

APPROVED
MINUTES OF THE REGULAR MEETING OF THE
ALAMEDA REUSE AND REDEVELOPMENT AUTHORITY
Wednesday, November 3, 2010

The meeting convened at 7:29 p.m. with Chair Johnson presiding.

1. ROLL CALL

Present: Chair Beverly Johnson
Boardmember Lena Tam
Boardmember Frank Matarrese
Boardmember Marie Gilmore
Vice Chair Doug deHaan

2. CONSENT CALENDAR

2-A. Approve the minutes of the Regular Meeting of October 6, 2010.

Member Matarrese moved for approval of the Consent Calendar. Vice Chair deHaan seconded the motion, which carried by unanimous voice vote - 5

3. REGULAR AGENDA ITEMS

3-A. Consider Request from Alameda Point Collaborative to Support their Community Planning Efforts by Reimbursing Unpaid SunCal Consultant Expenses and Collateralizing a \$50,000 Loan for Relocation Planning Studies Should Funds from Private Development Be Unavailable within 36 Months.

The Deputy City Manager – Development Services provided an overview of the staff report. Chair Johnson inquired if the expenditure is considered a predevelopment cost for SunCal, to which the Deputy City Manager – Development Services answered in the affirmative. Chair Johnson inquired if staff has made efforts to have SunCal fulfill their commitment for payment. The Deputy City Manager – Development Services explained that the Alameda Point Collaborative (APC) has tried diligently, without success, to have SunCal fulfill its commitment.

Chair Johnson recommended continued efforts to pursue SunCal and inquired why funds from the SunCal escrow account are not being used to pay this bill. The Executive Director explained that the predevelopment escrow account is for obligations that SunCal has to the City and that the terms of the escrow account do not allow the City to direct the escrow agent to pay any invoices. Also, the City cannot interfere in the contractual relationship between SunCal and APC.

Doug Biggs, Executive Director of APC further explained that he has contacted SunCal multiple times to request payment, and the responses provided no resolution to the problem and payments have not been made. Chair Johnson asked Mr. Biggs if APC has filed a lawsuit against SunCal to collect the funds owed. Mr. Biggs explained that the contract SunCal required APC sign has a no-lawsuit clause and that APC would have to go through mediation. Chair Johnson inquired whether APC has demanded mediation pursuant to its contract, to which Mr. Biggs responded in the negative. Chair Johnson recommended that APC go through the binding arbitration process.

Member Matarrese commented that SunCal had no problem spending approximately \$50,000 on an election mailer a month ago. Member Matarrese supports APC's request, but would like to require that APC start the proceedings on their contractual remedy to the outstanding bill.

Member Gilmore requested an update and report on the status of the predevelopment costs, and of the ARRA budget. The Deputy City Manager – Development Services informed Member Gilmore and the Board that staff will incorporate the ARRA budget and Predevelopment costs information into the update/staff report that will be presented to the Board in January.

Vice Chair deHaan inquired how the APC will pay back a \$50,000 loan. Mr. Biggs explained that the Project Implementation Loan (PIL) is from the Corporation for Supportive Housing. Traditionally, these loans are paid off by development fees, but since the development plans for Alameda Point are uncertain at this time, APC is asking the City to back them up.

The Deputy City Manager – Development Services stated that the predevelopment planning cost will be wrapped into the total cost of the project and financed through every available funding source to make the consolidation and relocation work.

Speakers: Jon Spangler spoke in support of APC's request.

Member Matarrese motioned to approve the recommendation to collateralize \$50,000 for the pursuit of the planning study, with the requirement that the APC formally invoke their remedy in their contract in pursuit of reimbursement by SunCal. Member Matarrese also requested that the work done by the contractor be under public domain so that it is not proprietary to APC since it is being underwritten by the ARRA. Vice Chair deHaan seconded the motion, which carried by unanimous voice vote - 5

4. ORAL REPORTS

4-A. Oral report from Member Matarrese, Restoration Advisory Board (RAB) representative - Highlights of October 7 Alameda Point RAB Meeting.

Member Matarrese did not attend the October 7th meeting but will attend the RAB meeting on Nov. 4. Member Matarrese provided comments on Dr. Russell's highlights, stating that most of the activities described are actual remediation activities. He called particular attention to the record of decision on Site 2 which is the southwest portion of the base. There was discussion of a cap and cover for that contamination. Member Matarrese would like Dr. Russell to recommend a strategy to make sure anything that is radioactive is removed from Site 2.

5. ORAL COMMUNICATIONS, NON-AGENDA (PUBLIC COMMENT)

There were no speakers.

6. EXECUTIVE DIRECTOR COMMUNICATIONS

6-A. Presentation on Request for Qualifications for a Resource Team for Redevelopment of Alameda Point.

The Deputy City Manager – Development Services gave a brief summary on steps staff is taking to move the going forward process. In the next week or two, staff will send out a Request for Qualifications (RFQ) for land use planning, urban design, sustainable green design and infrastructure planning, civil engineering, transportation planning, fiscal impact land use

economics and financial analysis, adaptive reuse and historic preservation. Staff will leverage other citywide planning efforts that are already funded through other sources and that are concurrent with the Alameda Point planning process.

Vice Chair deHaan inquired what the timeframe for the consultants will be and which City staff will be on the Resource Team. The Deputy City Manager – Development Services responded that it is a two-tiered planning process. The first tier gets the project to June -- in order to start the 18-24 mo. CEQA process, and the NEPA process, a project description will be needed. The second tier is the entitlement approval process. The Executive Director stated that the staff members on the team will include the Executive Director (Ann Marie Gallant), Deputy City Manager – Development Services (Jennifer Ott), Planning Services Manager (Andrew Thomas), and the Public Works Director (Matt Naclerio).

Member Gilmore inquired about the funding sources for this Resource Team. The Executive Director stated that the funding sources include grants, other regulatory agency support, ARRA lease revenues, and funds from the CIC.

The presentation was for information only. No action was required.

6-B. Alameda Point Community Forums Reminder.

The Deputy City Manager – Development Services summarized the Alameda Point Community Forums schedule as follows: Tues. 11/9 at Grand Pavilion, Thurs. 11/18 at Mastick Senior Center, and Wed. 12/8 at the O'Club. In Jan 2011, there will be a tenant forum, and in February, a business and economic development forum is scheduled. All meetings are from 6:30 p.m. – 8:30 p.m.

Attendees will be asked to participate in small group discussions related to key topics, including land use, parks and open space, transportation and access, architecture character and building types, historic character, and adaptive reuse. Then everyone will participate in an exercise discussing community benefits. An extensive workbook will be posted on the new Alameda Point Redevelopment website at www.alamedapoint-goingforward.com

7. REFERRALS FROM THE GOVERNING BODY

None.

8. COMMUNICATIONS FROM THE GOVERNING BODY

None.

9. ADJOURNMENT

Meeting was adjourned at 8:20 p.m. by Chair Johnson.

Respectfully submitted,

Irma Glidden
ARRA Secretary