

MINUTES OF THE SPECIAL CITY COUNCIL MEETING  
TUESDAY- -DECEMBER 3, 2013- -6:00 P.M.

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

Roll Call – Present: Councilmembers Chen, Daysog, Ezzy Ashcraft, and Mayor Gilmore – 4.

Absent: Councilmember Tam – 1.

The meeting was adjourned to Closed Session to consider:

(13-543) 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)

(13-544) 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 Anticipated Litigation, Council gave direction to staff; and regarding Initiation of litigation, Council gave direction to staff.

Adjournment

There being no further business, Mayor Gilmore adjourned the meeting at 7:15 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
TUESDAY- -DECEMBER 3, 2013- -7:00 P.M.

Mayor Gilmore convened the meeting at 7:22 p.m. Councilmember Daysog led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Chen, Daysog, Ezzy Ashcraft, and Mayor Gilmore – 4.

Absent: Councilmember Tam – 1.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY & ANNOUNCEMENTS

(13-545) Proclamation Declaring December 12, 2013 as Thomas S. Woods Day.

Mayor Gilmore read the Proclamation and presented it to the Public Works Director who accepted on behalf of Mr. Woods.

ORAL COMMUNICATIONS, NON-AGENDA

(13-546) Former Councilmember Frank Matarrese, Alameda Sister City Association, and Cynthia Bonta, discussed the potential of establishing a Sister City with Dumaguete, Philippines; stated a letter and gift from the Mayor of Dumaguete would be provided to the City.

Councilmember Chen commended Ms. Bonta; noted a Sister City conference would be held in the Bay Area and Mayor Gilmore would serve as a host.

Mayor Gilmore thanked former Councilmember Matarrese and Ms. Bonta.

Councilmember Daysog expressed his excitement.

CONSENT CALENDAR

Councilmember Chen moved approval of the Consent Calendar.

Vice Mayor Ezzy Ashcraft seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember Tam – 1.] [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(\*13-547) Minutes of the Joint City Council and Public Utilities Board Special Meeting, the Joint City Council and Successor Agency to the Community Improvement

Commission Meeting, and Regular City Council Meeting Held on November 5, 2013. Approved.

(\*13-548) Ratified bills in the amount of \$2,646,647.03.

(\*13-549) Recommendation to Accept the Affordable Housing Ordinance Annual Review Consistent with Section 27-1 of the Alameda Municipal Code and California Government Code Section 66001 and Accept the Annual Report. Accepted.

### REGULAR AGENDA ITEMS

(13-550) Recommendation to Receive Report and Comment on Draft City-wide Performance Measures.

The City Manager gave a brief presentation and Nancy Hetrick, Management Partners, gave a Power Point presentation.

Mayor Gilmore inquired how performance measures tie into performance evaluations.

The City Manager responded in 2014 all City employees will have performance evaluations; stated Department Heads would be evaluated on performance measures; stated performance measures are objective measures that provide information about efficiency, effectiveness, accountability and transparencies; information would not be gathered until the next 2017/2019 budget cycle.

Vice Mayor Ezzy Ashcraft inquired what are priority one calls referenced under the Police Department's benchmark measures.

The Police Chief responded priority one calls are crimes such as robbery, homicide, sexual assault, or a crime in progress; stated examples of priority two calls are cold car thefts or prior incidents.

Vice Mayor Ezzy Ashcraft stated under the Public Works benchmark measures, she believes residents may be less concerned with the number of trees pruned, but more concerned about the conditions of streets and sidewalks.

Mayor Gilmore stated streets are already listed in the benchmarks for Public Works.

Ms. Hetrick stated additional measures could be crafted to address the Vice Mayor's concerns.

Councilmember Daysog stated there has to be a correlation between the measurements of how internal business is conducted relative to service outcomes; the goal at the end of the day is to improve the quality of life for Alameda's citizens.

Councilmember Chen suggested adding the number of complaints under the Police

Department benchmark measures and response time for ambulance services under the Fire Department.

Ms. Hetrick stated the ambulance response time is already incorporated under Emergency Medical Services (EMS) response time.

Mayor Gilmore inquired if ambulances and Fire trucks are dispatched at the same time on a priority one call.

The Acting Deputy Fire Chief responded in the affirmative; stated both a Fire engine and ambulance are dispatched, although not necessarily from the same station; in a worse-case scenario, if all of Alameda's ambulances are dispatched, the responder would be Paramedics Plus, which is dispatched from the County.

Councilmember Chen requested a breakdown of the response times.

The Acting Deputy Fire Chief stated a breakdown would be included.

Councilmember Chen inquired if a public survey which rates road and sidewalk conditions could be added, to which the Public Works Director responded in the affirmative.

Councilmember Chen inquired whether the overall rating of the Permit Center could be included as a line item, to which Ms. Hetrick responded in the affirmative.

In response to Councilmember Chen's inquiry, Ms. Hetrick stated the Library tracks the number of new library cards issued.

Councilmember Chen inquired why a measure is not included under Alameda Point that tracks the percent change in number of tenants.

The Chief Operating Officer – Alameda Point responded tracking the change in number of tenants has not been proposed because tenants would leave since the goal is to ultimately tear down the buildings to redevelop the property.

The City Manager stated there is a difference between a measure and a goal; recommended Councilmember Chen have a conversation with the Chief Operating Officer to frame a different method of addressing his concern regarding Alameda Point leasing.

Councilmember Daysog stated paying down Other Post Employment Benefits (OPEB) should be tracked.

Mayor Gilmore stated that she would like to add a list of examples of quality of life service requests under Public Works and add a measure about the rate at which the City adopts or deploys new technology under Information Technology (IT).

Vice Mayor Ezzy Ashcraft inquired if the technology measurement would be compared to other cities.

The City Manager noted the measurements could vary widely between cities; data collected would have to be standardized.

Mayor Gilmore stated that she would like to measure how successful Alameda is in deploying new technology, whether it is efficient and provides information and transparency.

The Assistant City Manager stated Alameda County City Managers Association Leadership Academy will be reviewing the matter; baseline information would be available in the spring.

Mayor Gilmore stated IT tracking does not have to be part of performance measures; but should be tracked to determine whether or not Alameda is becoming more efficient and transparent and if the City is realizing a return on its investment; provided an example: the Council uses iLegislate to receive packets on iPads and the Clerk's office reduced from 40 paper packets to five.

Suggested measure should be added regarding disability access and library computers:  
Carol Gottstein, Alameda.

Mayor Gilmore inquired whether there will be public meetings or electronic communications to engage the public regarding the performance measures.

The Assistant City Manager responded the City would use both public meetings and communications, to engage as many citizens as possible; stated there at least three meetings will be held.

The City Manager stated the public meetings will be held at Mastick, the West End, and Harbor Bay.

(13-551) Adoption of Resolution Regarding Project Stabilization Agreement Policy at Alameda Point. Not adopted.

The Administrative Services Director gave a brief presentation.

Vice Mayor Ezzy Ashcraft inquired whether the \$2.5 million threshold is project cost as opposed to labor cost, to which the Administrative Services Director responded in the affirmative.

The Administrative Services Director stated Tom Marshall of Catellus provided a large scale view of Catellus' experience with Project Labor Agreements (PLAs); Catellus finds PLAs very effective for horizontal construction projects such as backbone infrastructure and streets; for Alameda Landing, the PLA was limited and Catellus allowed it to expire.

Councilmember Daysog inquired if the \$2.5 million is the value of the project through the building permit process.

The Administrative Services Director responded in the negative; stated there are two types of projects: Public Works and development; Alameda Point is a development project, the \$2.5 million applies to the construction estimate only and subtracts the land acquisition and entitlement costs; Alameda would be careful in tailoring the PLA requirements to be suitable to the type of project, such as projects that carve out sub-contracting or specialty areas which increase project costs.

Expressed support for the Project Stabilization Agreement Policy; suggested thresholds be determined during negotiations: Mike Croll, Operating Engineers Local 3.

Stated Alameda has had PLAs in the past; expiration dates should not be included; discussed career pathways; stated thresholds should be set as part of negotiations; suggested clarifying resolution language: Andy Slivka, Carpenters Union and Building Trades Council.

Mayor Gilmore inquired if the City of Berkeley had to go outside Alameda County to reach its goal of providing jobs.

The Administrative Services Director responded in the negative; stated the City of Berkeley had a parameter of Berkeley residents first, the Green Corridor second, and Alameda County last; and exceeded the 30% goal; Alameda's parameter should be Alameda City residents first, then Alameda County as second tier, and not utilize the Green Corridor at all to reach the 30% goal.

Vice Mayor Ezzy Ashcraft inquired if the Veteran's Helmets to Hardhats program and other internship programs would be included in the agreement.

The Administrative Services Director responded in the affirmative; stated staff has strategized on how an internship program could work.

Vice Mayor Ezzy Ashcraft inquired if an apprenticeship opportunity for students could also be included.

Mr. Slivka responded in the affirmative; stated every PLA negotiated in Alameda County has a specific section on the Helmets to Hardhats program; he is very supportive of local hires, students and young adults because they are the future of the trades; invited Council to visit the Cypress Mandela Training Center to see the pre- apprenticeship program.

Councilmembers Daysog and Chen expressed support for the apprenticeship program and jobs opportunities for students and locals.

Councilmember Chen inquired why Alameda is setting the limit at \$2.5 million project cost.

The Administrative Services Director responded the City of Berkeley had workforce issues and exceeded staff time; Alameda is also concerned about staff resources and determined \$2.5 million is appropriate for Alameda Point.

Councilmember Chen inquired how many projects were between \$1 to \$2 million, to which the Administrative Services Director responded five projects.

Councilmember Chen inquired how many projects were over \$2.5 million, to which the Administrative Services Director responded three projects.

Councilmember Chen stated that he recommends having staff negotiate with the labor union; setting a \$2.5 million threshold is premature.

Councilmember Daysog stated that he is open to calibrating thresholds according to the varying projects.

Vice Mayor Ezzy Ashcraft stated vertical construction and costs are higher; she is concerned about affordable housing and advocates starting cautiously; the threshold could be negotiated and lowered if feasible.

Mayor Gilmore inquired if the one-year and three-year look back were built into Berkeley's contracts up front.

The Administrative Services Director responded in the affirmative; stated Berkeley is looking at a one-year extension.

The City Manager stated the City of Berkeley is meeting tonight; staff would have more information for the Council after the meeting.

Mayor Gilmore stated the agreement should have two look backs; that she concurs with Councilmember Daysog on different limits for horizontal versus vertical projects; suggested data be collected to evaluate and determine whether or not to bifurcate the threshold; stated that she would like to keep the threshold at staff's recommendation.

Councilmember Daysog inquired how far the project needs to go to collect data.

The Administrative Services Director responded Berkeley's initial term was three years; Alameda would start with shorter term with two check-ins; stated the results on very large projects are not known for 5 to 10 years; however, but staff would have bid information.

Mayor Gilmore inquired if staff can move forward without Council adopting the resolution.

The City Attorney responded in the affirmative; stated the resolution adopts Project Stabilization, the Council can take action to authorize staff to begin negotiating.

Councilmember Daysog inquired if language needs to be added that clearly states the threshold may be altered at the check-in.

Mayor Gilmore responded she did not want to wordsmith the language of the resolution at tonight's meeting; stated the comments reflected in the minutes will be enough direction for staff to begin negotiating.

Vice Mayor Ezzy Ashcraft stated that she would like to see a breakdown between horizontal versus vertical; she agrees with Mayor Gilmore that the check-in language does not need to be added to the resolution; staff and consultants are capable.

Councilmember Daysog inquired if the \$2.5 million threshold is a deal killer for the Building Trades representatives.

Mr. Slivka responded the matter should be worked out at the negotiation table; stated the Berkeley agreement should be considered as a whole; any kind of suggestions to negotiators should be vetted at the negotiation table; suggested the Council hold back until an agreement is done.

The City Manager concurred with Mr. Slivka; suggested Council direct staff and the negotiator to take comments into consideration, negotiate a tentative agreement and return with a resolution.

Councilmember Chen moved approval of directing staff to negotiate a tentative agreement, and bring a revised resolution back to Council.

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

(13-552) Recommendation to Approve the 2014 Federal Legislative Agenda.

The Assistant City Manager gave a Power Point presentation.

Councilmember Chen inquired whether \$144,000 budget for a lobbyist is realistic.

The City Manager responded staff is confident regarding the budget constraints.

Councilmember Chen suggested scaling back and prioritizing the most urgent needs.

The Assistant City Manager stated the standard practice with federal contracts is three years, not one year, which is more reasonable.



Mayor Gilmore stated progress on any given item is generally incremental; at the end of three years, the hope is to have progress on most of the issues; a relationship has to be built with the lobbyist.

Vice Mayor Ezzy Ashcraft moved approval of the 2014 Federal Legislative Agenda.

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

(13-553) Recommendation to Approve the 2014 State Legislative Agenda and the Contract with Perata Consulting, LLC, in the amount of \$90,000, to pursue the City's California Legislative Agenda, which is a \$144,000 Program In Total.

The Assistant City Manager gave a brief presentation.

In response to Vice Mayor Ezzy Ashcraft's inquiry about advocating processes for infill development, the City Manager stated Alameda wants to be prepared to discuss California Environmental Quality Act (CEQA) reform because it impacts Alameda Point.

Councilmember Daysog inquired what is meant by the conclusion of Webster-Posey Tube traffic improvements.

The Assistant City Manager responded the Webster-Posey Tube project to lessen congestion is funded but has been stalled for over a decade; stated Alameda, Oakland, and the County are involved.

The City Manager clarified that the Webster-Posey Tube project is the Broadway/Jackson interchange; Alameda does not have transportation infrastructure, and residents have to go off the island for major transportation resources, such as interstate highways, BART or light rail; a concept of better connection between Interstate 880 and the tube has been considered for 11 years; the issue is regional, not just Alameda.

Councilmember Daysog stated that he would like Alameda to play a leading role in the Webster-Posey Tube project.

Mayor Gilmore stated Alameda has attempted to take leading role and a solution has not been reached for the past decade; she concurs with the City Manager; if Alameda takes the lead, it is viewed as Alameda's problem; if the County takes the lead as a regional issue, there is more potential for Alameda to work collaboratively with the County and other players to reach a solution and be successful in developing Alameda Point.

Councilmember Daysog stated that he would like Alameda be the lead in a stalemate solution, rather than give up leadership to the County in hopes they will break the stalemate.

Vice Mayor Ezzy Ashcraft stated Perata Consulting has experience and institutional knowledge and would keep the issue in Alameda's control.

The City Manager stated he is happy to provide a briefing to Councilmember Daysog on the details of the transportation issues; achieving a solution is high on his list.

Councilmember Chen stated that he supports the Legislative Agenda; inquired whether a new crossing could be considered to help mitigate the traffic issue.

The City Manager responded the issue could be captured under State and County Transportation Funding; stated Alameda can accomplish a lot if all parties put aside bureaucratic imperatives for a regional solution.

The Assistant City Manager stated the total amount the Council is approving tonight is \$90,000 because the remaining contracts do not require Council approval; the Rockefeller Foundation grant would be worth three times Alameda's total lobbying budget for State and federal, which is a fantastic return on investment.

Councilmember Daysog inquired when an update would be provided to the Council.

The Assistant City Manager responded staff talks to the Federal team weekly; stated a progress report from the State level could be provided in a year.

Councilmember Daysog inquired if a progress report could be provided in six months instead of a year, to which the Assistant City Manager responded in the affirmative.

Councilmember Daysog moved approval of the staff recommendation.

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

(13-554) Summary: Declares Intent to Form a Community Facilities District ("CFD") at Alameda Landing and Authorizes the City to Issue Bonds to Finance Public Infrastructure for the CFD.

Resolution No. 14872, "Declaring Intention to Establish a Community Facilities District and to Authorize the Levy of Special Taxes Therein - Alameda Landing Public Improvements." Adopted.

(13-554 A) Resolution No. 14873, "Declaring Intention to Incur Bonded Indebtedness of the Proposed City of Alameda Community Facilities District No. 13-1 (Alameda Landing Public Improvements). Adopted.

(13-554 B) Notice of Public Hearing on January 7, 2014 - Declaring Intention to Establish A Community Facilities District (CFD) and to Incur Bonded Indebtedness of the Proposed City of Alameda Community Facilities District No. 13-1.

The Community Development Director gave a brief presentation.

Vice Mayor Ezzy Ashcraft inquired why East Bay Municipal Utilities District (EBMUD) would not be paying for improvements on a water system it is going to own.

The Community Development Director responded Alameda has a joint use agreement with EBMUD; stated having developers pay for infrastructure is standard practice.

Vice Mayor Ezzy Ashcraft stated an election of the property owners in the CFD would be conducted to establish the CFD, the levy of special taxes, and issuance of bonds; inquired if there are any property owners.

The Community Development Director responded in the affirmative; stated the Successor Agency and TriPoint are property owners eligible to vote.

Councilmember Chen moved adoption of the resolutions.

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

(13-555) Summary: Declares Intent to Form a Community Facilities District (“CFD”) at Alameda Landing and Authorizes the City to Levy Special Taxes on Property in the CFD.

Resolution No. 14874, “Declaring Intention to Establish A Community Facilities District and to Authorize the Levy of Special Taxes Therein - Alameda Landing Municipal Services District. Adopted.

(13-555 A) Notice of Public Hearing on January 7, 2014 - Declaring Intention to Establish a Community Facilities District for the Provision of Maintenance and Municipal Services.

The Community Development Director gave a brief presentation.

Councilmember Chen moved adoption of the resolution.

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

#### CITY MANAGER COMMUNICATIONS

(13-556) The City Manager announced Alameda was awarded a Rockefeller Foundation Grant for a Chief Resiliency Officer for disaster preparedness.

The Community Development Director made an announcement regarding the City’s shop local campaign, called Alameda Island Shopper.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(13-557) Councilmember Chen discussed “Around the World”, a Boy and Girls Club’s program to educate children about cultural diversity.

ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 10:00 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

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