

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
TUESDAY- -OCTOBER 15, 2013- -7:00 P.M.

Mayor Gilmore convened the meeting at 7:23 p.m. Vice Mayor Ezzy Ashcraft led the Pledge of Allegiance.

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

Absent: None.

AGENDA CHANGES

(13-459) Mayor Gilmore announced that the Resolution Acquiring Temporary Construction Easements [paragraph no. 13-469] would be heard on November 5<sup>th</sup> and the Joint Use Agreement [paragraph no. 13-474] would be heard after the Rent Increase Concerns at 1645 Park Street [paragraph no. 13-473].

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY & ANNOUNCEMENTS

(13-460) Proclamation Declaring October as Lesbian, Gay, Bisexual, Transgender, Queer/Questioning (LGBTQ) History Month.

Mayor Gilmore read and presented the Proclamation to Henry Villareal, Co-Chair of the School District LGBTQ Roundtable.

(13-461) Presentation on Status of Alameda Point Planning Documents.

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

ORAL COMMUNICATIONS, NON-AGENDA

(13-462) Mark Wagner, Drawing on Earth, submitted a proposal for a chalk drawing park; stated that he is applying for a lease would like rent to be waived.

(13-463) Chuck Kapelke, Alameda, stated that he sent an e-mail expressing interest in using a Request for Proposal process to develop Alameda Point; urged an open process; discussed Greenway Golf proposing to operate the Golf Course; expressed concern over development fitting together.

CONSENT CALENDAR

Mayor Gilmore announced that the Lease-Purchase Agreement [paragraph no. 13-466]; the Granicus contract [paragraph no. 13-467]; and Resolution the urging Congress to enact comprehensive immigration reform [paragraph no. 13-470] were removed from

the Consent Calendar for discussion and the Resolution Acquiring Temporary Construction Easements [paragraph no. 13-467] would be considered on November 5th.

Councilmember Tam moved approval of the remainder of the Consent Calendar.

Councilmember 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.]

(\*13-464) Minutes of the Special and Regular City Council Meetings and the Special Joint City Council, City of Alameda Financing Authority and Alameda Public Improvement Corporation Meeting Held on September 17, 2013. Approved.

(\*13-465) Ratified bills in the amount of \$3,111,236.65.

(13-466) Recommendation to Authorize the City Manager to Execute a Lease-Purchase Agreement and Purchase the Remounting of One Ford E-450 Horton Ambulance in An Amount Not to Exceed \$152,000, and Authorize the Purchase of Five Fire Department Staff Vehicles in An Amount Not to Exceed \$189,400.

Councilmember Tam inquired if Community Oriented Policing Services (COPS) grant funds from the Department of Justice are available to the Fire Department for the equipment purchase.

The Fire Chief responded in the negative; stated there is no grant funding available for Fire Department vehicles.

Councilmember Tam inquired how much of the equipment replacement fund is allocated to the Fire Department.

The Fire Chief responded that he could not answer and deferred to the Finance Director.

Vice Mayor Ezzy Ashcraft inquired if grant funding is available through FEMA.

The Fire Chief responded in the negative; stated there is no grant funding for staff vehicles; the Fire Department received grant funding for one emergency apparatus several years ago, but funds have been reduced by the sequestration.

Vice Mayor Ezzy Ashcraft inquired if there is a distinction between staff vehicles and emergency equipment, to which the Fire Chief responded in the affirmative.

The Finance Director stated there is currently \$3 million in the equipment replacement fund.

Councilmember Tam stated the City is loaning the School District \$3 million for pools; inquired whether the expense was anticipated, or budgeted, in the equipment replacement fund.

The Finance Director responded the \$750,000 is coming from Capital Improvement Projects (CIP); stated the proposed \$1.15 million was not included in the budget; available funds would be reduced.

Councilmember Tam stated that she would abstain from voting until negotiations with the School District have been concluded in order to better understand the impacts to the equipment replacement fund, which is the funding source for the pools.

Councilmember Daysog moved approval of the staff recommendation.

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

(13-467) Recommendation to Approve a Contract with Granicus in an Annual Amount of \$19,200 for Webcasting and Agenda Management Services.

The City Clerk gave a brief presentation.

Councilmember Tam inquired if a hardcopy of the agenda can still be printed using the new paperless system.

The City Clerk responded in the affirmative and demonstrated how to print hardcopies using the system.

Mayor Gilmore stated that she is very excited with the implementation of the new webcasting and agenda management system; thanked the City Clerk for her persistence; stated the new system is very important because residents can access the meetings on iPads live or the following day.

The City Clerk noted the Council is authorizing the City Manager to execute a contract amendment through December 2015; stated the Council is approving the amendment since the \$75,000 cap would be exceeded.

Councilmember Tam moved approval of the staff recommendation.

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

(13-468) Recommendation to Approve a Budget Carryover of \$77,448 from FY12-13 to FY13-14 for a Portable Self-Priming Centrifugal Pump. Accepted.

(13-469) Adoption of Resolution Authorizing the City Manager to Acquire Temporary Construction Easements in Relation to the Sewer Pump Station Renovations for Reliability and Safety Improvements Project (All Groups). Not heard.

(13-470) Resolution No. 14864, "Urging Congress to Enact Comprehensive Immigration Reform." Adopted.

Councilmember Chen gave a brief presentation.

State the symbolic gesture sends a message to Congress: Terry Sandoval, SAIU-ULTCW.

Councilmember Chen moved adoption of the resolution.

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

(\*13-471) Ordinance No. 3079, "Amending the Alameda Municipal Code by Amending Chapter 2 (Administration) Article II (Boards And Commissions) by Repealing Section 2-15; Amending Section 2-19.2(A), to Dissolve the Economic Development Commission (EDC) and to Revise the Membership of the Commission On Disability Issues (CDI)." Finally Passed.

(\*13-472) Ordinance No. 3080, "Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a Lease Amendment with GFC Moving and Storage, Inc. dba All City Moving North American Van Lines for Two Years in Building 170 Located at 1770 Viking Street at Alameda Point." Finally Passed.

### REGULAR AGENDA ITEMS

(13-473) Recommendation to Acknowledge the Rent Increase Concerns at 1645 Park Street and Authorize the Mayor to Send a Letter Encouraging the Owner to Comply with the Rent Review Advisory Committee (RRAC) Recommendations.

The Housing Authority Development Manager and RRAC Chair gave a brief presentation.

Mayor Gilmore inquired how long the \$400 per month rent had been in place before the increase.

The RRAC Chair responded 20 years; stated the tenant, Ron Jackson, has been in the building for 21 years; his original rent was around \$200; Mr. Jackson did maintenance work in exchange for reduced rent; the rent was increased from \$200 to \$400 before and is now increasing from \$400 to \$600.

Vice Mayor Ezzy Ashcraft inquired if there was a written agreement between the tenant and the landlord regarding maintenance work being done to reduce the rent.

The RRAC Chair responded in the negative; stated Mr. Jackson had a verbal agreement with the landlord for janitorial services.

Vice Mayor Ezzy Ashcraft stated that she knows the landlord, Mr. John Costello; noted the letter advising Mr. Costello of the RRAC meeting was addressed incorrectly; questioned whether the noticing was fair.

The RRAC Chair responded that she could not address the issue of the incorrect address since City staff did the mailing; stated the RRAC received a response from the landlord after the first meeting, which indicates that he was aware of the meeting.

Councilmember Chen inquired how much other tenants are paying.

The RRAC Chair responded that she does not have the information since the landlord did not attend the meetings.

Provided background information on his rent: Ron Jackson, Tenant.

Mayor Gilmore inquired whether Mr. Jackson was paying the \$40 rent increase or the \$200 increase.

Mr. Jackson responded \$40 which the RRAC recommended.

Mayor Gilmore stated the RRAC did not recommend Mr. Jackson only pay an additional \$40; the RRAC simply suggested a \$40 rent increase as a compromise.

Vice Mayor Ezzy Ashcraft inquired how long Mr. Jackson has lived 1645 Park Street, to which Mr. Jackson responded since 1992.

Vice Mayor Ezzy Ashcraft inquired what was Mr. Jackson's rent when he first moved in, to which Mr. Jackson responded \$275.

Vice Mayor Ezzy Ashcraft inquired how many times the rent has been increased in 21 years.

Mr. Jackson responded that he did not keep track of the number of rent increases; stated for a few years he was hired to do the janitorial service for the premises.

Vice Mayor Ezzy Ashcraft inquired if Mr. Jackson's rent was increased every year that he has lived there.

Mr. Jackson responded in the negative; stated no one's rent has increased every year; increases depend upon when the landlord does maintenance upgrades or rents to a new tenant.

Councilmember Tam inquired how much Mr. Jackson is paying now, to which Mr. Jackson responded \$440 per month.

Provided background information on Mr. Jackson's rent and provided comparisons:  
John Costello, Landlord.

Mayor Gilmore inquired if the rents are comparable.

Mr. Costello responded in the affirmative; stated the rooms are not exactly the same; the smaller rooms are cheaper.

Councilmember Tam inquired how many times the rents for other rooms have increased since 2009.

Mr. Costello responded since 2007 Unit 6 has been \$675 and Unit 8 has been \$550; since 2011, Unit 4 has been \$600 and Unit 9 since has been \$550; he has been raising the rents over the last years due to increased expenses.

Mayor Gilmore inquired the amount of other increases.

Mr Costello responded Unit 4 and Unit 6 were each raised \$50; stated the increment has been the same over the last 3 or 4 years.

In response to Mayor Gilmore's inquiry, Mr. Costello stated he had not raised Mr. Jackson's rent since 1990.

Mayor Gilmore stated that she understands Mr. Costello's reasons for needing to raise Mr. Jackson's rent by \$200; other rooms have been systematically increased; increasing from \$400 to \$600 in one fell swoop comes as a shell shock to the tenant.

Vice Mayor Ezzy Ashcraft inquired why Mr. Costello did not attend the RRAC meetings.

Mr. Costello responded his attorney informed him the RRAC does not have any power, and just makes recommendations.

Vice Mayor Ezzy Ashcraft inquired if Mr. Costello has any problems with Mr. Jackson.

Mr. Costello responded that he does not want to discuss problems with Mr. Jackson.

Vice Mayor Ezzy Ashcraft inquired if other tenants were having problems with Mr. Jackson.

Mr. Costello responded that he does not wish to discuss thematter either.

Vice Mayor Ezzy Ashcraft inquired whether Mr. Costello would be willing to tell his side of the situation to the RRAC, to which Mr. Costello responded in the negative.

Councilmember Tam inquired if Mr. Costello gave Mr. Jackson renter's credit for janitorial services rendered.

Mr. Costello responded that he tried to help out Mr. Jackson; Mr. Jackson was not cleaning the restrooms for very long.

Councilmember Chen stated the sudden 50% spike in Mr. Jackson's rent caused grief for a tenant who has consistently paid rent consistently for the last 20 years which is bad business; increasing the rent incrementally would be easier to absorb.

Councilmember Daysog stated figuring something out with the RRAC would be helpful.

Tim Goodman, Alameda, stated rent increases were done legally.

Vice Mayor Ezzy Ashcraft stated the RRAC is a voluntary process that works best if both parties are willing to participate.

Mayor Gilmore inquired if the landlord informed staff that they were not going to attend the meetings, to which the RRAC Chair responded in the affirmative.

In response to Councilmember Daysog's inquiry, the RRAC Chair stated a general rule is that a 10% increase is acceptable in a rising rental situation; the sticker shock is the big issue; people have budgets; increasing rent on a routine basis if warranted is encouraged to prevent sticker shock.

Vice Mayor Ezzy Ashcraft stated that she is troubled that the RRAC was not able to resolve two cases this year.

Mayor Gilmore stated Mr. Costello is an upstanding business person who has been generous to the community; business people need to raise rents; however, meetings were not attended and the process was not followed; there is a lot to be said for communication.

Councilmember Daysog suggested the RRAC process be reviewed; stated Council needs information to make a decision; the situation of someone having low rent for many years should also be reviewed.

Councilmember Tam moved approval of the staff recommendation.

Councilmember Chen seconded the motion.

Under discussion, Mayor Gilmore inquired whether Mr. Costello would be interested in meeting with the RRAC, to which Mr. Costello responded in the negative.

On the call for the question, the motion carried by the following voice vote: Ayes:

Councilmembers Chen, Daysog, Tam and Mayor Gilmore – 4. Noes: Vice Mayor Ezzy Ashcraft – 1.

(13-474) Recommendation to Authorize the City Manager to Extend the Current Joint Use Operating Agreement with Alameda Unified School District for the Operation of the District Swimming Pools to a Date to be Determined by City Council.

The Recreation and Parks Director gave a brief presentation.

In response to Vice Mayor Ezzy Ashcraft's inquiry, the Recreation and Parks Director stated there is a typo in the Joint Use Operating Agreement which states the term is "one month"; the term can be whatever length the Council desires.

Mayor Gilmore clarified Council is here tonight to decide whether to extend the agreement and the length of the extension.

Councilmember Chen inquired if students swim during winter months.

Mayor Gilmore responded in the affirmative; noted audience members.

Councilmember Chen stated extending the agreement well past the next semester makes sense so kids can still have access to the pool.

Suggested a standing Ad Hoc Committee to deal with the swimming pools be set up: Ashley Jones, Alameda.

Mayor Gilmore stated a subcommittee of the City Council and the School Board discussed pools for the last two years; the current proposal is to renovate the Encinal pool.

Councilmember Tam stated the School District's consultant estimated renovation cost at \$1.9 million including design; the City agreed to pay \$750,000 from the capital improvement fund; the School District requested a loan from the City for the remaining funds; the City Council offered a loan to pay for the entire \$1.9 million.

Mayor Gilmore inquired how many years the pool would last.

The Recreation and Parks Director responded the new, competitive pool is estimated to last 30 years.

Expressed support for keeping the pools open: Barry Parker, Alameda.

Clarified how pools are used and when; stated keeping pools in Alameda is critical: Donald Krause, Alameda.

Stated that he is glad the agreement is moving forward: Kyle Baldi, Water Polo Coach.



Acknowledged staff's efforts: Trish Spencer, Alameda.

Urged continuing the legacy of swimming in Alameda: Linda Gilchrest, Alameda.

Councilmember Chen stated that he is not suggesting the pools would close at the end of the Joint Use Agreement; hopefully, there will be a solution either with the loan or a new facility.

Councilmember Tam inquired whether the School District would close the pools if there is no Joint Use Agreement.

School Board Member Trish Spencer responded that she could not speak on behalf of Board, however, she does not believe the pools will close if there is no agreement; stated there is a serious funding issue; District is dependent on the partnership with the City to keep the pools going.

Mr. Krause stated that he spoke to the School Superintendent and was told the District would try to keep the pools open for school purposes.

Councilmember Tam inquired whether school teams would be included, to which Mr. Krause responded in the affirmative.

Councilmember Tam inquired if the Superintendent indicated the pools would only be open for school teams.

Mr. Krause responded in the affirmative; stated the Islander's and the Master's work with the Recreation Department, not the School District.

Vice Mayor Ezzy Ashcraft cited the education code sections of the Joint Use Agreement that authorizes public entities to cooperate with one another to organize, promote and conduct programs for community recreation; stated the board of any school district is authorized to grant the use of any building, grounds or equipment of the district to any other public authority for community recreational purposes.

Mr. Krause concurred with Vice Mayor Ezzy Ashcraft; stated that he understands the his understanding of the reasons the District would not allow pool use is partly budgetary; the District would lose half the operating costs [paid by the City] and does not have the infrastructure to rent pools.

The City Manager asked the Recreation and Parks Director to clarify the City's revenue and expenses from the swim programs.

The Recreation and Parks Director stated the City and the District both spend about \$150,000 each for total of \$300,000 per year; the City receives about \$26,000 to \$30,000 per year in revenue.

Mayor Gilmore inquired if the City is operating the pools at a loss, to which the City Manager responded in the affirmative.

Vice Mayor Ezzy Ashcraft stated the language in the agreement does not require the District to only allow school teams to swim.

The City Manager stated there is not a legal requirement; the District would be making a budgetary choice against other potential priorities; the City has proposed a master leasing in the past; the current proposal would cost the City more than \$2 million, some of which is coming out of the equipment budget.

Mayor Gilmore stated funds are also coming out of the capital improvement budget and the General Fund.

The City Manager suggested the Council consider extending the Joint Use Agreement until the end of next September, rather than the end of the school year to include summer programs; the Joint Use Agreement is not being extended in perpetuity because a different set of agreements will be required if an agreement to rebuild the Encinal pool is reached; staff was suggesting a four month extension, in order to allow time to reach a deal.

Mayor Gilmore stated that she is hopeful an agreement will be reached with the District for the new pool at Encinal; she is in favor of extending the Joint Use Agreement for a shorter term until February.

Vice Mayor Ezzy Ashcraft stated that she would like to take the pressure off the swim community.

Councilmember Chen concurred with Vice Mayor Ezzy Ashcraft; stated that he hopes the swim community attends the School Board meetings with the same passion and vigor; both parties have to agree to the terms.

Councilmember Daysog thanked the swimming community for holding Council's feet to the fire; stated exploring a long term pool solution is important; the capital equipment fund is limited.

The City Manager stated staff is committed to a solution; the best and most cost effective solution is to rehabilitate the Encinal pool; both the District and the City have budgetary issues; other financing needs to be found if a conclusion cannot be reached premised upon the City fronting \$2 million.

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Councilmember Tam left the dais at 9:23 p.m. and returned at 9:25 p.m.

\* \* \*

Mayor Gilmore concurred with the City Manager; stated the City is committed to serving the swim community; that she is frustrated about the deal not being able to be closed; the longer the wait, the more likely one of the pools will breakdown beyond repair.

Councilmember Chen stated the term should be extended through September.

Vice Mayor Ezzy Ashcraft moved approval of authorizing the City Manager to extend the current Joint Use Operating Agreement with AUSD for the operation of the District's swimming pools to September of 2014, but with no further extensions beyond that date.

Councilmember Tam stated she would rather not include a caveat about no further extensions; inquired whether the City could modify the agreement if an agreement is reached and there will be a new facility

The Recreation and Parks Director responded in the affirmative; stated a revised agreement could be brought to the Council.

The City Manager proposed Councilmembers include the specific date, September 30, 2014.

Vice Mayor Ezzy Ashcraft revised her motion to authorize the City Manager to extend the current Joint Use Operating Agreement with AUSD for the operation of the District swimming pools to September 30, 2014.

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

(13-475) Report on Sale of 2013 Certificates of Participation and General Obligation Bonds.

The Finance Director gave a brief presentation.

Councilmember Chen congratulated staff and the past administration for achieving a AA rating.

The Finance Director stated the City of Alameda has the highest ratings of all the cities in Alameda County.

Councilmember Daysog moved approval of the staff recommendation.

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

(13-476) Recommendation to Authorize Sole Source Procurement and Award a Contract in the Amount of \$291,000, Including Contingencies, to Brown Reynolds Watford (BRW) Architects to Provide Professional Services for the Design, Construction Documents, and Contract Management for the Emergency Operations Center (EOC).

The Interim Public Works Director gave a brief presentation.

In response to Vice Mayor Ezzy Ashcraft inquiry about the library, the Interim Public Works Director stated the construction was done via sole source contract.

Councilmember Tam requested an explanation of Charter Section 3-15, which requires a great necessity or emergency requires immediate action.

Vice Mayor Ezzy inquired why the paragraph is in the staff report if the City is proceeding with a contract.

The Interim Public Works Director responded the report should read “without a procurement”; apologized for the misinformation; stated “great necessity” is the urgency of constructing a new EOC as soon as possible; staff believes the existing EOC is functionally inadequate to handle an emergency

Councilmember Tam stated the contract with BRW is plans, not construction.

The Interim Public Works Director stated hopefully, plans will be presented to the Planning Board early spring and start construction in September 2014; when 90% of drawings are complete, the project would go out to bid.

Councilmember Chen inquired if going out for a Request for Proposals (RFP) would delay the process by many months, to which the Interim Public Work Director responded in the affirmative; stated an RFP would be issued for the design and construction on the fire station.

Councilmember Chen inquired whether the \$242,000 is a fair rate.

The Interim Public Works Director responded in the affirmative; stated \$242,000 is 10% of the estimated construction costs; architect fees range from 8% to 12%; the facility is sophisticated; the fee is well within range.

Vice Mayor Ezzy Ashcraft inquired who did the cost estimate.

The Public Works Director responded the cost estimate was done originally by BRW.

Vice Mayor Ezzy Ashcraft stated the cost estimate was done by the same entity that staff is suggesting hiring.

The Interim Public Works Director stated that he double checked the cost estimate.

Mayor Gilmore stated the Interim Public Works Director was under instructions to take a very sharp look at the cost estimate and to bring the cost of the facility down; a prior Council set aside \$400,000 for the design of Fire Station 3 and the EOC; she suspects bidding was done in pieces because there was not enough money; if the City had the

funding when the original RFP went out, the entire project would have been bid as a package.

The Interim Public Works Director and City Manager stated the Mayor is correct.

Councilmember Tam stated the fund is coming from the capital improvement program which is the same fund that will be used for the \$750,000 for the pools; further stated the City would be borrowing money since Measure C did not pass.

Councilmember Chen moved approval of the staff recommendation.

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

(13-477) Recommendation to Approve Evaluation Criteria for Alameda Point Development Proposals.

The Chief Operating Officer – Alameda Point and the City Manager gave a brief presentation.

Councilmember Daysog stated there are shades of grey between different elements by which development projects are measured; that he thought it would be very helpful, and he would really push for, a blue ribbon task force to help with the evaluation process.

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Councilmember Chen left the dais at 10:13 p.m. and returned at 10:14 p.m.

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Vice Mayor Ezzy Ashcraft questioned the need for a task force since there has already been a lot of public involvement over the years; stated what is wanted in the end is a long term vision for a truly integrated development, which also meets the financially sustainable criteria; there is such an opportunity at Alameda Point; there should not just be mediocre development to bring lots of revenue; a high bar should be set in the design and kinds of clients to attract; if the City starts attracting high quality clients, others will follow.

Councilmember Tam stated she was hoping to see priority development areas.

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(13-478) Councilmember Chen moved approval of continuing past 10:30 p.m.

Vice Mayor Ezzy Ashcraft seconded the motion, which carried by a voice vote – 4 ayes. Noes – 1 (Councilmember Tam).

The City Clerk clarified the motion was to consider the remaining agenda items, to which there was no objection.

\* \* \*

Mayor Gilmore stated the issues a blue ribbon committee would consider are not different than those the Planning Board considers; the Planning Board makes determinations, balances competing interests and reviews grey areas; they are taking public input at those meetings, in order to have a recommendation to the City Council; she agreed with Vice Mayor Ezzy Ashcraft; a blue ribbon committee would add an unnecessary layer to the approval process; addressed negotiations with developers being done in public; stated there is a specific exception under the Brown Act that allows negotiation in closed session for real estate; that she cannot foresee a situation where the City would want to negotiate with a developer in public; the public should rest assured that the agreement comes to the City Council in public for people to review and comment on.

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Vice Mayor Ezzy Ashcraft left the dais at 10:28 p.m. and returned at 10:33 p.m.

\* \* \*

Councilmember Daysog stated a blue ribbon committee of volunteers as proposals could make judgments and recommendations about the grey areas in the development proposal process; staff has elements to evaluate different proposals; a blue ribbon committee could help staff and the City Council vet elements

Mayor Gilmore inquired why a developer would spend time, effort, energy, and money to showcase a project to a citizen group before there has been any indication whatsoever as to whether or not the City Council is interested in the project.

Councilmember Daysog responded staff would be interested in the project; the blue ribbon committee will be the first eyes of staff or the first eyes on behalf of City Council.

Mayor Gilmore inquired whether Councilmember Daysog would want the blue ribbon committee to make decisions about whether or not a developer gets to the City Council.

Councilmember Daysog responded the buck always stops and starts with City Council; having extra helpers, especially with large project, is helpful; having more people involved in the early development evaluation process does not hurt; in the long run, the City Council has a lot of experience with projects; however, the Council is just five people; forming a more formal blue ribbon committee would be great.

Mayor Gilmore stated that she thinks convincing a developer to come before a blue ribbon committee on the front end would be difficult.

Councilmember Tam inquired if Councilmember Daysog is suggesting that prospective developers meet with staff and the blue ribbon task force in lieu of an RFP process.

Councilmember Daysog responded that he was not making a comment for or against a competitive RFP process.

Urged more specific criteria be developed and the process be broadened: Chuck Kapelke, Alameda.

The City Manager stated the he disagrees; the criteria rely on various documents which were developed over a long and exhaustive planning process; the planning process needs to end; the “doing” process needs to start or the business cycle may be missed.

Mayor Gilmore concurred with the City Manager; stated particular things which the Council wants to see highlighted should be raised.

In response to Vice Mayor Ezzy Ashcraft, the Chief Operating Officer - Alameda Point stated the City requires any public/private partnership to have a minimum LEED certification; the Town Center Plan sustainability requirements and guidelines will be vetted through the Planning Board and City Council; campuses or universities can be made a priority.

Vice Mayor Ezzy Ashcraft stated the project has been in the San Francisco Business Times; however, reaching out to campuses interested in expanding might make sense; suggested selection be based on experience or track record of creating jobs and attracting top tier businesses.

The Chief Operating Officer - Alameda Point stated a criteria could be added to

evaluate a developer's qualification and track record; criteria for high quality businesses is more subjective and may need more direction; the architectural standards and form based code are going to be in the detailed plans for some areas and can be incorporated.

The City Manager stated a campus or research facility as an incubator is fine; however, there are tax issues; negotiating in lieu payments is a problem, because proposals should not be discussed in the event it does not pan out.

In response to Councilmember Tam's inquiry, the City Manager stated bringing a campus to Alameda Point is difficult financially; the only location which makes sense would be the adaptive reuse area.

Councilmember Tam stated the City Manager touched on the granularity that she would like to see; housing allocations at the historic district or the adaptive reuse area should be consciously discussed and prioritized; focus should not be about whether buildings are architecturally appropriate or LEED certified; instead, there should be more about the overall strategy.

The Chief Operating Officer - Alameda Point stated staff has listened to direction to focus on a major retail and/or campus user; at the same time, there has been indication housing options should be pursued on a parallel track; requested clarification for the evaluation criteria.

Councilmember Tam stated there has been a lot of good discussion about the Town Center creating a sense of place and being a transit oriented village; there is a good cohesive plan; the area should be a priority; market rate residential areas should pay for infrastructure and can be a lower priority.

The City Manager stated staff understood said direction from the September 25<sup>th</sup> meeting.

Councilmember Tam stated that she did not see the direction reflected in the criteria.

The City Manager stated the documents are different; a disposition strategy was previously discussed; the evaluation criteria does not need to address priority order, rather the criteria is a guide for judging projects.

Councilmember Tam stated the criteria and the disposition strategy should be coordinated.

The City Manager stated the disposition strategy is used to review and determine how to proceed with the entire Base; specific proposals would be measured against the evaluation criteria.



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(13-479) Councilmember Daysog moved approval of continuing the meeting past 11:00 p.m.

Vice Mayor Ezzy Ashcraft seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Daysog, Ezzy Ashcraft and Mayor Gilmore – 3. Noes: Councilmembers Chen and Tam – 2.

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The City Manager proposed that staff bring the matter back to Council on November 5<sup>th</sup>.

Mayor Gilmore requested Council to provide feedback to staff; stated the matter would return on November 5<sup>th</sup>.

#### CITY MANAGER COMMUNICATIONS

(13-480) The City Manager announced that a bicycle tour would be held on November 2<sup>nd</sup>; announced AC Transit would hold public hearings on October 16<sup>th</sup> in Richmond and October 23<sup>rd</sup> at AC Transit general offices regarding fare changes.

#### ORAL COMMUNICATIONS, NON-AGENDA

None.

#### COUNCIL REFERRALS

None.

#### COUNCIL COMMUNICATIONS

(13-481) Consideration of Mayor's Appointment to the West Alameda Transportation Demand Management Association.

Mayor Gilmore appointed Randy Rentschler.

#### ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 11:01 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 15, 2013- -6:00 P.M.

Mayor Gilmore convened the meeting at 5:36 p.m.

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

[Note: Councilmember Chen arrived at 6:06 p.m. and Councilmember Daysog arrived at 6:09 p.m.]

Absent: None.

The meeting was adjourned to Closed Session to consider:

(13-455) Conference with Real Property Negotiators (54956.8); Property: Alameda Point; Negotiator: John Russo, City Manager; Negotiating party: Charles Company; Under negotiation: Price and terms of payment

(13-456) Conference with Real Property Negotiators (54956.8); Property: Alameda Point; Negotiator: John Russo, City Manager; Negotiating party: Debartolo; Under negotiation: Price and terms of payment

(13-457) 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)

(13-458) Public Employee Performance Evaluation; Pursuant to Government Code § 54957; Position Evaluated: City Attorney - Janet Kern

Following the Closed Session the meeting was reconvened and Mayor Gilmore announced that regarding Charles Company, the Council gave direction to staff; regarding Debartolo, the Council gave direction to staff; and regarding Anticipated Litigation, Council gave direction to staff.

\* \* \*

Mayor Gilmore called a recess at 7:17 p.m. and reconvened the meeting at 11:05 p.m.

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Following the Closed Session the meeting was reconvened and Mayor Gilmore announced that regarding Performance Evaluation, the meeting was continued.

Adjournment

There being no further business, Mayor Gilmore adjourned the meeting at 11:56 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

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

**UNAPPROVED**  
MINUTES OF THE SPECIAL SUCCESSOR AGENCY OF THE  
COMMUNITY IMPROVEMENT COMMISSION (SACIC) MEETING  
TUESDAY- -OCTOBER 15, 2013- -7:01 P.M.

Chair Gilmore convened the meeting at 11:01 p.m.

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

Absent: None.

ORAL COMMUNICATIONS, NON-AGENDA

None.

AGENDA ITEMS

(13-018) Recommendation to Approve the Long-Range Property Management Plan.

The Acting Community Development Director gave a brief presentation.

Agency Member Ezzy Ashcraft moved approval of the staff recommendation.

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

ADJOURNMENT

There being no further business, Chair Gilmore adjourned the meeting at 11:02 p.m.

Respectfully submitted,

Lara Weisiger  
Secretary, SACIC

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