

MINUTES OF THE SPECIAL JOINT CITY COUNCIL
AND SUCCESSOR AGENCY OF THE COMMUNITY
IMPROVEMENT COMMISSION (SACIC) MEETING
TUESDAY- -DECEMBER 17, 2013- -6:59 P.M.

Mayor/Chair Gilmore convened the meeting at 7:15 p.m. Councilmember/Agency Member Tam led the Pledge of Allegiance.

ROLL CALL - Present: Councilmember/Agency Members Daysog, Ezzy Ashcraft, Tam and Mayor/Chair Gilmore – 4.

Absent: Councilmember/Agency Member Chen - 1.

ORAL COMMUNICATIONS, NON-AGENDA

None.

CONSENT CALENDAR

Councilmember/Agency Member Tam moved approval of the Consent Calendar.

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

(*13-562 CC/13-025 SACIC) Minutes of the Special Successor Agency to the Community Improvement Commission (SACIC) Meeting Held on October 15, 2013; and the Special Joint City Council and SACIC Meetings Held on November 5, 2013 and November 19, 2013. Approved.

(*13-563 CC) Recommendation to Accept the First Quarter Financial Report for the Period Ending September 30, 2013. Accepted.

ADJOURNMENT

There being no further business, Chair Gilmore adjourned the meeting at 7:18 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk
Secretary, SACIC

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

UNAPPROVED
MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -DECEMBER 17, 2013- -6:00 P.M.

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

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

[Note: Councilmember Daysog arrived at 6:02 p.m.]

Absent: Councilmember Chen – 1.

Public Comment

Discussed Del Monte's interest in Building 77, which is currently the home of the Alameda Naval Air Museum; urged the Air Museum be kept informed: Carol Gottstein, Alameda.

The meeting was adjourned to Closed Session to consider:

(13-558) 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)

(13-559) 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)

(13-560) Conference with Real Property Negotiators (54956.8); Property: 707 West Tower Avenue (Building 9), 650 West Tower Avenue (Building 41), Building 77; Negotiator: Jennifer Ott, Chief Operating Officer Alameda Point; Negotiating party: Del Monte Corporation; Under negotiation: Price and terms of payment

(13-561) Public Employee Performance Evaluations Pursuant to Government Code § 54957; Positions Evaluated: City Attorney - Janet Kern; City Clerk – Lara Weisiger; and City Manager – John Russo

Following the Closed Session the meeting was reconvened and Mayor Gilmore announced that regarding Real Property, direction was given to staff; and regarding Anticipated Litigation, direction was given to staff.

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Mayor Gilmore called a recess at 7:10 p.m. and reconvened the meeting at 10:35 p.m.

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Following the Closed Session the meeting was reconvened and Mayor Gilmore announced that regarding Initiation of litigation, direction was given to staff; and regarding Performance Evaluations, no action was taken.

Adjournment

There being no further business, Mayor Gilmore adjourned the meeting at 11:46 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 17, 2013- -7:00 P.M.

Mayor Gilmore convened the meeting at 7:18 p.m. Councilmember Tam led the Pledge of Allegiance.

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

Absent: Councilmember Chen - 1.

AGENDA CHANGES

(13-564) Mayor Gilmore announced that the resolution Amending Master Fee resolution [paragraph no. 13-578] would be continued to January 21, 2014 and the Reimbursement Agreement with VF Outdoor [paragraph no. 13-579] would be considered first under the Regular Agenda Items.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY & ANNOUNCEMENTS

None.

ORAL COMMUNICATIONS, NON-AGENDA

(13-565) Eleanor Wiley, Alameda, urged the City to review bus stop changes more carefully; stated Alameda is being asked to solve Oakland and Berkeley problems; Alameda does not face the same safety issues.

CONSENT CALENDAR

Councilmember Tam moved approval of the Consent Calendar.

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

(*13-566) Minutes of the Special and Regular City Council Meetings Held on November 19, 2013. Approved.

(*13-567) Ratified bills in the amount of \$1,568,834.49.

(*13-568) Recommendation to Accept the Quarterly Sales Tax Report for the Period Ending June 30, 2013 Collected During the Period Ending September 30, 2013. Accepted.

(*13-569) Recommendation to Accept the Treasury Report for the Quarter Ended September 30, 2013. Accepted.

(*13-570) Recommendation to Accept the Citywide Development Fee and Fleet Industrial Supply Center (FISC)/Catellus Traffic Fee Report. Accepted.

(*13-571) Recommendation to Accept the Police and Fire Services Fee Report. Accepted.

(*13-572) Recommendation to Accept the Special Tax and Local Bond Measure Annual Report. Accepted.

(*13-573) Recommendation to Accept the Annual Report for the Public Art Fund. Accepted.

(*13-574) Recommendation to Authorize the City Manager to Enter into Purchase Agreements Not to Exceed \$66,000 for the Replacement of Two Recreation and Park Vehicles. Accepted.

(*13-575) Summary: Award a One-Year Contract (with Options for Four One-Year Renewals) for Landscaping Maintenance Services at Marina Village to Trimacs Company.

Recommendation to Award a Contract in the Amount of \$47,370 to Trimacs for Landscape Maintenance of the Public Areas within Landscape and Lighting Assessment District 84-2, Zone 6, Marina Village, Permit an Annual Extension on a Year-to-Year Basis for up to Four Additional Years at the Sole Discretion of the Public Works Director, Based Upon Satisfactory Performance of all Aspects of the Contract, and Allocate \$9,474 in Contingencies.

(*13-576) Resolution No. 14875, "Setting the 2014 Regular City Council Meeting Dates." Adopted.

(*13-577) Resolution No. 14876, "Accepting Membership into the Rockefeller Foundation's 100 Resilient Cities Network which Includes Support Hiring the Mayor's Resiliency Officer, as well as Support Planning and Implementing Resiliency Efforts." Adopted.

REGULAR AGENDA ITEMS

(13-578) Adoption of Resolution_Amending Master Fee Resolution 12191 to Add and Revise Recreation and Park Fees. Continued to January 21, 2014.

(13-579) Recommendation to Authorize the City Manager to Negotiate and Execute an Amendment to the Reimbursement Agreement with VF Outdoor to Increase the Reimbursement Cap by \$1 Million, for a Total Reimbursement not to Exceed \$2 Million,

for Development of Phases 2 and 3, and Relocation of the Company's Warranty/Rapid Prototyping Operation.

The Community Development Director gave a brief presentation.

Vice Mayor Ezzy Ashcraft inquired if the City would capture sales tax revenue as part of VF Outdoor's strategy.

The Community Development Director responded in the affirmative; stated the City is eligible to receive sales tax relative to VF Outdoor's e-commerce activity.

Councilmember Tam stated that she is pleased with VF Outdoor's expansion plans; demand for amenities in the business park would increase; the VF Outdoors facility is environmentally sustainable with a cafeteria and a gym; inquired whether employees would go to restaurants and surrounding areas, including the golf course.

The Community Development Director responded in the affirmative; stated there has been a request from VF Outdoor and other companies for more food trucks and additional options at Harbor Bay Business Park; amenities are hard to sustain without a threshold number of employees; as the employment base grows, opening more restaurants becomes easier; the Transient Occupancy Tax from the Hampton Inn is a good revenue source for the City; there will be more activity outside of the VF Outdoor campus.

Councilmember Tam inquired about VF Outdoor's history of corporate giving.

Scott Blechman, VF Outdoor, responded VF Outdoor is a good corporate citizen; a donation was recently made to the Alameda Education Foundation and would continue annually; stated there are various opportunities with the City; VF Outdoor is excited to bring jobs to Alameda; the expansion proposal provides an opportunity for funding to be fully approved by VF Outdoor's parent company.

Mayor Gilmore stated VF Outdoor has a gorgeous campus; that she looks forward to a fruitful partnership for years to come.

Councilmember Daysog stated the expansion of VF Outdoor is a wise investment for economic growth; that he supports the opportunity.

Councilmember Tam moved approval of staff recommendation.

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

(13-580) Resolution No. 14877, "Amending Master Fee Resolution 12191 to Revise Fire Fees." Adopted.

The Fire Chief provided a handout and gave a brief presentation.

Mayor Gilmore inquired if the revised fees are for advanced life support, to which the Fire Chief responded in the affirmative.

In response to Councilmember Tam's inquiry, the Fire Chief stated there is a \$700 negative because the City does not often collect the full amount due to Medicare, Medical, and private insurance offsets.

Councilmember Tam inquired if cost recovery is under 75%.

The Fire Chief responded in the negative; stated the Department's cost recovery is actually at 80%, which has significantly increased over the last three years.

Vice Mayor Ezzy Ashcraft inquired if the transport costs difference would come from both the EMS and Operations budget, to which the Fire Chief responded in the affirmative.

Vice Mayor Ezzy Ashcraft moved adoption of the resolution.

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

(13-581) Public Hearing to Consider an Appeal of the Transportation Commission's Decision to Relocate a Line 51 Bus Stop at the Northeast Corner of Santa Clara Avenue at Willow Street to the Northwest Corner, as Recommended by AC Transit for the Line 51 Corridor Delay Reduction and Sustainability Project Improvements; and

(13-581A) Resolution No. 14878, "Overturning the Transportation Commission Approval of AC Transit Line 51 Project Improvements on Santa Clara Avenue at Willow Street." Adopted.

The Assistant City Manager gave a brief presentation.

Michael Cordell, Appellant, submitted petitions and a map and gave a brief presentation.

Councilmember Tam inquired whether an Alameda Police Officer stated bus stops invite crime.

Mr. Cordell responded in the affirmative; stated that he recalls an Officer saying there is an element of crime at bus stops, including loitering and graffiti; he has had to call the Police several times and has witnessed suspicious activity at the bus stop.

Councilmember Tam stated the Council receives Police incident reports which indicate the crime near bus stops are mostly cell phone thefts, not the incidents Mr. Cordell

described.

Councilmember Tam inquired if relocating the bus stop would impede the fire hydrant, to which the Fire Chief responded in the negative.

Councilmember Daysog inquired if Mr. Cordell is the owner of the house where the proposed bus stop would be relocated, to which Mr. Cordell responded in the negative; stated his mother-in-law owns the house.

Robert Del Rosario, AC Transit, gave a Power Point Presentation.

Vice Mayor Ezzy Ashcraft inquired whether increasing efficiency is AC Transit's primary motivation to move the bus stop.

Mr. Del Rosario responded efficiency and safety concerns are the primary motivation.

Vice Mayor Ezzy Ashcraft inquired if there have been any collisions with AC Transit buses and pedestrians.

Mr. Del Rosario responded in the negative; stated Alameda has not had any serious accidents.

Vice Mayor Ezzy Ashcraft inquired if AC Transit is proposing to move the fire hydrant or mail box, to which Mr. Del Rosario responded in the negative.

In response to Vice Mayor Ezzy Ashcraft inquiry, Mr. Del Rosario stated the safety of pedestrians crossing in front of buses is due to cars going around buses, not bus drivers.

Vice Mayor Ezzy Ashcraft inquired if the morning drop-off at Haight School was evaluated, to which Mr. Del Rosario responded in the negative; stated that he does not believe the queue or cars would extend to the bus stop location.

In response to Councilmember Daysog's inquiry regarding average miles per hour (mph), Mr. Del Rosario stated Bus 51's average is 9.5 mph in Alameda and the whole line average is 12 mph.

Councilmember Tam stated relocating the bus stop to the far side would allow the bus to pull to the curb for handicap access, make it safer for passengers and speed up service; requested the differences be described.

Mr. Del Rosario stated buses have to pull in front of parked cars to pull in flush on the near side; often times, buses are at an angle, which is called nosing in; deploying wheelchair ramps becomes difficult for buses; the far side intersection allows the bus to be as flush to the curb as possible.

Vice Mayor Ezzy Ashcraft inquired the length of buses, to which Mr. Del Rosario responded 40 feet.

Vice Mayor Ezzy Ashcraft inquired whether extending the red zone would help, to which Mr. Del Rosario responded in the affirmative.

Stated the intersection is very dangerous and moving the bus stop would not help: Demeter Lamb, Alameda.

Stated bus stacking would block the intersection: Erin Cordell, Alameda.

Stated a four-way stop sign would be better: Arlette Walls, Alameda.

Stated a four-way stop sign would be better; noted the current bus stop is long enough: Lauri Costigan-Krueger, Alameda.

Expressed support for the appeal; stated the length of the current red zone is good: Sunita Miles, Alameda.

Expressed support for the appeal: Slavka Thomson, Alameda.

Stated having a four-way stop sign would be great: Donovan Rittenbach, Alameda.

Stated the crosswalk is dangerous; double-length buses would block both driveways and the intersection if the stop is moved; noted that she would rather cross in front of the bus: Holly Hoover, Alameda.

Expressed concern about parking: Michael John Torrey, Alameda.

Mayor Gilmore inquired how many parking spaces would be removed if the stop is relocated, to which Mr. Del Rosario responded three spots would be lost on the far side and would be replaced on the near side.

Mayor Gilmore requested clarification on bus stacking.

Mr. Del Rosario stated stacking occurs due to poorly timed routes, which might occur with a school pick-up or full bus; buses go a slower pace; other buses catch up with the previous bus; AC Transit is trying to improve on-time performance.

Mayor Gilmore stated residents are concerned about what happens when buses stack and block driveways.

Mr. Del Rosario responded 40-foot and 60-foot buses would straddle the driveway for 15 to 20 seconds when stopped.

Councilmember Tam inquired if ridership includes parents taking kids to school.

Mr. Del Rosario responded that he does not know; noted 131 riders board at the bus stop and 49 get off.

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Councilmember Tam left the dais at 8:57 p.m. and returned at 8:59 p.m.

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Vice Mayor Ezzy Ashcraft inquired how many miles is the entire route, to which Mr. Del Rosario responded 16 miles from the Berkeley Marina to Fruitvale BART.

Vice Mayor Ezzy Ashcraft inquired whether AC Transit was looking to save six seconds per stop, to which Mr. Del Rosario responded in the affirmative; stated six seconds would be saved per bus stop.

Mayor Gilmore inquired whether bus stop accidents are a result of buses hitting pedestrians; to which Mr. Del Rosario responded in the negative; stated accidents involved cars going around buses and hitting pedestrians.

Councilmember Daysog inquired whether the City would pay for the bus stop relocation, to which Mr. Del Rosario responded in the negative; stated AC Transit would bear the full cost of the project.

Mayor Gilmore clarified the four-way stop issue is not before the Council tonight; stated the current matter is to decide whether or not to move the bus stop.

Vice Mayor Ezzy Ashcraft moved adoption of the resolution overturning the Transportation Commission's decision.

Councilmember Daysog seconded the motion.

Under discussion, Councilmember Tam stated that she feels the far side scenario works better, but is persuaded that the community is familiar with the current bus stop location.

Mayor Gilmore stated that she understands the safety concern; however, she is bothered that the site visit was done in the afternoon, not during the morning peak time.

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

(13-582) Public Hearing to Consider an Appeal of the Transportation Commission's Decision to Not Install an All-Way Stop Control at the Intersection of San Jose Avenue and Regent Street; and

(13-582A) Resolution No. 14879, "Upholding Transportation Commission's Decisions of

October 23, 2013 Regarding Improvements to San Jose Avenue at Regent Street.” Adopted.

Mary Claire Newman, Appellant, submitted petitions and gave a brief presentation.

The Assistant Engineer gave a brief presentation.

Mayor Gilmore inquired how residents and the public would be informed of the height limit of cars six feet or taller.

The Assistant Engineer responded signs would be posted and residents within 300 feet of the said intersection would be notified.

Vice Mayor Ezzy Ashcraft inquired enforcing height limit restrictions is realistic.

The Assistant Engineer responded in the affirmative, stated parking enforcement would patrol the area and regularly issue citations.

Vice Mayor Ezzy Ashcraft inquired whether there would be a grace period before citations are issued.

The Assistant Engineer responded in the affirmative; stated a neighborhood speed watch program could be put in place; volunteer residents could assist the Police Department in collecting license plate data; warning notices would be sent to drivers; the program is a great tool which empowers the neighborhood.

Councilmember Tam inquired what improvements could be expected and what causes congestion and accidents if not speeding.

The Assistant Engineer responded adding 130 feet of visibility and imposing the vehicle height limit would be a significant improvement; stated the underlying problem is visibility; the 85% speed is 27 mph.

Councilmember Tam inquired whether any of the 240 citations issued during a major speeding crackdown were at the intersection.

The Police Sergeant responded in the negative; stated Police Officers focused on major intersections; San Jose Avenue was not included; however, he patrolled the San Jose Avenue intersection during peak time; the highest speed he observed was 29 mph.

Councilmember Daysog inquired if Council could accept the staff recommendation and revisit the matter later, to which the City Attorney responded in the affirmative.

Stated visibility and parking are critical: Joseph Camara, Alameda.

Expressed concern over children walking to school: Samuel Elliott, Alameda.

Expressed support for the appeal: Rebecca Lenk, Alameda.

Stated that he supports the appeal; there are constant near misses and speeding; visibility is an issue: Neil Heyden, Alameda.

Discussed accidents and her close call; urged approval of a four-way stop: Alka Ram, Alameda.

Vice Mayor Ezzy Ashcraft stated the Transportation Commission and staff provided a sound recommendations; everyone's concern is visibility.

Vice Mayor Ezzy Ashcraft moved adoption of the resolution upholding the Transportation Commission's decision.

Councilmember Tam seconded the motion.

Under discussion, Councilmember Daysog stated traffic safety is important; the matter should return to Council in 18 months to two years.

Councilmember Tam stated the lack of visibility seems to be the root cause of the problem; that she supports a neighborhood speed watch program to involve residents.

Mayor Gilmore stated the issue should return to the Council in a year to 18 months with more data.

Vice Mayor Ezzy Ashcraft suggested the matter return to Council in one year.

The City Engineer stated typically, review is done after two years.

In response to Vice Mayor Ezzy Ashcraft's inquiry about a grace period before a citations are issued, the Police Sergeant stated warnings are issued by placing a notice on the vehicle windshield.

The Assistant City Manager stated the notices regarding the height limit would include notification about the two-year review.

Councilmember Daysog stated the metrics he is interested in is whether residents feel safer.

Councilmember Tam concurred with Councilmember Daysog.

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

(13-583) Presentation on Fiscal Impact Analysis of Alameda Point.

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

Mayor Gilmore stated that she appreciates staff acknowledging phasing is crucial to attempt to match expenses with revenues; the project will be \$2 million in the black at the end of build out; there are uses for the money which do not involve creating anything new.

Councilmember Tam stated that she appreciates the report and learning about assumptions; recommended having a sensitivity analysis on the revenues; she and Mayor Gilmore worked on a transfer tax increase in 2008 which was a major revenue source for the City in 2009 when Towne Centre changed hands.

The Chief Operating Officer – Alameda Point concurred with Councilmember Tam's recommendation to complete a sensitivity analysis; stated staff would select the highest revenues, determine whether certain assumption change, and calculate how changes impact the bottom line; a static property transfer tax is assumed at build out; as land turns over, there will be positive revenue due to ownership transferring from public to private.

Vice Mayor Ezzy Ashcraft inquired whether State legislation is required if an Infrastructure Financing District (IFD) is used.

The Chief Operating Officer – Alameda Point responded in the affirmative; stated assumptions are based on the current status; there is not an IFD mechanism; IFDs are not allowed in previous redevelopment areas; hopefully, legislation will be approved by the State next year.

Vice Mayor Ezzy Ashcraft inquired if Alameda County Measure B has a sunset date.

The Finance Director responded in the affirmative; stated Measure B reauthorization would be on the November 2014 ballot; he believes the sunset date is 30 years.

The City Manager stated the sunset date may be 20 years.

Councilmember Daysog stated that he supports a sensitivity analysis; inquired if a new Fire Station could be located at Atlantic Avenue and Main Street to serve Alameda Point and West End residents and replace the Fire Station on Pacific Avenue and Webster Street.

The Fire Chief responded a new Fire Station is a possibility; stated major concerns need to be analyzed; Insurance Services Organization (ISO) requirements need to be followed; Alameda is close to becoming a Class 1 city, which would upgrade insurance ratings; the other concern is response times.

CITY MANAGER COMMUNICATIONS

None.

ORAL COMMUNICATIONS, NON-AGENDA

(13-584) Irma Garcia, Alameda, stated an anti-terrorism team should be formed and discussed hazardous cargo.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(13-585) Consideration of the Mayor's Appointments to the Community Oversight and Reporting Committee (CORC) formed by the 2002 Settlement Agreement with the Port of Oakland to Address Airport Issues.

Mayor Gilmore appointed Dave Needle and Alan Tai.

(13-586) Councilmember Daysog stated the holiday lights on Webster Street are beautiful.

(13-587) Mayor Gilmore wished everyone happy and healthy holidays.

ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 10:27 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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