Reinstatement of a Loan between the City of Alameda and the Successor Agency to the Community Improvement Commission of the City of Alameda. Accepted.

Adjournment

There being no further business, Mayor/Chair Gilmore adjourned the meeting at 7:47 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk
Secretary, SACIC

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