



# City of Alameda

## Meeting Agenda

### City Council

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Tuesday, December 19, 2017

7:00 PM

City Hall, 2263 Santa Clara Avenue, Council  
Chambers, 3rd Floor, Alameda CA 94501

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#### **SPECIAL MEETING - CLOSED SESSION - 5:00 P.M.**

- 1 Roll Call - City Council
- 2 Public Comment on Closed Session Items - Anyone wishing to address the Council on closed session items may speak for 3 minutes per item
- 3 Adjournment to Closed Session to consider:
  - 3-A [2017-4997](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Initiation of litigation pursuant to subdivision (c) of Section 54956.9 of the Government Code  
Number of cases: Three (As Plaintiff - City Initiating Legal Action)
- 4 Announcement of Action Taken in Closed Session, if any
- 5 Adjournment - City Council

#### **SPECIAL JOINT MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE COMMUNITY IMPROVEMENT COMMISSION (SACIC) - 6:59 P.M.**

##### **Pledge of Allegiance**

- 1 Roll Call - City Council, SACIC
- 2 Oral Communications, Non-Agenda (Public Comment) - Speakers may address the Council/Agency regarding any matter not on the agenda
- 3 Consent Calendar - Items are routine and will be approved by one motion unless removal is requested by the Council/Agency or the public
  - 3-A [2017-4971](#) Recommendation to Accept the First Quarter Financial Report for the Period Ending September 30, 2017. [City Council and SACIC]  
(Finance 2410)  
**Attachments:** [Exhibit 1 - First Quarter Financial Report](#)
  - 3-B [2017-4961](#) Recommendation to Accept the Investment Report for the Quarter

Ending September 30, 2017. [City Council and SACIC] (Finance 2410)

**Attachments:** [Exhibit 1 - Quarterly Investment Report](#)

**4 Adjournment - City Council, SACIC**

**REGULAR CITY COUNCIL MEETING - 7:00 P.M.**

**1 Roll Call - City Council**

**2 Agenda Changes**

**3 Proclamations, Special Orders of the Day and Announcements**

**3-A** [2017-4999](#) Proclamation Declaring December 19, 2017 as Nick Pereira Day. (City Manager 2110)

**4 Oral Communications, Non-Agenda (Public Comment) - A limited number of speakers may address the Council regarding any matter not on the agenda; limited to 15 minutes; additional public comment addressed under Section 8**

**5 Consent Calendar - Items are routine and will be approved by one motion unless removal is requested by the Council or the public**

**5-A** [2017-5032](#) Minutes of the Regular City Council Meeting Held on November 21, 2017. (City Clerk 2210)

**5-B** [2017-5033](#) Bills for Ratification. (Finance)

**Attachments:** [Bills for Ratification](#)

**5-C** [2017-4865](#) Recommendation to Accept the Quarterly Sales Tax Report for the Board of Equalization Period Ending September 30, 2017 (Funds Collected During the Period April 1, 2017 to June 30, 2017). (Finance 2410)

**Attachments:** [Exhibit 1 - Quarterly Sales Tax Report](#)

**5-D** [2017-4984](#) Recommendation to Accept the 2013 Local Library Bond Measure Annual Report. (Finance 2410)

**Attachments:** [Exhibit 1 - General Obligation Bonds Annual Report](#)

**5-E** [2017-4985](#) Recommendation to Accept the Police and Fire Construction Impact Fee Annual Report. (Finance 2410)

**Attachments:** [Exhibit 1 - Police and Fire Construction Impact Fee Report](#)

**5-F** [2017-4986](#) Recommendation to Accept the Development Impact Fee and Fleet

Industrial Supply Center (FISC)/Catellus Traffic Fee Report. (Finance 2410)

**Attachments:** [Exhibit 1 - Development Impact Fees Report](#)  
[Exhibit 2 - Traffic Impact Fee Report](#)

- 5-G**     [2017-4987](#)     Recommendation to Accept and File the Community Facilities District (CFD) No. 03-1 (Bayport Municipal Services District) Report for the Fiscal Year (FY) Ending June 30, 2017; the CFD No. 13-1 (Alameda Landing Public Improvements) Report for Fiscal Year Ending June 30, 2017; the CFD No. 13-2 (Alameda Landing Municipal Services District) Report for Fiscal Year Ending June 30, 2017; and the CFD District No. 14-1 (Marine Cove II) Report for Fiscal Year Ending June 30, 2017. (Finance 2410)

**Attachments:** [Exhibit 1 - CFD Annual Reports](#)

- 5-H**     [2017-4993](#)     Recommendation to Accept the Annual Review of the Affordable Housing Ordinance and the City's Affordable Housing Unit Fee Consistent with Section 27-1 of the Alameda Municipal Code and California Government Code Section 66001, and Accept the Annual Affordable Housing Unit Fee Fund Activity Report. (Housing 266)

**Attachments:** [Exhibit 1 - Affordable Housing Unit Fee Report](#)

- 5-I**     [2017-4972](#)     Recommendation to Award a Five-Year Agreement for an Amount not to Exceed a Total Five-Year Expenditure of \$276,285, to Turbo Data Systems for Parking Citation Processing and Collection Services. (Police 3123)

**Attachments:** [Exhibit 1 - Turbo Data Contract](#)  
[Exhibit 2 - Alameda Annual Estimate](#)

- 5-J**     [2017-4929](#)     Adoption of Resolution Amending the 15-Year Concession Agreement, with a 10-Year Renewal Option, with Dialemi, Inc. (known as Jim's on the Course), for the Provision of Food and Beverage Service at the Chuck Corica Golf Complex. (Recreation 5301)

**Attachments:** [Exhibit 1 - First Amendment](#)  
[Exhibit 2 - Concession Agreement](#)  
[Resolution](#)

- 5-K**     [2017-4962](#)     Adoption of Resolution Declaring Results of Special Election in Community Facilities District No. 13-1 (Alameda Landing Public Improvements), Determining that Alteration of the Rate and Method of Apportionment of Special Taxes for the District is Lawfully Authorized, and Directing Recording of a Third Amendment to Notice of Special Tax Lien. (Community Development 256)

**Attachments:** [Resolution](#)

- 5-L**     [2017-4998](#)     Adoption of Resolution Authorizing the City Manager to Execute a Cooperation Agreement between Eden Housing, Inc., a California Corporation, and the City of Alameda for Compliance with the Requirements of a Grant Application Under the Affordable Housing and Sustainable Communities Funding Program for the 70-Unit Family Affordable Housing Project on Block 8 within Site A at Alameda Point and for the Cross Alameda Trail Segment along Ralph Appezzato Memorial Parkway. (Base Reuse 819099)

**Attachments:**   [Exhibit 1 - Cooperation Agreement Resolution](#)

- 5-M**     [2017-5029](#)     Final Passage of Ordinance Amending the Alameda Municipal Code by Repealing Section 30-5.15 (Medical Marijuana Dispensaries and Cultivation) in its Entirety and Adding a New Section 30-10 (Cannabis). (City Manager 1010)

## **6        Regular Agenda Items**

- 6-A**     [2017-4967](#)     Introduction of Ordinance Approving a Real Estate Exchange Agreement between the City of Alameda ("City") and PUR Atlantic LLC ("PUR Atlantic") to Exchange Approximately 820 Square Feet of City Owned Property for Approximately 2,173 Square Feet of PUR Atlantic Owned Property in Order to Facilitate Construction of the Cross Alameda Trail Project along Ralph Appezzato Memorial Parkway between Main and Webster Streets and Authorizing the City Manager to Execute Documents Necessary to Implement Its Terms. [Requires Four Affirmative Votes] (Transportation 91402)

**Attachments:**   [Exhibit 1 - Real Estate Exchange Agreement Ordinance](#)

- 6-B**     [2017-4800](#)     Public Hearing to Consider the following Ordinances and Resolutions to Govern the Future Development of the Encinal Terminals Property:

[\(180 minutes\)](#)

1) Adoption of Resolution Certifying the Final Environmental Impact Report (EIR), Adopting Findings and a Statement of Overriding Considerations, Mitigation Measures, and a Mitigation Monitoring and Reporting Program for the Encinal Terminals Project;

2) Introduction of Ordinance Approving a Development Agreement by and between the City of Alameda and Northern Waterfront Cove Partners, LLC Governing to Encinal Terminals Project for Real Property Located at 1521 Buena Vista Avenue (Authorizing a Public Trust Lands Exchange, Completion of the Clement Avenue Extension and Other Public Benefits) [Requires four affirmative votes];

3) Introduction of Ordinance Adopting the Encinal Terminals Master Plan and Density Bonus Application for Redevelopment of the Property Located at 1521 Buena Vista Avenue; and

4) Adoption of Resolution Approving a General Plan Amendment to Allow Building Heights Over 60 Feet at the Encinal Terminals Site. (Community Development 209)

**Attachments:** [Exhibit 1- Development Agreement and Exhibits](#)  
[Exhibit 2- Master Plan](#)  
[Exhibit 3 - Affordable Housing Density Bonus Application](#)  
[Exhibit 4 - Fiscal Impact Study](#)  
[Exhibit 5 - Final and Draft Supplemental EIR Reports and Mitigation Monitoring and Reporting Correspondence](#)  
[Resolution - EIR](#)  
[Ordinance - Development Agreement](#)  
[Ordinance - Master Plan and Density Bonus](#)  
[Resolution - General Plan Amendment](#)

**7 City Manager Communications - Communications from City Manager**

**7-A** [2017-4992](#) Update on Tracking of Council Direction through the Referral Process.

**8 Oral Communications, Non-Agenda (Public Comment) - Speakers may address the Council regarding any matter not on the agenda**

**9 Council Referrals - Matters placed on the agenda by a Councilmember may be acted upon or scheduled as a future agenda item**

**9-A** [2017-5017](#) Consider Directing Staff to Draft an Ordinance Requiring the Licensure of Tobacco Retailers, Including a Ban on the Sale of Menthol Cigarettes and Other Flavored Tobacco and Enacting an Annual Fee. (Councilmembers Matarrese and Oddie)

**Attachments:** [Oakland Children Smoking Prevention Ordinance, Adopted 9.19.17](#)  
[Flavored Tobacco Products Fact Sheet](#)  
[Tobacco Retailer License \(TRL\) Model Ordinance](#)  
[TRL Plug-In Policy Options](#)  
[Flavored Tobacco Products Ordinance](#)  
[Menthol Restrictions in Alameda](#)

**9-B** [2017-5018](#) Consider Directing Staff to: 1) Determine Whether Council Can Enact

an Ordinance to Pass Through a Portion of the Housing Program (Rent) Fee to Tenants; 2) Clarify the City's Collection Efforts for Landlords who do not Pay the Fee by December 31, 2017; and 3) Clarify that the Fee May be Passed Through as Part of a Rent Increase. (Mayor Spencer and Vice Mayor Vella)

**Attachments:** [Invoice](#)  
[Correspondence](#)

**9-C**     [2017-5019](#)     Consider Directing Staff to Provide Information on the Citywide Dockless Bike Sharing Program and Return to Council with Additional Safety Requirements. (Mayor Spencer and Vice Mayor Vella)

**Attachments:**   [LimeBike Agreement](#)

**10       Council Communications - Councilmembers can address any matter not on the agenda, including reporting on conferences or meetings**

**10-A**     [2017-4970](#)     Consideration of Mayor's Nominations to the Commission on Disability and Housing Authority Board of Commissioners.

**11       Adjournment - City Council**

- Time frames listed for agenda items are only estimates. Discussions on each item could take more or less time. Anyone interested in speaking is encouraged to arrive early rather than relying on the estimates.
- Translators and sign language interpreters will be available on request. Please contact the City Clerk at 510-747-4800 or TDD number 510-522-7538 at least 72 hours prior to the meeting to request a translator or interpreter.
- Equipment for the hearing impaired is available for public use. For assistance, please contact the City Clerk at 510-747-4800 or TDD number 510-522-7538 either prior to, or at, the Council meeting.
- Accessible seating for persons with disabilities, including those using wheelchairs, is available.
- Minutes of the meeting available in enlarged print.
- Video tapes of the meeting are available upon request.
- Please contact the City Clerk at 510-747-4800 or TDD number 510-522-7538 at least 48 hours prior to the meeting to request agenda materials in an alternative format, or any other reasonable accommodation that may be necessary to participate in and enjoy the benefits of the meeting.
- This meeting will be broadcast live on the City's website [www.alamedaca.gov/agendas](http://www.alamedaca.gov/agendas).
- Documents related to this agenda are available for public inspection and copying at the Office of the City Clerk, 2263 Santa Clara Avenue, Room 380, during normal business hours.

- **KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE:** Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City of Alameda exist to conduct the citizen of Alameda's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.
- **FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE OPEN GOVERNMENT COMMISSION:** the address is 2263 Santa Clara Avenue, Room 380, Alameda, CA, 94501; phone number is 510-747-4800; fax number is 510-865-4048, e-mail address is [lweisiger@alamedaca.gov](mailto:lweisiger@alamedaca.gov) and contact is Lara Weisiger, City Clerk.
- In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.