

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -SEPTEMBER 2, 2014- -7:00 P.M.

Mayor Gilmore convened the meeting at 7:10 p.m. Councilmember Chen led the Pledge of Allegiance.

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

None.

ORAL COMMUNICATIONS, NON-AGENDA

None.

CONSENT CALENDAR

Mayor Gilmore announced that the Plans and Specifications for the Emergency Operations Center [paragraph no. 14-350] was removed from the Consent Calendar for discussion.

Vice Mayor Ezzy Ashcraft moved approval of 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.]

(*14-346) Minutes of the Special City Council Meeting Held on June 24, 2014 and the Regular City Council Meeting Held on July 1, 2014.014. Approved.

(*14-347) Ratified bills in the amount of \$13,485,493.87.

(*14-348) Recommendation to Consider the Appointment of a Member to the Open Government Commission. Accepted.

(*14-349) Recommendation to Authorize the City Manager to Execute a Fourth Amendment to an Agreement with Chandler Lee for Professional Planning Services Extending the Term for 12 Months and Adding \$70,000 to the Project Budget.

Accepted.

(*14-350) Recommendation to Adopt of Plans and Specifications and Authorize a Call for Bids for the Emergency Operations Center (EOC), No. P.W. 06-14-23.

The Public Works Director gave a brief presentation.

Vice Mayor Ezzy Ashcraft stated that she is concerned the EOC fortress-like structure does not seem public-serving; inquired why there is no front entrance.

The Public Works Director responded the primary motivation in the EOC design is security; stated residents will have access to the public complex located on Hibbard and Buena Vista where a Public Information Officer will be stationed.

In response to Vice Mayor Ezzy Ashcraft's inquiry, the Public Works Director stated the EOC may have one staffed position; the building will be occupied on a limited basis, but quite often will be empty.

Councilmember Chen moved approval of the staff recommendation.

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

(*14-351) Recommendation to Award a Contract in the Amount of \$712,732 Annually, Including Contingency, to Rosas Brothers Construction for the Repair of Concrete Sidewalk, Curb, Gutter, Driveway, and Minor Street Patching, FY14-15, Phase 15, No. P.W. 05-14-20, with up to Four Possible Extensions Subject to City Council Approval. Approved.

(*14-352) Resolution No. 14961, "Amending the Management and Confidential Employees Association (MCEA) Salary Schedule Establishing the Classification of Deputy Public Works Director. Adopted.

(*14-353) Resolution No. 14962, "Amending the Alameda City Employees Association (ACEA) Salary Schedule Establishing the Classification of Police Maintenance Technician." Adopted.

(*14-354) Resolution No. 14963, "Amending the International Brotherhood of Electrical Workers (IBEW) Salary Schedule Establishing the Classification of System Operator Trainee." Adopted.

REGULAR AGENDA ITEMS

(14-355) Recommendation to Receive Informational Report on the Estuary Park Conceptual Design.

The Recreation and Parks Director gave a Power Point presentation.

Councilmember Chen inquired whether Challenger Field was included in the fee increase, to which the Recreation and Parks Director responded in the negative.

Councilmember Daysog stated \$400,000 in private donations is tremendous.

Councilmember Tam stated the conceptual design of the park is incredible and applauded the creative funding sources; inquired whether there is a partnership with the AUSD as a funding source.

The Recreation and Parks Director responded the majority of parks are not funded by AUSD; stated that she will explore options for AUSD funding.

Vice Mayor Ezzy Ashcraft stated it is exciting for Alameda to bring two parks online simultaneously; noted the Friends of Alameda Park is holding a golf tournament soon.

Stated the Alameda Youth Sports Foundation amended its bylaws to include fundraising; Alameda Little League Challenger Program is open for registration; Alameda Little League is in the process of building lights at the Rittler complex; high school teams are being bumped from fields: Ron Matthews, Alameda Little League.

Stated an agreement was reached with the College of Alameda to allow the Wolverines to use a field for practice; expressed appreciation for Little League fundraising; urged moving forward quickly before houses are built so that lights can be put in place: Pat Bail, Alameda Wolverine Pop-Warner Football.

Stated the plan is amazing; rugby is usually not given much consideration and he appreciates that equipment will be able to be stored at the facility: Samir Khatri, Alameda Rugby.

Outlined various field needs; stated there has been difficulty working with the School District; seeing the proposed field is very exciting; noted synthetic fields perform much better and allow for greater use: David Bail, Alameda Wolverine Pop-Warner Football.

Stated there is high demand for field space; expressed support for the field; stated the process went well; all weather lighted fields are needed; the Soccer Club will support the plan financially: John Krainen and Jon Pecson, Alameda Soccer Club.

Discussed the student who inspired her to work to create an accessible field: Roberta Rockwell, Alameda.

Mayor Gilmore stated that seeing the field come to fruition is exciting.

(14-356) Recommendation to Approve Finalists for an Exclusive Negotiation Agreement

(ENA) to Develop Site A at Alameda Point.

The Chief Operating Officer – Alameda Point gave a brief presentation.

Councilmember Tam left the meeting at 8:08 p.m.

Mayor Gilmore inquired what could be expected from the Public Open House in September.

The Chief Operating Officer – Alameda Point responded staff would like to focus on the developer's qualifications based on previous projects; stated all four developer teams will have a station to provide information on key projects and allow the public to meet them; for newcomers to the process, she and the City Planner would also be available to answer questions about the planning process; only one Open House is scheduled which includes both sites in order to maximize time and space.

In response to Mayor Gilmore's inquiry, the Chief Operating Officer – Alameda Point responded the event is truly an open house; the public can drop by any time; there is no itinerary or presentation; the teams will be available to talk to the public.

Mayor Gilmore inquired when the property would be contemplated to be sold to a development team.

The Chief Operating Officer – Alameda Point responded the ENA is the engagement period, and the Disposition and Development Agreement (DDA) is the marriage; ownership will take place after DDA is signed.

Mayor Gilmore noted the DDA is the roadmap for phasing and how land will be developed over a number of years.

In response to Vice Mayor Ezzy Ashcraft's inquiry, the Chief Operating Officer – Alameda Point stated the Open House is scheduled for Monday, September 29, 2014 at the Main Library.

Vice Mayor Ezzy Ashcraft requested that each developer team identify the status of their projects at the Open House.

Councilmember Chen inquired why the \$200,000 ENA deposit is lower than the Alameda Unified Commercial (AUC) ENA deposit.

The Chief Operating Officer – Alameda Point responded the developers will be spending hundreds of thousands of dollars on transaction and planning costs during the six month DDA and development plan process; she would rather the developer spend money on entitlements and on a good plan instead of up front as part of a deposit.

Councilmember Chen inquired whether the developers would spend more than \$200,000 on the entitlements, to which the Chief Operating Officer – Alameda Point responded in the affirmative.

Councilmember Daysog stated the Open House is a great opportunity for the developers to tell people the inspirations of Alameda Point; suggested the developers have some kind of presentation available apart from the Open House so the public is not just inspired for one night.

In response to Vice Mayor Ezzy Ashcraft's inquiry, the Chief Operating Officer – Alameda Point stated the Open House could be scheduled from 5:30 to 8:30 p.m.; the community could provide feedback about whether three hours is not enough time; staff could schedule another Open House or other creative public workshop like a coffee hour if additional time is needed.

The developers introduced themselves.

Vice Mayor Ezzy Ashcraft moved approval of the two finalists for an ENA to develop Site A: Brookfield Residential and Alameda Point Partners.

Councilmember Daysog seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember Tam – 1.]

(14-357) SUMMARY: Proposed Adoption of Community Facilities District No 14-1 and Levy of Special Tax for Marina Cove II.

Public Hearing to Consider Resolution No. 14964, "Establishing the Formation of a Community Facilities District, City of Alameda Community Facilities District No. 14-1 (Marina Cove II)." Adopted;

(14-357 A) Resolution No. 14965, "Calling a Special Election within Community Facilities District No. 14-1 (Marina Cove II)." Adopted;

(14-357 B) Resolution No. 14966, "Declaring Results of a Special Election within Community Facilities District No.14-1 (Marina Cove II) and Directing the Recording of a Special Tax Lien." Adopted; and

(14-357 C) Introduction of Ordinance Levying Special Taxes within Community Facilities District No. 14-1 (Marina Cove II). Introduced.

The Public Works Management Analyst gave a brief presentation.

Vice Mayor Ezzy Ashcraft inquired whether Lennar is the only property owner at this time, to which the Public Works Management Analyst responded in the affirmative.

Vice Mayor Ezzy Ashcraft inquired how many ballots were distributed, to which the Public Works Management Analyst responded seven ballots were distributed.

Mayor Gilmore announced no additional ballots or replacement ballots were submitted.

Vice Mayor Ezzy Ashcraft moved adoption of the resolutions establishing the formation of the CFD and calling the election.

Councilmember Chen seconded the motion, which carried by unanimous voice vote – 4.
[Absent: Councilmember Tam – 1.]

The City Clerk tabulated the votes and reported the results: one ballot representing seven votes in support of the special tax levy; no ballots were opposed.

Vice Mayor Ezzy Ashcraft moved adoption of the resolution declaring the results of the election.

Councilmember Chen seconded the motion, which carried by unanimous voice vote – 4.
[Absent: Councilmember Tam – 1.]

The Public Works Management Analyst outlined the benefit of forming the district.

Councilmember Chen moved introduction of the ordinance.

Vice Mayor Ezzy Ashcraft seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember Tam – 1.]

(14-358) Recommendation to Award a Contract in the Amount of \$4,583,938 Annually, Including Contingency, to Ranger Pipeline, Inc. for Cyclic Sewer Rehabilitation Project, Phase 11, No. P.W. 06-13-16, with up to Four Possible Extensions Subject to City Council Approval.

The Public Works Director gave a brief presentation.

Vice Mayor Ezzy Ashcraft moved approval of the staff recommendation.

Councilmember Chen seconded the motion, which carried by unanimous voice vote – 4.
[Absent: Councilmember Tam – 1.]

(14-359) SUMMARY: Accept Grant from US Department of Homeland Security's Fire Prevention and Safety Grant Program.

Recommendation to Authorize the City Manager to Accept a Grant from the US Department of Homeland Security's Fire Prevention and Safety Grant Program in the Amount of \$80,954 to Fund Education and Outreach Activities in Home Fire Safety for Alameda Residents of all Ages and Incomes, Including Supporting a Qualified Inspector and Purchasing Long-life Smoke Alarms.

The Deputy Fire Chief gave a brief presentation.

Mayor Gilmore stated the existing program serves seniors and disabled; inquired whether the program would expand to everybody; to which the Deputy Fire Chief responded in the affirmative; stated the program would be open to people of all ages without regard to income.

Councilmember Chen inquired whether Alameda is receiving the Homeland Security grant for the first time.

The Deputy Fire Chief responded in the negative; stated the department received a similar grant from Homeland Security in 2010.

Councilmember Chen inquired whether the program previously used CDBG funds, to which the Deputy Fire Chief responded in the affirmative.

In response to Vice Mayor Ezzy Ashcraft's inquiry, the Deputy Fire Chief stated the battery in the long-life smoke detectors will sound an alarm in ten years to indicate it needs replacing.

Vice Mayor Ezzy Ashcraft requested a breakdown of the \$81,000 grant.

The Deputy Fire Chief responded \$21,450 is for a part time inspector, \$1,710 is for 15 smoke alarms, \$11,400 is for 200 long-life smoke detectors, and the remaining is for marketing and outreach programs.

Vice Mayor Ezzy Ashcraft inquired what happens after the grant expires in one year.

The Deputy Fire Chief responded the department would apply for another grant or use CDBG funds.

Vice Mayor Ezzy Ashcraft inquired whether the department would be open to receiving funds from the public, to which the Deputy Fire Chief responded in the affirmative.

In response to Vice Mayor Ezzy Ashcraft's inquiry, the Deputy Fire Chief stated the program service includes giving a home safety presentation to the resident and installing the smoke detectors.

Councilmember Daysog moved approval of the staff recommendation.

Councilmember Chen seconded the motion, which carried by unanimous voice vote – 4.
[Absent: Councilmember Tam – 1.]

(14-360) Introduction of Ordinance Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a Lease Amendment with Walashek Industrial & Marine, Inc. for Twelve Months in Building 517

Located at 150 West Trident Avenue at Alameda Point. Introduced.

The Economic Development Division Manager gave a brief presentation.

Councilmember Chen moved introduction of the ordinance.

Councilmember Daysog seconded the motion seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember Tam – 1.]

(14-361) Introduction of Ordinance Approving the First Lease Amendment for Eight Years with Pacific Fine Foods, Inc. in Building 42 Located at 2480 Monarch Street at Alameda Point. Introduced.

The Economic Development Division Manager gave a brief presentation.

In response to Mayor Gilmore's inquiry, the Economic Development Division Manager stated Pacific Fine Foods provides food to the alcohol vendors located nearby.

Councilmember Chen moved introduction of the ordinance.

Vice Mayor Ezzy Ashcraft seconded the motion seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember Tam – 1.]

(14-362) 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 Love Fellowship Church of God in Christ for Eighteen Months in Building 564 Located at 190 W. Trident Avenue at Alameda Point. Introduced.

The Economic Development Division Manager gave a brief presentation.

Mayor Gilmore stated the Love Fellowship Church is happy to be locating in Building 564; inquired whether the Church understands the uncertainty of the long-term development plans of Alameda Point.

The Economic Development Division Manager responded in the affirmative; stated the long term development plans were explicitly discussed in the lease; Love Fellowship Church would ultimately like to lease the Chapel.

Vice Mayor Ezzy Ashcraft moved introduction of the ordinance.

Councilmember Chen seconded the motion seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember Tam – 1.]

(14-363) Introduction of Ordinance 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. Introduced.

The Economic Development Division Manager gave a brief presentation.

Councilmember Daysog encouraged residents to view the Kai Concepts website.

Councilmember Daysog moved introduction of the ordinance.

Vice Mayor Ezzy Ashcraft seconded the motion.

Under discussion, Vice Mayor Ezzy Ashcraft stated that she is pleased that a former Nelson Marine tenant landed on their feet.

On the call for the question, the motion by unanimous voice vote – 4. [Absent: Councilmember Tam – 1.]

(14-364) Introduction of Ordinance Approving the Second Amendment to Lease with Delphi Productions, Inc. for Twelve Months in Building 117 Located at 2251 Orion Street at Alameda Point and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms. Introduced.

The Economic Development Division Manager gave a brief presentation.

Vice Mayor Ezzy Ashcraft moved introduction of the ordinance.

Councilmember Chen seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember Tam – 1.]

(14-365) 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 Natel Energy, Inc. for Three Years with an Additional Three Year Option in Building 400A located at 1090 W. Tower Avenue at Alameda Point. Introduced.

The Economic Development Division Manager gave a brief presentation.

Vice Mayor Ezzy Ashcraft moved introduction of the ordinance.

Councilmember Daysog seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember Tam – 1.]

Mayor Gilmore thanked the Economic Development Division Manager and PM Realty.

CITY MANAGER COMMUNICATIONS

(14-366) The City Manager provided a Restaurant Guide to the Council and the

Economic Development Division Manager gave a brief presentation on the guide.

The City Manager noted Alameda Point Site B would be discussed at the next meeting.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(14-367) Consideration of Mayor's Nominations for Appointment to the Transportation Commission.

Mayor Gilmore nominated Michele Bellows, Thomas Bertken, Jesus Vargas for reappointment and Michael Hans for appointment to the Transportation Commission.

ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 9:11 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 CITY COUNCIL MEETING
TUESDAY- SEPTEMBER 2, 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.

Note: Councilmember Daysog arrived at 6:06 p.m.; Councilmember Chen arrived at 6:10 p.m.; and Councilmember Tam was absent when the meeting reconvened at 9:17 p.m.

Absent: None.

The meeting was adjourned to Closed Session to consider:

(14-343) Public Employee Performance Evaluation Pursuant to Government Code § 54957; Position Evaluated: City Attorney - Janet Kern

(14-344) Conference with Real Property Negotiators (54956.8); Property: Oakland Inner Harbor Tidal Canal; City Negotiator: Alex Nguyen; Organizations Represented: US Army Corps of Engineers; Issue Under Negotiation: Real Property Negotiations Price and Terms of Payment

(14-345) Conference with Labor Negotiators (54957.6); City Negotiator: John Russo, City Manager; Organizations Represented: Public Safety Unions (International Association of Fire Fighters (IAFF), Alameda Fire Chiefs Association (AFCA), Alameda Police Officers Association (APOA) and Alameda Police Managers Association (APMA); Issues Under Negotiation: Post Employment Benefits

Following the Closed Session the meeting was reconvened and Mayor Gilmore announced that regarding Employee Performance Evaluation, no action was taken.

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Mayor Gilmore called a recess at 7:02 p.m. and reconvened the meeting at 9:17 p.m.

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Following the Closed Session the meeting was reconvened and Mayor Gilmore announced that regarding Real Property, direction was given to staff; and regarding Labor, no action was taken.

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.