



## WATERFRONT COMMITTEE MINUTES

City Council Chambers  
September 6, 2007 – 7:30 pm.

### 1. CALL TO ORDER

### 2. ROLL CALL

Members Present:      Brian Parker                      Kathy Diehl  
                                    Bill Dann                              Clay Larson  
                                    Jerri Holan                            Eddy So

Members Absent:      Steve Granholm  
Staff Present:            Ann Chaney  
Others Present:         Don Neuwirth

### 3. APPROVAL OF MINUTES

#### 3-1. Approve minutes from July 5th meeting (Attachment 1)

Committee Members identified edits to minutes. Chaney will revise minutes for review at regular meeting in October.

### 4. PUBLIC COMMENT

### 5. REPORTS

#### 5-1. Burrowing Owl Habitat – Update

Chaney provided an update – staff met twice with EBRPD in August. Plans are being developed to meet specifications of EBRPD. Chaney distributed a map identifying where the fence would be located and the habitat area. Staff is currently compiling the cost estimate for the project including signage, construction, and monitoring of habitat. Chaney expects to seek permission from Council in October to take the project out to bid.

#### 5-2. Eagle Scout Project – Update

Staff met with Chris Gallegos to review bulletin board drawings. Staff provided some comments regarding drawings. Construction is not expected to start until November at the earliest. The Eagle Scout leader must review plans as well.

#### 5-3. Golden Gate Fields Resurfacing of Racetrack – Update

Chaney stated GGF is 10 days ahead of schedule, and will soon be bringing in track material. Diehl asked about the soil stockpiles and where the soil will be taken. Chaney stated GGF has been covering the stockpiles with plastic

covering. Soil will be removed from site. Chaney will identify where soil is being taken.

**5-4. Association of Bay Area Governments: Priority Conservation Area Designation Nomination Process – Update**

Chaney distributed a copy of the nomination documents that were submitted to ABAG.

**5-5. Beach Restoration - Update**

Chaney spoke with Jim Townsend at EBRPD, who indicated that EBRPD supports restoration of the beach, however the usage and management issues, particularly off-leash dogs, at the location complicate moving forward with restoration at this time.

Parker provided background stating that the item started out as a request for a picnic area, and EBRPD grew the idea into a restoration plan for the area with potential planning and funding assistance by Coastal Conservancy.

Parker suggests the city stay firm on pursuing the project.

**6. DISCUSSIONS AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS, WHICH COULD INCLUDE REPORTS AND/OR PROPOSED RESOLUTIONS IF ANY:**

**6-1. Review Draft Waterfront Planning Process report with Don Neuwirth**  
Neuwirth provided a summary of his draft report, stating that there appears to be a lot of agreement that the planning process should involve the entire waterfront, include consideration of aesthetics and resources, and be a fact-based process.

Neuwirth identified issues/concerns including:

- **Landowner participation.** Neuwirth met with GGF twice, but can't make a finding that Magna is interested in participating in process. Several of alternatives in report will require landowner participation.
- **Administrative/regulatory agencies:** several agencies will be involved; Neuwirth suggests all reviewing parties have an early inclusion in the process.
- **City capacity:** concern that City does not have capacity to be engaged in planning process when a GPA and housing element are scheduled within the next year.

Neuwirth identified four alternative scenarios within draft report:

**Scenario 1: Do nothing:** apparent lack of property owner commitment, and capacity of city staff resources at this time.

**Scenario 2: Fold waterfront planning process into General Plan process,** with a focus on waterfront property in Albany. Would require both an EIR and Measure C vote, and would result in a General Plan designation as the outcome. Advantages: would broaden interest of

**community who are interested in their neighborhood issues.**

**Disadvantage: neighborhood concerns might get lost in heated discussions regarding waterfront.**

**Scenario 3: Grounded visioning process to analyze resource constraints and opportunities of the site. Would not rely on property owner participation. Neuwirth not sure whether EIR would be required or a Measure C vote. Typically vision and non-specific plans do not require EIR.**

**Scenario 4: Specific Plan: more detailed than plans that have come up in the past. Developer/public benefit agreement would result, and would require EIR and Measure C vote.**

**Neuwirth will take item to Council in October. Encourages WFC to take comments directly to Council, but he will also incorporate WFC comments in presentation to Council.**

**Dann stated Measure C protects the waterfront and thinks it is important to keep the waterfront planning process separate.**

**Chaney provided an overview of upcoming planning items, the City will need to adopt a Housing element in 2009, it was also noted that GP was adopted in 1992 and runs to 2010.**

**Parker agrees more than one planning process going on could be difficult to staff and community. Supports waterfront planning process having priority over General Plan process.**

**Larson noted the grounded visioning plan appears to not include a substantial outcome.**

**Neuwirth replied that it would be a prospectus for future development proposals. Property resources could be outlined so future development proposals could have an idea of site constraints and what community's vision is for the area.**

**Larson would like the background statement "vulnerable to development" removed. So agrees.**

**So would like summaries of meetings with the various interest groups included within the document.**

**Diehl suggests describing the area as "inappropriated space", and leaving out unattractive.**

**Parker asked Neuwirth to comment on his assignment of cost estimates for the scenarios.**

**Neuwirth stated costs are based on his experience with large projects. An EIR process is typically costly. Estimates assume an efficient use of consultants.**

**Parker suggested Neuwirth clarify whether the various scenarios would trigger Measure C.**

**Chaney will work with City Attorney to identify when a Measure C vote would be required as part of each scenario.**

**Public Comment:**

**Carl Patroski: Suggests scenarios 2 & 3 should be flip-flopped**

**Edward Moore: Advocates thinking of waterfront as a unit and conduct cultural /historical landscape study. Suggests city pays attention to existing laws including City Charter, Municipal Code, etc.**

**Norman LaForce, Sierra Club: Albany voters have control over changing designation of land use because of Measure C. Scenario 2 & 4 don't make sense because City would be giving too much away to property owner. Suggests planning to identify what City wants at waterfront to negotiate with Magna. Supports getting information about property. Hiring financial consultant to identify ways to bargain with Magna.**

**Allan Maris: expressed concern that withholding candid comments made during meetings with Neuwirth and some interest groups doesn't achieve an open, transparent process.**

**Caryl O'keefe: stated that the Albany Waterfront Coalition supports their comments held during the meeting with Neuwirth being shared.**

**So suggested that community members not speaking out should be sought out to obtain a sense of what they want at the waterfront.**

**Larson: ABAG Conservation zone of waterfront has made it more difficult. Appears Neuwirth has implied a preference towards Scenario 1.**

**Parker recommended that this item be continued to the September 18<sup>th</sup> meeting so the Committee can form input. Parker was contacted by Preston Jordan regarding a presentation on Instant Runoff Voting for September 18<sup>th</sup>.**

**Diehl motioned a special meeting be held on September 18<sup>th</sup> to further discuss Neuwirth's report and formulate recommendations. Seconded by Parker, unanimously approved. If there appears to not be a quorum, Parker will identify another date for a special meeting.**

**6-2. Interim Bay Trail**

**Chaney stated Mayor Lieber's letter asked that the city and EBRPD continue to take active steps towards pursuing an interim bay trail. Parker stated he discussed the item with Mayor Lieber and there is a concern that EBRPD staff may not have received the letter. Chaney stated she will research and resend letter to staff if necessary.**

**7. ANNOUNCEMENTS/COMMUNICATIONS**

**7.1. Coastal Cleanup Day: Saturday, September 15<sup>th</sup> 9 AM – Noon**

**Parker distributed a status report on Magna's current operations and proposals to close various racetracks.**

**8. FUTURE AGENDA ITEMS**

**9. ADJOURNMENT**