Exhibit 3

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-15-09

APPROVING DEVELOPMENT PLAN AND DENSITY BONUS WAIVER (PLN 15-0017) FOR A 68 ACRE MIXED USE DEVELOPMENT PLAN IN THE WATERFRONT TOWN CENTER PLAN AREA REFERED TO AS "SITE A" AT ALAMEDA POINT

WHEREAS, an application was made on March 17, 2015 by Alameda Point Partners (APP), for a Development Plan for 68 acres at Alameda Point referred to as "Site A," which is within the Town Center Plan area of the Alameda Point Project; and

WHEREAS, by Resolution No. 14891 the City Council of the City of Alameda certified the Final Alameda Point Environmental Impact Report (FEIR) (State Clearinghouse No. 201312043) under the California Environmental Quality Act ("CEQA"), California Public Resources Code Section 21000 *et seq*. and adopted written findings and a Mitigation Monitoring and Reporting Program ("MMRP") on February 4, 2014, for the Alameda Point Project, including the Town Center Plan area which contains Site A; and

WHEREAS, the proposed Development Plan for Site A consists of 800 multi-family residential units, up to 600,000 square feet of retail, hotel, and commercial uses, which would occupy new buildings and repurposed existing buildings, 13.35 acres of parks and open space, new and replacement utilities and infrastructure, and new streets and streetscape improvements; and

WHEREAS, the Site A is designated as Mixed Use in the General Plan; and

WHEREAS, the Site A is located within the Alameda Point Waterfront Town Center Sub-district (WTC Sub-district); which is in the Alameda Point District [Alameda Municipal Code (AMC) 30-4.24] of the Zoning Ordinance and

WHEREAS, the WTC Sub-district requires a Master Plan for the WTC Sub-district, which was prepared and approved on July 15, 2014 (Town Center Plan) and relied on the FEIR;

WHEREAS, the Town Center Plan requires that the Planning Board approve a Development Plan application prior to redevelopment and reuse of Site A;

WHEREAS, the Town Center Plan is a Specific Plan pursuant to Government Code Section 65450 et seq. for a transit-oriented development of the waterfront lands that surround the Seaplane Lagoon and the property at the entrance of Alameda Point between Main Street and Seaplane Lagoon;

WHEREAS, the Town Center Plan requires an application for Density Bonus and a waiver of the multifamily prohibition in AMC 30-53 for proposals to construct multi-family housing;

WHEREAS, the City Council having certified the FEIR for the Alameda Point Project and the Town Center Plan containing Site A, staff has prepared an Environmental Checklist for Streamlined Review, which documents the application of the criteria for streamlining in Public

Resources Code Section 21083.3 and CEQA Guidelines Section 15183 and concludes, based on substantial evidence, that no further review under CEQA is required; and

WHEREAS, the Planning Board held a public hearing on March 23rd , April 27th, and May 11th, 2015, for this Development Plan and Density Bonus waiver application, and examined pertinent maps, drawings, and documents;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the following findings can be made in support of the Development Plan:

1. **The development is an effective use of the site**. The Development Plan provides for the construction of new public infrastructure improvements, including mainline underground utilities, street surface and circulation, open space and park landscape and hardscape improvements, which create a network of bicycle and pedestrian paths that extend the Bay Trail, create public transit to help mitigate traffic impacts. The Development Plan provides effective redevelopment and reuse of Site A, which has been substantially vacant since the departure of the United States Navy (Navy) from the site in 1996. The Development Plan achieves City policy goals and objectives to create a mixed use, transit oriented development supported by new infrastructure, streets, parks and public open spaces.

2. **The proposed use is consistent with the General Plan**. The Development Plan supports General Plan policies for the development of Alameda Point and helps balance jobs and housing through the provision of rental, for sale, affordable housing options, retail, commercial, office, hotel development, R&D and live/work opportunities that help create an economically balanced mixed-use project. The Development Plan also provides for new public parks and open spaces, including the core of the Town Center to be used for public gatherings and events and the creation of passive and active outdoor recreational opportunities. It includes a mix of uses including affordable housing, mixed use residential uses with ground floor retail uses public waterfront parks, and job generating businesses to replace the jobs lost with the departure of the Navy and. The Development Plan also supports the General Plan policy objectives to replace deteriorating infrastructure and streets with transit oriented complete streets and public transportation facilities and services.

3. **The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy**. The proposed mix of uses and physical improvements will support a transit oriented mixed use community that is designed to minimize transportation impacts on the Alameda community, eliminate existing blighted conditions and buildings on the site, and replace substandard storm water, potable water, fire water, wastewater, and other essential utility and other facilities that do not meet current State or local codes, are not able to be owned and maintained by the local utility companies in their current form, and contribute to ongoing pollution in the San Francisco Bay. The proposed Development Plan is designed to be compatible with adjacent future uses by providing attractive improvements and pedestrian and bicycle amenities and with transit services contemplated in the approved Alameda Point Transportation Demand Management

Plan (TDM Plan). The Development Plan is also subject to the environmental protections and mitigations imposed by the FEIR, federal biological requirements stemming out of the U.S. Fish and Wildlife Service Biological Opinion, and coordination with the historic preservation requirements stemming out of the NAS Alameda Historic District designation.

4. **The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development**. The Development Plan is designed to provide compatible residential land uses with the adjacent existing Bayport residential neighborhood; compatible mixed-use development adjacent to the mix of commercial uses within the NAS Alameda Historic District; open spaces, transit infrastructure and parks to support the Alameda Point Collaborative and future residents within the adjacent Main Street neighborhood to the north and the surrounding Alameda community; and essential infrastructure, ferry terminal improvements, and commercial services to support the existing and future businesses and employers within the Enterprise Sub-district to the south of the site.

5. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The Development Plan provides for a comprehensive network of complete streets to support a transit oriented mixed use district and planned transit connections between downtown Oakland and BART, and a future ferry terminal at the foot of Pacific Avenue immediately to the south of the project site and the existing ferry terminal at the northern edge of Alameda Point. The Development Plan is also conditioned to require that property owners will provide dedicated financial support to expand transit services to users of the property and other transportation demand management services and programs consistent with the TDM Plan.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Board finds that the following findings can be made in support of the Density Bonus Waiver:

1. **The proposal qualifies for density bonuses, concessions and incentives and waivers pursuant to State of California Government Code 65915 and Alameda Municipal Code Section 30-17.** The proposed development plan includes 200 affordable units, including 48 very low income units (6%), 80 low income units (10%) and 72 moderate income units (9%), which qualifies the proposal under California Government Code and AMC section 30-17 for waivers from development standards that physically preclude the development of the property with the number of units proposed for the property.

2. **Pursuant to the Density Bonus Ordinance (AMC 30-17.12), the proposal is consistent with, and qualifies for, a requested waiver from AMC Sections 30-50 thru 30-53 Multiple Dwelling Units Prohibited.** AMC Section 30-53 prohibits multifamily housing in Alameda, including Site A. Section 30-53 therefore prohibits the applicant from developing a mixed use transit oriented development plan consistent with the Town Center Plan, and physically precludes the construction of 800 multifamily

units on the site consistent with the requirements of the Town Center Plan. The requested waiver would not have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of section 65589.5, upon health, safety, or physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without increasing the potential impact of the project on the historic resource. Finally, the requested development standard waiver would not be contrary to state or federal law.

BE IT FURTHER RESOLVED that the Planning Board finds that the Alameda Point Project, including the Town Center Plan containing Site A, was adequately considered by FEIR, and that:

1. The Site A project is consistent with the General Plan, Zoning Ordinance, and Town Center Plan; and

2. The FEIR was certified by the City Council for the Alameda Point Project, including amendments to the General Plan and Zoning Ordinance, as well as the Town Center Plan; and

3. There are no environmental impacts peculiar to Site A that were not analyzed in the FEIR, or any such impact can be substantially mitigated by imposition of uniformly applied development policies or standards previously adopted by the City; and

4. There are no significant effects of the Site A project that were not analyzed as significant effects in the FEIR; and

5. There are no potentially significant off-site impacts of the proposed Site A project and there are no cumulative impacts to which the proposed Site A project makes a considerable contribution which were not discussed in the FEIR; and

6. There are no previously identified significant impacts of the proposed Site A project which, as a result of substantial new information which was not known at the time the EIR was certified, have been determined to have a more severe adverse impact than discussed in the FEIR.

BE IT FURTHER RESOLVED, that pursuant to the streamlining provisions of Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183, no further environmental review of the Development Plan is required;

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda hereby approves Development Plan PLN 15-0117, subject to the following conditions:

1. Building Permit Plans: The plans submitted for the Building Permit shall be in substantial compliance with the plans prepared by BAR Architects dated May 11, 2015, on file in the office of the City of Alameda Community Development Department.

2. Vesting: This Development Plan approval shall expire and become void unless actual construction under valid permits has commenced within two years after this approval or unless this Development Plan is vested for a longer period than two years by a Development Agreement or other vesting document.

3. CEQA: Prior to issuance of a building permit or site improvement permit, the applicant shall submit a Mitigation Measure Compliance Checklist confirming compliance with all required environmental mitigation measures contained in the MMRP adopted by the Alameda City Council on February 4, 2014, for the redevelopment and reuse of Alameda Point, including Site A.

4. Phase Zero Plan. The conditions included in this resolution are not designed for, and shall not apply to, Phase Zero Plan activities. Phase Zero Plan activities shall be reviewed and approved as set forth in the Disposition and Development Agreement (DDA), which provides that prior to issuance of building permits for new construction or approval of the infrastructure improvement plans, the City Council will review, approve and impose applicable conditions on Phase Zero Plan activities.

5. Subdivision Maps: Prior to issuance of building permits for new construction or approval of the infrastructure improvement plans, the applicant shall submit a Tentative Subdivision Map or Tentative Parcel Map for each phase of development for review and approval by the Planning Board and City Council. Such map shall be consistent with the Development Plan and the DDA, and subject to the requirements of the AMC, and Alameda Point Master Infrastructure Plan (MIP), and such maps shall provide the dimensions of all proposed rights of way, public open space, and development parcels and include the proposed site grading, drainage improvements and utility and infrastructure phasing.

6. Infrastructure Improvement Plans: Prior to issuance of a building permit or site improvement permit, the applicant shall submit an infrastructure improvement plan for the improvement of the on-site and adjacent off-site streets, open space, waste water, storm water, potable water, recycled water, power, natural gas, and communications facilities for each phase of development. The improvement plans shall be reviewed for consistency with the DDA, and subject to the requirements of the MIP and AMC. The plans shall be prepared, signed and stamped as approved by a registered civil engineer licensed in the State of California. The engineer shall also assume responsibility for inspection of the on-site construction work, including but not limited to parking lots, pathways, storm facilities and, sewer facilities, and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first, that the installation of the on-site work (excluding the building and foundation) was constructed in accordance with the approved plans. All required public frontage and street improvements shall be designed, built, and dedicated to the City in accordance with City ordinances, Public Works Department standards and the Subdivision Improvement Agreement entered into by the Developer and the City with respect to such improvements and shall include curbs, gutters, sidewalks, street trees, storm water treatment controls, landscaping and irrigation, streetlights, etc.

7. Affordable Housing: Prior to the issuance of the first building permit for vertical improvements for new construction, the project applicant shall execute an Affordable

Housing Agreement with the City of Alameda. The Affordable Housing Agreement will require, in part, phased construction of 200 residential units affordable to very low-, low- and moderate-income households. The project will provide 72 moderate-income units and 128 low-income and very-low income units.

8. Commercial Uses. All commercial land uses within Site A shall be consistent with the land use requirements of the Alameda Point Town Center and Waterfront Plan, except that: a) any hotel proposed for Site A must be a full-service hotel, which shall be defined as a hotel with a minimum of one hundred (100) sleeping rooms, containing a full service restaurant providing three meals per day and room service, and including at least one indoor and one outdoor recreational amenity. Hotels not meeting the definition of full service shall not be permitted in Site A; and b) commercial uses proposed on blocks number 10, 15, 16, and 17 shall be subject to the commercial mixed use (CMU) requirements of the Town Center and Waterfront Plan.

9. Parks and Open Space Plans. Final parks and open space plans shall be consistent with the Alameda Recreation and Parks Design Specifications. The landscape, hardscape, and irrigation plans for improvements in open space and parks that will be maintained by the City, shall be prepared, signed and stamped as approved by a licensed landscape architect. All design for construction or improvements to parks and open space, including shoreline flood and sea-level rise protection improvements, require review by the Recreation and Park Commission, approval by the Recreation and Parks Director, and design review by the Planning Board.

10. Architectural Design Diversity: The applicant/developer shall ensure a diversity of design within Site A. The same architectural firm shall not be responsible for the design review plans of any two facing blocks, but the same architectural firm may prepare the construction level drawings, except that the same architectural firm may be responsible for the design development of all commercial/retail buildings on Block 10, the two new buildings on Parcels 12a and 13, and/or the rehabilitation of the two existing warehouse buildings on blocks 15 and 16.

11. Neighborhood Collaboration: Development of Site A shall include features that provide cohesion and promote comfortable access between Site A and the Main Street Planning Area while respecting each individual neighborhood. The project applicant shall work with the "Collaborating Partners" for Alameda Point (Alameda Point Collaborative, Operation Dignity, and Building Futures for Women and Children) on identifying features to be incorporated into the Tower Avenue edge of Site A to achieve the above objectives.

12. Design Review Approval: Prior to issuance of any building permit or site improvement permit in preparation of vertical development, the applicant shall submit an application for Design Review and approval by the Planning Board. The Design Review application shall include any buildings, landscape improvements, open spaces and parks, and/or parking lots proposed for the area to be improved. All building plans and site improvement plans submitted for permits shall be reviewed for compliance with the Design Review findings of AMC Section 30-36 and 37 by the City of Alameda Planning Board.

13. Residential Design Review Applications: The Design Review submittals for residential buildings shall include, but not be limited to:

    a. Density Bonus Waivers Submittal. A submittal of floor plans, elevations, and other documents required pursuant to the Density Bonus Ordinance.
    b. Universal Design Submittal: A detailed description of all universal design elements to be included to accommodate future residents and visitors with mobility issues and/or disabilities consistent with the description provided in the Development Plan.
    c. Automobile Parking: Drawings and text adequate to determine consistency with the maximum permitted parking ratios described in AMC 30-4.24 G.xi. Table B Allowed Land Uses and Off-Street Parking Requirements and ensure that all residential uses will not result in more than 1,200 private parking spaces for residential uses within the project. The applicant/developer shall submit the improvement plans for the on-site parking facilities to the Public Works Department and Fire Department with the submission of the Design Review application. The Design Review plans shall specify the number of parking spaces to be equipped with electric charging stations. All parking garage structures shall allow for cost-effective expansion of electric car charging stations to additional stalls as demand warrants. Residential structures shall meet the latest applicable codes as they relate to electric car charging. Townhome garages shall be easily adaptable to provide a 240VAC outlet for electric vehicle charging.

14. All Design Review Applications: All Design Review submittals shall include, but not be limited to:

    a. Final Building Footprint: The design review plans for each building shall establish the final building footprint for each building, which shall be reviewed for consistency with the Town Center Plan.
    b. LEED or Green Point Rating: A description of all design elements to be included to ensure compliance with AMC Section 13-19 and the Town Center Plan requiring either: a minimum LEED™ Certified rating and be so certified by the US Green Building Council or a minimum Green Point Rated score of fifty (50) and be so verified by Build It Green. The project shall also have a LEED™-Accredited Professional or a Certified Green Building Professional as a principal member of the design team from the beginning of the project. The project shall meet as many LEED credits, or Green Point Rated measures as practicable and is required to complete and submit the LEED or Green Point checklist as a way of documenting the green building practices that have been incorporated into the project.

    c. Sea Level Rise: A description of the improvements to shall ensure that any new habitable buildings be constructed at a minimum elevation of 24 inches above the 100-year tidal flood plan elevation.
    d. Solar Ready: A description of all improvements to ensure that all structures shall be designed to be "solar ready" and meet the latest Title 24 Building Standards and all applicable codes as they relate to Solar PV. At a minimum, Solar PV wiring conduit, required penetrations and a solar zone on the roof shall be provided.
    e. Automobile Parking: Drawings and text adequate to determine consistency with the maximum permitted parking ratios described in AMC 30-4.24 G.xi. Table B Allowed

Land Uses and Off-Street Parking Requirements. The applicant/developer shall submit the improvement plans for the on-site parking facilities to the Public Works Department and Fire Department for review prior to submission of the Design Review application. The Design Review plans shall specify the number of parking spaces to be equipped with electric charging stations. All parking garage structures shall allow for cost-effective expansion of electric car charging stations to additional stalls as demand warrants.

f. Bicycle Parking: Final bicycle parking plan consistent with AMC-7.15 Bicycle Parking.

g. Landscape Plans: Final landscape plans shall be consistent with the Cultural Landscape Guidelines for those portions of Site A within or directly adjacent to the NAS Alameda Historic District, and AMC Section 30-58 Water Conservation and Bay Friendly Landscaping Requirements. The landscape and irrigation plans for improvements in the public right- of-way shall include all shoreline flood protection and sea-level rise protection improvements, as required by the MIP, be prepared, signed and stamped as approved by a licensed landscape architect and civil engineer for flood and sea-level rise protection improvements, and shall be in accordance with the City's Bay Friendly Landscaping requirements, the Master Street Tree Plan, the AMC, conditions of approval by the Planning Board, and other regional jurisdictions requirements, as applicable.

15. The first Design Review application for town homes on Blocks 6 or 7 shall include alternative design concepts for Planning Board review and approval for:
    a. The entry monuments, public art, and/or gateway structures proposed for the Main Street entry consistent with the character images shown in the Development Plan that relate to the history of the former Naval Air Station Alameda.
    b. The north-south paseos, which should include at least one alternative that would allow for automobile access for guest parking or delivery truck access through the blocks.
    c. Alternative design concepts for the east-west pedestrian corridor shown through Blocks 6, 7, and 8 such that there is not a single linear corridor extending across all three blocks.

16. The Design Review application for Block 11 shall ensure that the south west corner of the block provides an attractive, pedestrian friendly elevation facing the public waterfront park and Historic District.

17. NAS Alameda Historic District Certificate of Approval: Prior to issuance of a building permit or site improvement permit, for any portion of the 68-acre site within or immediately adjacent to the NAS Alameda Historic District, the applicant shall submit all final proposed changes to the cultural landscape to the Historical Advisory Board for review and approval. All building plans and site improvement plans submitted for permits within the NAS Historic District shall be reviewed for compliance with the NAS Alameda Historic District and Cultural Landscape Guidelines, the Secretary of Interior Standards for the Rehabilitation of Historic Structures, and AMC Section 13-21 Preservation of Historical and Cultural Resources by the City of Alameda Historical Advisory Board.

18. Biological Regulations and On-Site Lighting: Prior to issuance of a design review, building

or site improvement permit, the applicant shall submit a Biological Opinion Compliance Checklist confirming compliance with all required conditions set forth in the Declaration of Restrictions for the Former Naval Air Station Alameda (Declaration) consistent with the Biological Opinion issued by the U.S. Department of Fish and Wildlife, and Exhibit C of the Memorandum of Agreement between the City of Alameda and Department of Veteran's Affairs (Alameda Point Lighting Mitigation Measures).

19. Public Trust Exchange Act and Agreements: All use of land and buildings and new construction on Public Trust Lands shall be subject to the public trust for commerce, navigation and fisheries and shall be reviewed for consistency with the Naval Air Station Alameda Public Trust Exchange Act, Chapter 734, Statutes of 2000, as amended by Chapter 429, Statutes of 2011 and the Naval Air Station Alameda Exchange Agreement regarding Public Trust Lands at Alameda Point.

20. Parking Management Plan: Unless completed as part of the TDM Compliance Strategy, prior to issuance of the first Occupancy Permit, the project applicant and/or property owner shall submit a Parking Management Plan for Planning Board review and approval. The plan will address the management and pricing of public and private on-site spaces and public on-street parking and public parking lots and structures.

21. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Community Development Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director, or his designee. Major modifications that are not consistent with this development plan or these conditions shall be subject to review and approval of the Planning Board.

22. Other Agency Approvals: Prior to issuance of building permit(s) for work within jurisdictional lands, the applicant shall provide evidence that all required approvals, permits, or waivers from Bay Conservation and Development Commission (BCDC), Regional Water Quality Control Board (RWQCB), including a possible 401 Certification for the construction of a stormwater outfall, and/or the Army Corp. of Engineers, if any, have been obtained. The final improvement plans shall incorporate all other agency requirements.

Subdivision

23. Subdivision Improvement Agreement: To guarantee completion of the required on-site and off-site improvements consistent with the MIP and DDA, the applicant/developer shall enter into an agreement with the City and provide security in a form and amount acceptable to the City prior to approval of the phased improvements plans and/or parcel/final map for each phase of development.

    In addition, the following is required as part of the Parcel or Final Map approval: a refundable cashier's check in the amount of $400 to guarantee a Mylar copy of the recorded Parcel or Final Map; payment for all reasonable office and engineering costs, including overhead, in conjunction with reviewing the Parcel or Final Map and associated improvement plans and easements; three copies of the approved on-site/off-site civil improvement plans and landscape plans, along with a velum or other reproducible set

(plans only), and a CD or DVD digital copy acceptable to the City Engineer.

Improvement Plans

24. Engineer Approved: The improvement plans shall be prepared, signed, and stamped as approved by a registered civil engineer licensed in the State of California and be consistent with the Alameda Point Master Infrastructure Plan (MIP). The engineer shall also assume responsibility for inspection of the on-site construction work, and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, that the installation of the on-site work (excluding the building and foundation) was constructed in accordance with the approved plans.

25. CC&Rs: In conjunction with the on-site improvement plans, the applicant/developer shall prepare Master Conditions, Covenants and Restrictions (CC&R's) for all properties within Site A, which CC&Rs shall establish a Master Homeowners' Association(s) (HOA) for the residential properties of the project and a Master commercial association (CA) for the commercial properties. All property owners must be a member of an HOA or the CA. The applicant/developer must submit Master CC&Rs, HOA, and CA requirements for the residential and commercial components of the Site A development to the City for approval prior to recording the Final Map and prior to having the documents recorded. The applicant/developer shall bear all costs for recording the documents. The submittal shall include an estimate of costs and proposed level of maintenance for each of the activities to be funded by the HOA or CA. The CC&R's shall provide for funding and provision of maintenance of all common facilities, including but not limited to streets, utilities, and parks and open spaces not accepted for maintenance by a public agency and TDM services outlined in the TDM Compliance Strategy. The CC&R's shall stipulate that the HOAs and CA are responsible for maintenance of landscaping along the streets (not in public ROW), paseos, on-site open spaces and set forth their obligations related to the TDM Compliance Strategy. The CC&Rs shall require that all private improvements adjacent to and visible from the public right of way be maintained in a first class condition consistent with other mixed-used developments in the Oakland Metropolitan submarket, taking into consideration water conservation and other measures that may apply to landscaping and other features from time to time to address state water shortage issues or concerns and will provide the City with the right to enforce the maintenance requirements and the right to perform such maintenance and receive a reimbursement of expenses after notice and expiration of applicable cure periods.

26. Easements: The improvement plans and Parcel or Final Maps shall show all existing and proposed easement locations, uses and recording information. The Owner's Statement shall list all easements to be dedicated and the Certificate of City Clerk shall list all public easements to be abandoned (with recording information) as part of the Parcel or Final Map.

27. Potable Water: The developer/applicant shall be responsible for potable water infrastructure consistent with the MIP to serve the project, whose design shall be shown on the Improvement Plans to the satisfaction of EBMUD, the Public Works Director, and the Fire Chief.

28. Storm Water Quality and Treatment Controls: The improvement plans shall incorporate appropriate pollution prevention source control measures, permanent low impact development (LID) measures, storm water treatment controls and/or design techniques to manage the quantity and quality of storm water runoff from the project site to prevent and minimize impacts to water quality and be consistent with the MIP and any existing or future conditions of a 401 certification for Alameda Point (401 Certification Conditions) and the Provision C3 requirements of the City's municipal stormwater permit. Efforts shall be taken to minimize impervious surface areas, especially directly connected impervious surface areas. Roof drains shall discharge and drain to an unpaved area wherever practicable. Design techniques may include green roofs, rainwater harvesting, vegetated swales, vegetated buffer zones, bio retention units, retention/detention basins and ponds, tree well systems, and the incorporation of pervious surface areas and LID measures. The Improvement Plans shall provide details sufficient to ensure that the storm water design and treatment measures shall be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual, the MIP and the 401 Certification Conditions. Applicants may also refer to the Bay Area Storm water Management Agencies Association (BASMAA) *Start at the Source Manual* for technical guidance. All storm water design and treatment measures for private development pads shall be consistent with the C3 requirements and 401 Certification Conditions and be located on the development pad or an adjacent private development pad and shall not be located on property planned for public parks or public rights of way.

29. Landscape Plans: The improvement plans shall include landscape and irrigation plans for both on-site and off-site improvements consistent with the Town Center Plan and MIP, including shoreline flood and sea-level rise protection improvements, as required by the MIP and DDA. The plans shall be prepared, signed, and stamped by a licensed landscape architect and civil engineer for flood and sea-level rise protection improvements and shall be in accordance with the AMC and other regional jurisdictional requirements. The landscape architect shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work, that the installation of landscaping and irrigation in the public right-of-way was constructed in accordance with the approved plans.

30. Waste Water: A sanitary sewage flow analysis, identifying the total peak sanitary sewage flow quantities generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The City will provide the analysis to an independent consultant who will assess the impact of the proposed development on the City's sanitary sewer system and determine if any improvements to the City's system are required to ensure sufficient sewage capacity for this project and any anticipated growth within the associated sewer sub-area. The applicant/developer will pay for the cost of the modeling study. The applicant/developer will incorporate any recommended improvements from the sewer study into the project's improvements plans and be consistent with the MIP.

31. Waste Water Capacity: A sanitary sewage treatment capacity analysis for wet weather flows associated with the development, compared to existing or previous conditions, shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The plan shall identify and mitigate any increase in wet weather flow capacities. The improvements plans will include any

recommended improvements and be consistent with the MIP.

32. Storm Drainage: A storm drainage hydrology analysis identifying the total peak drainage flow quantities to be generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The improvements plans will include any recommended improvements and be consistent with the MIP.

33. Fire Water: The improvement plans for the project site shall include a Fire Water System consistent with the MIP. The system shall be designed to the satisfaction of EBMUD and the Alameda Fire Department. The Applicant shall be responsible for the placement of on-site hydrants. The location and number of hydrants shall be established in improvements plans. Placement shall be shown on the improvement plans and shall be to the satisfaction EBMUD, the City Fire Chief and the City Engineer.

34. Fire Sprinklers: The improvement plans and building permit plans shall include fire sprinkler systems within each residential unit including the garage and attic spaces.

35. Fire Safety: Prior to approval of the Improvement Plans, the applicant shall submit plans for review and approval by the Public Works Director and the Fire Chief, that:

a. Provide fire hydrants spaced throughout the project as required in California Fire Code Appendix C. Ensure sufficient fire flow for the development compliant with California Fire Code Appendix B and AMC 15-1.2 where a maximum reduction of the fire flow can be reduced by 50% for fire sprinklered buildings.
b. Fire hydrant flows shall be a minimum of 1,500 G.P.M. from any one hydrant;
c. Provide adequate turn around space or acceptable emergency vehicle through access for any street greater than 150 feet in length;
d. Ensure that all roads that are required to be fire access roads have an adequate turning radii for fire apparatus (inside turning radius of 28" and outside turning radius of 44'8"); and
e. For all roads designated as fire access roads shall have a minimum fire lane width of 26' unobstructed for buildings taller than 30'. Should parking within the fire lane be required, the fire lane width shall be increased as required to meet fire access requirements.

36. Utilities: The improvement plans shall include facilities and improvements to ensure that utility services are maintained for existing users throughout the construction process and the access to such service for maintenance purposes is preserved throughout the construction process for new utilities. The improvement plans shall preserve access to the Cartwright Substation throughout the construction process.

37. Geotechnical Report: A geotechnical report, including recommendations, shall be prepared by a registered geotechnical engineer licensed in the State of California. The improvement plans shall incorporate all geotechnical recommendations in the report and be consistent with the MIP and DDA. The geotechnical engineer shall sign and stamp the improvement plans as conforming to its recommendations. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work that the work performed is adequate and complies with their recommendations.

Public Improvements

38. Maintenance: Maintenance of improvements not within the public ROW shall be the responsibility of the new development.

39. Street Resurfacing: Applicant/developer shall resurface the existing street pavement whenever a street is cut for utility or other improvement installations or the condition of the existing pavement requires improvements. The resurfacing shall extend a sufficient distance beyond any cut to ensure a smooth transition and shall consist of an average of one and a half (1½) inch asphalt concrete overlay, with a minimum one inch asphalt concrete overlay.

40. Curb and Gutter: Applicant/developer shall replace any damaged curb, gutter, and sidewalk along street frontages to the satisfaction of the Public Works Director, in accordance with the Public Works Department's Standard Plans and Specifications prior to acceptance of the project.

Water Quality

41. State Water Resources Control Board: The applicant/developer shall provide to the City Engineer or his designee, prior to the issuance of the first combination building/grading permit, a copy of both the WDID# issued to the project site by the State Water Resources Control Board (SWRCB) and the required Storm Water Pollution Prevention Plan (SWPPP). These documents shall provide verification to the City that the project site is in compliance with SWRCB Order No. 2009-0009-DWQ. Information on this State Order is available at: http://www.waterboards.ca.gov.

42. Best Management Practices: The applicant/developer shall be responsible for ensuring that all contractors and sub-contractors install, implement and effectively maintain appropriate sediment control, erosion control and other water quality protection measures to prevent any pollutants from entering the municipal storm water drainage system or the Seaplane Lagoon, either directly or indirectly, during all construction activities. All implemented measures shall be consistent with the City's urban runoff Best Management Practices (BMPs) standards. The applicant/developer shall pay for any required cleanup, testing, and/or City administrative costs resulting from consequence of construction materials entering the storm water drainage system.

43. Hydro Seeding: Hydro seeding of all disturbed pervious surface areas shall be completed in compliance with the requirements included in the State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ.

44. Storm Water Quality Management Plan: The applicant/developer shall submit a stormwater quality management plan, consistent and concurrent with the finalized improvement plans, to demonstrate and verify appropriate site design for LID and stormwater treatment consistent with the Provision C3 requirements, the MIP and the 401 Certification Conditions. This Plan shall include: a completed City of Alameda's Stormwater Requirements Checklist; the determination and identification of drainage management

areas (DMAs) for all proposed impervious surface areas on the proposed project site; the establishment of Provision C3-compliant stormwater quality measures for each DMA; a site plan map and inventory identifying each DMA and corresponding C3-compliant measure, including area values (in square feet) for all areas; a stamped, signed City of Alameda certification form from a qualified independent civil engineer with stormwater treatment facility design experience, licensed in the State of California, and acceptable to the Public Works Department that indicates the Plan and all LID and treatment measure designs meet the established sizing design criteria for stormwater treatment measures consistent with Provision C3 of the municipal stormwater permit.

45. Storm Water Trash Capture: Prior to the issuance of the first grading/building/combination permit for each project phase, the Improvement Plans shall indicate the storm water trash capture measure(s) being installed on the project site to ensure that the stormwater drainage from the project site is subject to full trash capture consistent with the City's municipal stormwater permit definition of a full trash capture device. Improvement plan sheets shall provide sufficient plan views and details of the full trash capture device installation(s) necessary for engineering review and approval. A full trash capture system or device is any single device or series of devices that trap all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow Q resulting from a one-year, one-hour storm in the sub-drainage area. Plan sheets shall include detail and cross-sectional drawings of any stormwater full trash capture device.

46. Storm Drains: All new storm drain inlets shall be clearly marked with the words 'No Dumping! Drains to Bay' by means approved by the Public Works Department. Permanently affixed thermoplastic, metallic or plastic laminate style markers are acceptable forms. The Improvement Plans shall clearly indicate this.

47. Operations and Maintenance Plan: The Applicant/Developer shall submit a stormwater treatment measures Operations and Maintenance (O&M) plan for review and approval to the Public Works Department prior to the approval of and consistent with the improvement plans for each phase. The O&M plan shall include, but not be limited to: treatment and design measure(s) descriptions and summary inventory; a legible, recordable, reduced-scale (8.5"x11") copy(-ies) of the Site Plan indicating the treatment and design measure(s) location(s) and site drainage patterns; treatment measure(s) maintenance requirements and maintenance schedule; the approved plant list and planning plan; detailed description of the integrated pest management principals and techniques and/or Bay Friendly Landscaping Program techniques to be utilized during landscape maintenance to ensure pesticide/herbicide use-minimization in landscaped areas; name and contact information of current maintenance personnel; and template of the annual O&M report submittal to the City. The O&M plan(s) for all stormwater treatment and design measures to be maintained by any HOA or CA shall be incorporated with the CC&Rs of the relevant HOA/CA.

48. Stormwater Agreement: For any stormwater treatment or design measure not to be maintained by an HOA or CA, the Applicant/Developer shall execute a Stormwater Treatment Measures Maintenance Agreement (Stormwater Agreement) with the City prior to the issuance of the certificate of occupancy. The Stormwater Agreement shall include, but not be limited to: the O&M plan for all approved stormwater treatment measures; identification of the party responsible for implementing the O&M plan; assurances of

access to inspect and verify the treatment system O&M for the life of the project; and assurances of the submittal of the annual O&M report to the City. The executed Stormwater Agreement shall be recorded, at applicant/developer's expense, with the County Recorder's Office of the County of Alameda.

49. Landscape Plans: Landscaping plans shall be designed to minimize runoff, promote surface infiltration, incorporate Bay Friendly Landscaping approaches, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution and be consistent with the MIP and 401 Certification Conditions

50. Backflow Prevention: Backflow prevention devices shall be installed on all new and existing domestic, commercial, irrigation, and fire water services and as required by the East Bay Municipal Utility District (EBMUD).

Transportation Facilities

51. Traffic Circulation Plan: The Applicant/Developer shall submit a traffic striping and signage plan for all on- and off-site improvements, including all crosswalks, bus stops, turn lanes, merge lanes, acceleration lanes, lane drops, etc., as part of the construction improvement plan submittal. The plan shall provide the queuing summary for all study locations and all project driveways. The traffic circulation plan shall include plan(s) showing truck turning templates including rear/front wheel and body tracking movement and shall include delivery trucks, fire engines, moving vans and waste management trucks. The Public Works Department will review and approve the internal and external circulation of the parking lot, including lane widths and access points. The plans shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California. The engineer shall sign and stamp the plans as approved. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvement plans or Parcel or Final Map, whichever comes first. The plan shall include all necessary striping to ensure safe ingress and egress from the project site to the adjacent public streets.

52. Off Street Parking: For any off-street parking facilities the applicant/developer shall submit the improvement plans to the Community Development Department and Public Works Department for review and approval. The plans shall be prepared by a registered civil engineer licensed in the State of California and shall be signed and stamped as approved. The Community Development Department shall review and approve the parking lot layout, including number of spaces, dimensions of spaces, and Americans with Disabilities Act (ADA) requirements, and the Public Works Director shall review and approve the internal and external circulation of the parking lot, including lane widths and access points, prior to approval of the improvements plans or parcel/final map, whichever comes first.

53. Traffic Control Plan: At least three weeks prior to the commencement of work within the public right-of-way that affects access for pedestrian, bicyclist, and vehicular traffic, the applicant/developer shall provide a Traffic Control Plan (TCP) to the Public Works Department for review and approval. The TCP shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California, and be in accordance with the California MUTCD standards. The engineer shall sign and stamp the plans as approved. In general, any public right-of-way shall remain unobstructed during project

construction or an ADA compliant alternative route established as approved by the Public Works Director. At locations where adequate alternate access cannot be provided, appropriate signs and barricades shall be installed at locations determined by the Public Works Director and Police Chief. Should transit routes be affected, applicant/developer is required to obtain prior approval from AC Transit of any proposed traffic detours or temporary closure of bus stops. Construction work may not commence until the TCP is approved by the Public Works Director.

54. Lighting: Pedestrian and vehicular lighting at all intersections and project driveways shall meet Alameda Municipal Power standards for crosswalks, sidewalks, and intersections and be consistent with the Declaration and Alameda Point Lighting Mitigation Measures.

Solid Waste

55. Waste Management Plan: The applicant/developer shall submit a Waste Management Plan (WMP) to the Public Works Environmental Services Division for approval. The plan shall describe how the trash and debris will be handled. The WMP shall be submitted by the developer to Environmental Services via Green Halo (greenhalosystems.com) prior to start of the demolition, remodeling, or construction work. This must be done using Green Halo's web interface. The Public Works Environmental Services Division will review the WMP, and will provide comments that shall be incorporated into the plans for the project. The project is subject to the WMP requirement of section 21-24 of the AMC, and must recycle at least 50% of total debris hauled from the project.

56. Green Halo: Within thirty (30) days after the completion of the demolition work, the developer shall submit a Summary Report to the Public Works Environmental Services Division, via Green Halo (greenhalosystems.com) or other form approved by the Public Works Director. For approval, this reporting will specify actual tonnages disposed and/or recycled for each material, and the actual destination/processor. Disposal and/or recycling weight tags from that facility or facilities will be directly uploaded to Green Halo to verify this activity.

57. External Enclosures: Design of all external enclosures for solid waste, recycling, and organics consistent with this condition shall be approved by the Public Works Director prior to approval of the improvements plans, parcel/final map(s), or the building permit, whichever comes first. These facilities are to be designed to prevent water run-on to the area, runoff from the area, and to contain litter, trash, and other pollutants, so that these materials are not dispersed by the wind or discharged to the storm drain system. External enclosures are to be roofed and/or enclosed. Any enclosures containing food waste shall have floor drains connected to the sanitary sewer system. If the enclosures are attached to buildings they shall have fire sprinklers. Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Director.

58. Collection: Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Department.

The trash collection areas shall be accessible to residents and employees. Each storage area shall be no more than 250 feet from any dwelling unit, or in the garage. Trash enclosures and/or recycling area shall be covered; no other area shall drain onto these areas. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. The applicant shall contact the City and East Bay Municipal Utility District (EBMUD) for specific connection and discharge requirements prior to building permit issuance. Discharges to the sanitary sewer are subject to the review, approval, and conditions of the City and EBMUD.

59. Fitted Lids: All solid waste containers, including dumpsters and individual cans or carts, must have fitted lids which shall remain closed at all times when the container is not being used

Construction Conditions

60. Hazardous Materials. The applicant/developer shall provide documentation from a qualified professional to the City of Alameda stating that adequate soils and ground water investigations and, where warranted, remediation, have been conducted to ensure that future site use complies with the regulatory requirements for hazard related risks as established by applicable Federal, State and local requirements. The project sponsor shall ensure that all proposed areas for demolition and abatement shall be assessed by qualified licensed contractors for the potential presence of lead-based paint or coatings, asbestos containing materials, and PCB-containing equipment prior to issuance of a demolition permit. During Construction the developer/applicant shall ensure that all construction crews are properly trained and made aware of any site contamination issues consistent with the Alameda Point Site Management Plan (SMP) and MMRP.

61. Truck Plan: Prior to issuance of grading permit, developer/applicant shall submit a Truck Route Plan for hauling to be approved by the City Engineer. The Plan must be incorporated into any construction documents for every contract.

62. Notice to Neighbors: At least two weeks prior to initiating any construction activities at the site, the applicant shall provide notice to businesses and residents within 500 feet of the project site including (1) project description, (2) description of construction activities, (3) daily construction schedule (i.e., time of day) and expected duration (number of months), (4) the name and phone number of the Noise Management Individual for the project, (5) commitment to notify neighbors at least four days in advance of authorized extended work hours and the reason for extended hours, and (6) that construction work is about to commence. A copy of such notice and methodology for distributing the notice shall be provided to the City for review and approval at least five (5) business days in advance.

63. Construction Hours: Construction activity shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, and between 8:00 a.m. and 5:00 pm on Saturday. No construction-related activity shall occur on Sunday or on any Federal Holiday. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment re-design, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible and necessary. No construction activity that may cause excessive off-site vibration

from heavy machinery such as pile drivers, drilling rigs (except as necessary for elevator, shoring, and soil testing), etc. shall be allowed. Impact tools (e.g., jack hammers, pavement breakers and noise drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to 10dB. External jackets on the tools themselves shall be used where feasible. Quieter procedures shall be used such as drilling rather than impact equipment whenever feasible.

64. Dust Control: Prior to issuance of building or grading permits, the developer/applicant shall ensure that a program of dust control is implemented consistent with City, MMRP and BAAQMD requirements.

65. Cultural Resources: In the event that previously unidentified cultural resources are discovered during site preparation or construction, work shall cease in the immediate area until such time as a qualified archaeologist and City of Alameda personnel can assess the significance of the find. If human remains are encountered, work shall halt within 50 feet of the find and the County Coroner shall be notified immediately.

66. Utilities: If underground utilities leading to adjacent properties are uncovered and/or broken, the contractor involved shall immediately notify the Public Works Department, Alameda Municipal Power, and the Community Development Department, and carry out any necessary corrective action to their satisfaction.

Fire Safety

67. Fire Access: The developer/applicant shall provide adequate turn around space or through access for any street greater than 150 feet in length to the satisfaction of the Fire Chief and the City Engineer. Emergency Vehicle Access roads shall have an adequate turning radius for fire apparatus (inside turning radius of 28 feet, outside turning radius 44 feet 8 inches, minimum height 13 feet 6 inches, minimum width 20 feet) and 26 feet wide in the immediate vicinity or portion thereof buildings 30 feet or taller. All streets and courts within the development that are required to be fire access roads, shall be marked as fire access roads to the satisfaction of the Fire Chief. All roads that are required to be fire access roads shall be designed to handle fire apparatus weight of up to 35,000 pounds per axle. Parking shall be prohibited within the streets and alleys that are dedicated as fire lanes. CC&R's shall include an enforcement mechanism.

Alameda Municipal Power (AMP)

68. The applicant shall comply to AMP's Rules and Regulations as stated in Article X and AMP's "Material and Installation Criteria for Underground Electrical Systems" (both available at www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits.

69. The applicant shall provide information on the location of transformers and total load in kilowatts or kilowatt/volts (KVA) to AMP for approval prior to building permit issuance. If

necessary, the applicant shall provide (at no charge to AMP) an easement and access to all AMP facilities on the property prior to issuance of building permits.

70. Concurrent with submittal of Improvement Plans, the Applicant shall coordinate with AMP regarding power requirements. All submittals shall refer to AMP's "Material and Installation Criteria for Underground Electrical Systems" for minimum clearances of street trees/shrubs from streetlights, electrical transformers and other utility electrical equipment.

71. The Applicant shall provide and install street lighting consistent with AMP's standard specifications and AMP's "Material and Installation Criteria for Underground Electrical Systems". Cobra head light fixtures shall not be used for street lights and all street lights shall be designed to preserve "dark skies" and direct light downward toward the public right of way. No signs shall be installed or mounted on street light poles owned and/or maintained by AMP. All new signs shall be installed on dedicated sign posts.

72. Applicant/Developer shall have all streetlights included in the Improvement Plans, installed, fully functional and operating prior to issuance of a Certificate of Occupancy for any building unless a phasing plan is approved by the Director of Public Works. Applicant/Developer shall pay to AMP the sum of Six Dollars ($6.00 as adjusted no more than annually for inflation) per streetlight per month, or portion of a month, for the streetlight energy costs until the applicable improvements are accepted for maintenance by City.

73. The Applicant shall be required to furnish two streetlight poles and LED fixtures of each type installed, at no cost, to AMP as a stock for future pole/fixture replacement on public street. If AMP agrees to maintain private streetlights, the Applicant/Developer shall also be required to furnish two additional streetlight assemblies (e.g. pole, fixture, arm, shroud, etc) of each type.

74. All public streets shall be lit with LED lighting. Streetlight layout shall be staggered for a more uniform light distribution. Applicant/Developer can provide alternate design if a better efficient light distribution is met. Applicant/Developer shall use AMP LED standard fixtures. LED streetlight fixtures shall offer tri-level lighting with the mid-level setting meeting IES RP-8-14.

75. The Applicant shall provide all necessary underground substructures, including conduits, pull boxes, electric utility equipment pads, etc. per the AMP specifications. AMP will require easements for all transformers, primary and secondary boxes, and conduits. AMP will furnish and install all required transformers, high voltage distribution cables, and secondary cables. Existing Alameda Point electric substructures will NOT be re-used.

76. The Applicant shall provide an easement for electric utility vehicle access to AMP's Cartwright Station. The easement shall encompass the entire perimeter of the substation, including buildings and exterior yards with a 25-foot minimum clearance from any structure (above or below grade), wall and fence. Applicant shall avoid planting any trees that will grow in fullness to the point they may encroach into the perimeter easement.

77. The Applicant/Developer shall install all electric pull boxes and vaults in-line with the conduit joint trench. No conduit bend will be allowed between electric pull boxes, unless conduit section terminates to an electrical equipment pad. All primary and secondary electrical distribution pull boxes shall not be greater than two section deep (34-inches from finish grade to bottom of pull box). Any deviations from this standard shall be approved by the AMP Project Engineer in writing.

78. Applicant/Developer will be required to provide an oil containment facility for all AMP owned pad-mount distribution switches and/or transformers installed within 100-feet of any body of water or in other critical locations. Applicant/Contractor shall contact AMP to verify all dimensions, elevations, and orientation before commencing work.

79. The Applicant shall furnish and install code-size service cables in code-size conduit from each customer electric meter switchgear to the nearest secondary pull box (or Service Point) in the public right-of-way, as designated by AMP. AMP will connect the service to the distribution transformer or to the secondary distribution system.

80. The improvement plans and all subdivision maps shall show all necessary easements and access to all electrical utility facilities that are in the private properties, at no charge to AMP.

81. Prior to issuance of Certificate of Occupancy, the Applicant shall furnish and install service equipment for each building. The service equipment shall meet Electric Utility Service Equipment Requirement Committee (EUSERC) standards. Electric meter(s) shall be located as close as practicable to the point of entry of the service-entrance conductors to the building. Outdoor meter locations are preferred. When meters are located within a building, the meter room shall be directly accessible from the exterior of the building. No remote metering.

82. Concurrent with acceptance of work by City Council, the applicant/developer shall dedicate and AMP shall take over ownership and will be responsible for maintaining all new substructures for under grounding primary and secondary circuits, and distribution transformers once the improvements have been inspected by AMP and found to have been properly installed. The Applicant or successor property owner(s) shall be responsible for the service cables and service equipment.

83. The Applicant/developer shall be responsible for all expenses involved in the duct/joint trench system engineering design, plan check, project coordination, and electrical construction inspection. The Applicant shall be responsible for the cost of AMP assigned inspector during construction.

84. The Applicant/developer shall submit, with the site improvement plans, detailed drawings showing the required site electric utility facilities.

HOLD HARMLESS. The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding

(including legal costs and attorney's fees) against the City of Alameda, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, an approval by the City of Alameda, the Community Development Department, Alameda City Planning Board, the City of Alameda City Council relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code section 66020(d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The applicant is hereby further notified that the 90-day appeal period, in which the applicant may protest these fees and other exactions, pursuant to Government Code section 66020(a) has begun. If the applicant fails to file a protest within this 90-day period complying with all requirements of section 66020, the applicant will be legally barred from later challenging such fees or exactions.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Community Development Department a written notice of appeal stating the basis of appeal and paying the required fees.

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 11th day of May, 2015, by the following vote to wit:

AYES:	(7)	Henneberry, Alvarez, Burton, Knox White, Köster, Tang and Zuppan
NOES:	(0)	
ABSENT:	(0)	

ATTEST:

Andrew Thomas, Secretary
City of Alameda Planning Board

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