

MINUTES OF THE SPECIAL CITY COUNCIL MEETING  
TUESDAY- -JULY 2, 2024- -5:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:03 p.m.

Roll Call – Present: Councilmembers Daysog, Herrera Spencer, Jensen, Vella and Mayor Ezzy Ashcraft – 5. [Note: Councilmember Vella arrived at 6:11 p.m. and was present via teleconference from 5733 Noni Street, Kauai, HI 96746.]

Absent: None.

Consent Calendar

Councilmember Herrera Spencer stated there was a request substitute the City Attorney for the Assistant City Attorney as a negotiator for 2440 Monarch Street [paragraph no. 24-407]; inquired whether the substitute can be made.

The City Attorney stated that Council could added him, but requested that the Assistant City Attorney remain as a negotiator.

Councilmember Herrera Spencer stated that she would be happy to move approval of the Consent Calendar with the addition of the City Attorney as a negotiator for 2440 Monarch Street.

In response to Mayor Ezzy Ashcraft's inquiry why the change is being proposed, Councilmember Herrera Spencer stated there was request from one of the parties.

Mayor Ezzy Ashcraft inquired which party made the request, to which Councilmember Herrera Spener responded Steeltown; stated there was an email; there were multiple requests in the email; read the sentence requesting the City Attorney be added as a negotiator.

Councilmember Jensen stated the City enters into lease negotiations often; expressed concern about having a different process for one lease.

Mayor Ezzy Ashcraft concurred with Councilmember Jensen; stated that she will not support the request.

Councilmember Herrera Spencer moved approval of the 390 West Oriskany Avenue [paragraph no. 24-406] negotiators.

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

Councilmember Herrera Spencer moved approval of adding the City Attorney to the negotiating team for 2440 Monarch Street.

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Councilmember Jensen seconded the motion.

Under discussion, Mayor Ezzy Ashcraft noted the motion is to deviate from the usual process.

Councilmember Jensen withdrew her second of the motion.

Vice Mayor Daysog stated that he would support the status quo.

The motion failed for a lack of second.

Councilmember Jensen moved approval of the 2440 Monarch Street negotiators.

Vice Mayor Daysog seconded the motion, which carried the following voice vote: Ayes: Councilmembers Daysog, Jensen, and Mayor Ezzy Ashcraft – 3. Noes: Councilmember Herrera Spencer – 1. [Absent: Councilmember Vella – 1.] [Items so enacted or adopted are indicating by an asterisk preceding the paragraph number.]

(\*24-406) Recommendation to Approve Jennifer Ott, City Manager, Abigail Thorne-Lyman, Base Reuse and Economic Development Director, Alesia Strauch, Base Reuse Manager, John McManus, Managing Director, Cushman & Wakefield, and Len Aslanian, Assistant City Attorney, as Real Property Negotiators for 390 West Oriskany Avenue (srmErnst Development Partners). Accepted.

(\*24-407) Recommendation to Approve Jennifer Ott, City Manager, Abigail Thorne-Lyman, Base Reuse and Economic Development Director, Alesia Strauch, Base Reuse Manager, Andrew Schmeider, Cushman & Wakefield, and Len Aslanian, Assistant City Attorney, as Real Property Negotiators for 2440 Monarch Street (Steeltown Winery LLC). Accepted.

The meeting was adjourned to Closed Session to consider:

(24-408) Conference with Legal Counsel – Existing Litigation Pursuant to Government Code § 54956.9(a); Case Name: In Re: National Prescription Opiate Litigation; Court: United States District Court Northern District of Ohio Eastern Division; Case Number: MDL 2804 Case No. 1:17-md 2804

(24-409) Conference with Legal Counsel – Potential Litigation; Initiation of Litigation Pursuant to Government Code Section 54956.9, Subsection (d)(4) Number of Cases: One (As Plaintiff - City Initiating Legal Action); Potential Defendant: Jonathan Lynch

(24-410) Conference with Real Property Negotiators Pursuant to Government Code § 56956.8; Property: 390 W. Oriskany Avenue; City Negotiators: City Manager Jennifer Ott, Base Reuse and Economic Development Director Abigail Thorne-Lyman, Base Reuse Manager Alesia Strauch, Assistant City Attorney Len Aslanian, Cushman & Wakefield Managing Director, John McManus; Negotiating Parties: City of Alameda and srmErnst Development Partners; Under Negotiation: Price and terms of Sale

(24-411) Conference with Real Property Negotiators Pursuant to Government Code § 56956.8; Property: 2440 Monarch Street (Building 43); City Negotiators: City Manager Jennifer Ott, Base Reuse and Economic Development Director Abigail Thorne-Lyman, Base Reuse Manager Alesia Strauch, Assistant City Attorney Len Aslanian, Cushman & Wakefield Managing Director, John McManus; Negotiating Parties: City of Alameda and Steeltown Winery LLC; Under Negotiation: Price and terms of Lease

Following the Closed Session, the meeting was reconvened, and the City Clerk announced that regarding Existing Litigation, the case involves litigation against a prescription opioid distributor; a nationwide settlement has been reached to resolve a case brought by states and local political subdivisions against Kroger, a regional pharmacy; the settlement provides that in return for a release of claims against the defendant, the states and local political subdivisions shall receive up to a combined total of \$1.2 billion; the City of Alameda is eligible to participate in the settlement although it is not a named plaintiff in the litigation; the City's share of the settlement funds of approximately to \$59,000 total over an 11-year time period; the Council unanimously [4 ayes with Councilmember Vella absent] authorized the City Attorney to resolve this litigation on behalf of the City of Alameda by consenting and participating in the settlement; after electing to consent and participate in the settlement, the City may later choose to receive its share of the settlement funds to be used for designated opioid abatement purposes, or can instead allow its share of the funds to be directed to the County of Alameda as the default option; regarding Potential Litigation, staff provided information and Council unanimously [4 ayes with Councilmember Vella absent] provided direction; regarding 390 W. Oriskany Avenue, staff provided information and Council provided direction with no vote taken; regarding 2440 Monarch Street, staff provided information and Council provided direction by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Jensen: Aye; Vella: Aye and Mayor Ezzy Ashcraft: No. Ayes: 4. Noes: 1.

### Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 7:17 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- -JULY 2, 2024- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:29 p.m. Councilmember Jensen led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Daysog, Herrera Spencer, Jensen, Vella, and Mayor Ezzy Ashcraft – 5. [Note: Councilmember Vella arrived at 7:56 p.m., left at 11:47 p.m. and was present via teleconference from 5733 Noni Street, Kapaa, HI 96746]

Absent: None.

AGENDA CHANGES

(24-412) The City Clerk announced that the Charter amendment [paragraph no. 24-427A] is withdrawn and would not be heard tonight.

Mayor Ezzy Ashcraft stated that the Investment Policy [paragraph no. 24-422] would be heard at the end of the regular agenda.

Councilmember Jensen inquired how many people signed up to speak on the Investment Policy item.

The City Clerk responded 8 speakers submitted speaker slips.

Councilmember Jensen inquired whether that was the greatest number of speakers for any item, to which the City Clerk responded in the affirmative.

Councilmember Jensen suggested keeping the agenda items in the order listed since there are many speakers present for the item.

Mayor Ezzy Ashcraft stated how many speakers there are on an item is not known as people can also participate remotely.

Councilmember Herrera Spencer stated that she agrees with Councilmember Jensen.

Mayor Ezzy Ashcraft expressed concern.

Vice Mayor Daysog stated 8 people are present; he would like to be courteous and keep the agenda items in the order listed.

Mayor Ezzy Ashcraft stated doing so requires a motion.

Councilmember Jensen moved approval of keeping the agenda items in the order listed.

Councilmember Herrera Spencer seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Daysog, Herrera Spencer and Jensen – 3. Noes: Mayor Ezzy Ashcraft – 1.

## PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

None.

## ORAL COMMUNICATIONS, NON-AGENDA

(24-413) Tod Hickman discussed events unfolding in the City of Oakland; stated he was unable to receive a public records request in the past; he and other constituents have complained about the Mayor's actions for a long time.

(24-414) Shelby Sheehan stated that she wrote a letter to Vice Mayor Daysog regarding her evaluation of California Environmental Quality Act (CEQA) and is waiting for a response; discussed the Code of Conduct section on ethics; discussed behaviors and comments made by the Mayor in past meetings.

## CONSENT CALENDAR

Councilmember Herrera Spencer requested the business license tax administration agreement [paragraph no. 24-430] be removed from the Consent Calendar for discussion.

Stated a Consent Calendar is supposed to be for routine items; spending \$320,000 on library software is unreasonable; the item is not sufficiently transparent; she questions some of the claims made by staff; bonds would not be needed if money were not spent on other projects; more information and disclosure is needed; she would like more information on the ordinance: Shelby Sheehan.

Stated it is not clear why software is needed at the library for the cost of \$320,000; the background on the item does not give the public enough information; there would be no need for the library bond if the City was better at managing its money: Tod Hickman.

Mayor Ezzy Ashcraft clarified regarding Council is not asking anyone to vote on a library bond, as voters did so in 2000; stated about 78% of voters in Alameda voted to create the bond to help build the new Main Library; the bond rate has now reduced from when it was passed.

Councilmember Herrera Spencer inquired whether the source of the money for the library software item could be explained, as well as why it is necessary.

The Library Director responded the funds come from the library bond passed twenty years ago; stated some funds are left; staff is using the funds for the project; the sorting system is a common operation for most libraries; it will immediately allow for people to check in items from outside and inside the library; it will help staff be more efficient.

Councilmember Herrera Spencer inquired when returning books outside of the library, will the book drop change.

The Library Director responded outside the library, there will be an automated and old-school return; stated there will also be an automated return inside for people to use when the library is open.

Councilmember Herrera Spencer inquired whether it would be in the Main Library, as well as

branches.

The Library Director responded it will be in the Main Library only; stated there is no space for sorting systems at the Bay Farm or West End libraries.

Councilmember Herrera Spencer inquired whether a breakdown of the \$320,000 could be given; stated it is her understanding the majority is the first year for implementation.

The Library Director responded in the affirmative; stated the cost is for the equipment and installation; it is a complex and large piece of equipment; a service agreement through the warranty is what the cost for years 2 through 5.

Councilmember Herrera Spencer inquired whether the Library Director has prior experience with the equipment and whether that is why he recommending it.

The Library Director responded the process began before he joined the City; stated he does have experience with this type of sorting system; it works well; it saves time, is efficient, and library users enjoy it.

Councilmember Herrera Spencer inquired how long he has been with the City, to which the Library Director responded that he started April 29, 2024.

Councilmember Herrera Spencer stated that she thinks it is great to bring on a new system, which the Library Director recommends.

Mayor Ezzy Ashcraft stated the library has been busy with the summer reading programs as of late.

Councilmember Herrera Spencer moved approval of the Consent Calendar.

Councilmember Vella seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(\*24-415) Minutes of the Special and Regular City Council Meetings Held on June 4, 2024. Approved.

(\*24-416) Ratified bills in the amount of \$3,554,485.78.

(\*24-417) Recommendation to Authorize the City Manager to Execute a Service Provider Agreement with Envisionware, Inc. to Purchase and Install an Automated Materials Handler System for the Library for a Total Agreement Compensation Not-to-Exceed \$320,724.42. Accepted.

(\*24-418) Resolution No. 16181, "Requesting and Authorizing the County of Alameda to Levy a Tax on All Real and Personal Property in the City of Alameda as a Voter Approved Levy for the General Obligation Bonds Issued Pursuant to a General Election Held November 7, 2000 for the Alameda Library." Adopted.

(\*24-419) Resolution No. 16182, “Calling for a General Municipal Election to be Consolidated with the Statewide General Election to Be Held in the City of Alameda on Tuesday, November 5, 2024 for the Election of Certain Officers, and Requesting the Alameda County Board of Supervisors to Permit the Registrar of Voters to Render Specified Services to the City Relating to the Conduct of Said Election Pursuant to Section 10403 of the California Elections Code.” Adopted.

(\*24-420) Ordinance No. 3374, “Repealing Alameda Municipal Code Section 13-10.3, which Bans the Use of Natural Gas in New Construction and Major Remodels and Additions, in Order to Comply with California Restaurant Association v. City of Berkeley.” Finally passed.

#### CONTINUED AGENDA ITEMS

None.

#### REGULAR AGENDA ITEMS

(24-421) Resolution No. 16183, “Appointing Selia Warren to the Civil Service Board.” Adopted;

(24-421A) Resolution No. 16184, “Reappointing Allison Mullings to the Commission on Persons with Disabilities.” Adopted;

(24-421B) Resolution No. 16185, “Reappointing Clifford Tong to the Golf Commission.” Adopted;

(24-421C) Resolution No. 16186, “Reappointing Michaelea Joseph-Brown to the Housing Authority Board of Commissioners.” Adopted;

(24-421D) Resolution No. 16187, “Reappointing Vadim Sidelnikov to the Housing Authority Board of Commissioners.” Adopted;

(24-421E) Resolution No. 16188, “Reappointing Kenji Tamaoki to the Housing Authority Board of Commissioners.” Adopted; and

(24-421F) Resolution No. 16189, “Reappointing Sunny Tsou to the Planning Board.” Adopted.

Stated that she finds the Planning Board does not know applicable land use regulations in Alameda or CEQA; she would like to have Sunny Tsou’s credentials disclosed and included in discussion; she would like to know if he or anyone on the Planning Board is a CEQA expert; each member should be certified, received training, and familiarizes themselves with all City regulations, plans, and policies: Shelby Sheehan.

Councilmember Herrera Spencer called a point of order; stated the speaker mentioned staff and Council are smirking inappropriately.

Mayor Ezzy Ashcraft stated staff and Council has First Amendment rights to have whatever facial expressions they wish.

Stated the Planning Board is clueless on CEQA and other building, zoning, and regulations laws; there is a lack of experience and training; he doubts there is any training on the Brown

Act; he could not find Sunny Tsou's qualifications: Tod Hickman.

Vice Mayor Daysog moved adoption of the resolutions.

Councilmember Vella seconded the motion.

Under discussion, Councilmember Herrera Spencer inquired where members of the public could find more information about a nominee; stated to her understanding, everyone who applies must fill out a form, which is public information.

The City Clerk stated all public records requests are handled via NextRequest, but people may also go directly to the Clerk's Office.

Councilmember Herrera Spencer inquired whether getting a copy of the information would be a public records request, to which the City Clerk responded in the affirmative.

Councilmember Herrera Spencer stated members of the public can go to the Clerk's Office or submit a request on the website; she is in support of the motion; thanked those who serve on Boards and Commissions.

Mayor Ezzy Ashcraft thanked those who serve on Boards and Commissions; stated the volunteers take time out of their busy lives to do so; she broadcasts openings and invites public response; she is upset Mr. Tsou has been singled out, as he has an impressive background.

On the call for the question, the motion carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

The City Clerk administered the Oath of Office to Ms. Warren, Ms. Mullings, Mr. Tong, Mr. Sidelnikov, Mr. Tamaoki, and Mr. Tsou, who all made brief comments.

(24-422) Recommendation to Approve the City of Alameda Investment Policy and Provide Direction to Staff on Future Potential Changes, including Restrictions on Investment in Certain Industries, such as Oil, Gas and Defense.

The Finance Director gave a Power Point presentation and the City Treasurer made brief comments.

Vice Mayor Daysog inquired about military investments and if there is any guidance as to investing in those kinds of businesses or industries.

The City Treasurer responded with an example of Lockheed, who makes the helicopters the President of the United States flies in, as well as laser-guided missiles; stated there is unfortunately no way to dissect companies into pieces.

Councilmember Herrera Spencer inquired whether some of the military defense companies manufacture or produce any of the equipment the City purchases for first responders.

The City Treasurer responded the aerospace and defense industry code includes 120 companies; stated that he looked companies that would be excluded from investment



opportunities and narrowed it down to four companies that would be candidates if the City did not have the policy.

Councilmember Herrera Spencer stated the staff report makes a statement about restricting investment in military defense companies reinforcing a commitment to promoting peace and nonviolence, which aligns with broader social efforts to promote human rights and strengthen the City's reputation as a leader in ethical governance; inquired if it is the author's position if the United States is more humane and promotes human rights by not having a military.

The Finance Director responded the phrasing is what the City is attempting to promote and what the strategic goals entail.

Councilmember Herrera Spencer stated one may interpret the statement as the City will be better leaders in ethical governance if they do not invest in military defense companies; inquired who the author of the statement is and what is meant by it.

The City Manager responded that she will accept responsibility for the language since she reviews staff reports; stated staff was responding to comments made in previous Council meetings.

Mayor Ezzy Ashcraft stated that she does not agree that the statement promotes the United States not having a military; it is saying the City of Alameda shall not, in its portfolio, invest in military defense companies; inquired whether staff was implying the U.S. should not have a military, to which the Finance Director responded in the negative.

Councilmember Herrera Spencer inquired what military defense companies produce; and why the City would not be interested in investing in that the companies.

The City Manager responded it matter is for Council to decide.

Councilmember Herrera Spencer inquired what military defense companies produce.

The City Treasurer responded the goal of the investment policy is safety, liquidity, and return; stated the staff report states investments are to be made that bear in mind the responsibility of city government to its citizens; he has heard arguments on all sides; a balance is needed that is sensible, actionable, and enforceable that encapsulates the entire community, which is difficult to do; almost half of the City's portfolio is in U.S. treasure securities.

Councilmember Herrera Spencer inquired what military branches are currently represented in Alameda.

The City Manager responded the Navy, Marine Corps, and the Coast Guard have presences in the City; stated there may be others.

Councilmember Herrera Spencer inquired whether the branches in the City have weapons.

The City Manager responded that she does not have that information, however, she assumes that to be the case.

Councilmember Jensen inquired if the City has investments in any of the military organizations

in the City of Alameda, to which the City Treasurer responded in the negative; stated the organizations do not have public debt the City can invest in.

Councilmember Jensen inquired about the Bloomberg codes and whether they are standard or if there are other alternatives; inquired about the background of the coding.

The City Treasurer responded investment managers are required to adhere to the City's policy and staff must have very specific guidelines so to implement; stated Bloomberg Industry Classification (BIC) codes are very commonly used and are a straightforward and fool-proof way to block investments.

Councilmember Jensen inquired whether there is only one code for a company.

The City Treasurer responded an individual company would be included if it has business in the industry; stated Lockheed, for example, who does non-military and military products, would be included in the code; it would be impossible to break any one company into pieces to direct any kind of investment in a part of the company.

Councilmember Jensen inquired whether a company could be classified by more than one BIC code.

The City Treasurer responded they might be; stated for the purpose of the policy, if companies fall into any of the codes, it would be excluded.

Councilmember Herrera Spencer inquired if clean energy from an oil company, for example, could have two codes; stated there would be no way for the City not to invest in one without investing in the other.

The City Treasurer responded in the affirmative; stated the City is investing in bonds issued by the company; most companies have many divisions, which do not generally issue debt specifically to a division; one cannot pick and choose parts of the company.

Councilmember Herrera Spencer inquired if the City Treasurer has heard of other cities choosing not to invest in military defense companies, to which the City Treasurer responded in the affirmative; stated Alameda has a restrictive policy and is ahead in comparison to other cities.

Councilmember Herrera Spencer inquired about oil and natural gas.

The City Treasurer responded that is even more common; stated it is time for Alameda to put oil and gas restrictions, which is important.

Councilmember Herrera Spencer inquired whether the City has vehicles that use oil, to which the City Manager responded in the affirmative.

Councilmember Herrera Spencer inquired whether the City has buildings that use natural gas, to which the City Manager responded in the affirmative.

Mayor Ezzy Ashcraft inquired if the City is transitioning away from fossil-fueled power vehicles, to which the City Manager responded in the affirmative; stated the City has a policy that states

where possible, electric and/or lower-emission vehicles would be purchased; there are instances where very specialized vehicles are purchased and continue to use gas; a number of changes are being made to convert and upgrade facilities to electric.

Councilmember Herrera Spencer inquired how much money the City spends on gasoline monthly.

The City Manager responded that she does not know how much is spent monthly on gasoline.

Councilmember Jensen inquired whether there is a BIC code for carbon-emitting industries.

The City Treasurer responded that he is unsure; stated he is not sure how it would differ from what is being considered.

Councilmember Jensen stated that she believes the option is in the staff report; she assumes there is a code for fossil fuels or oil and gas.

The City Treasurer responded what he would be looking for is whether there are themes not being captured by staff that are important to Council and the community; stated staff looked at what seems to be a common thread within the community, however if Council feels as though any were missed, staff welcomes the feedback.

Expressed support for the proposed amendments, as well as Council going further and amending the policy to avoid investments in companies which consistently and knowingly supply services and tools used in war crimes or military attacks; she does not want Alameda to invest resources and tax dollars in industries that facilitate or contribute harm to the wellbeing of communities around the world; encouraged the City to invest in industries and companies that prioritize sustainable energy, basic human rights and dignity, as well as companies whose values and companies are in line with the revised policy: Hilda Poulson, Alameda Friends and Family for Ceasefire (AFF4C).

Expressed conditional support for the proposed changes of the social responsibility portion of the investment policy; stated his support is conditioned on the addition of specific language preventing the investment of City funds in the fossil fuel industry and companies that profit off of human suffering; language must also be added addressing companies known to engage in human rights violations, violations of humanitarian laws a part of war, military occupations, and armed conflicts: Ramzi Elkawa.

Expressed support for the proposed changes to the policy; offered her committee's services to the City to support and help implement future changes; stated it is good not to invest in weapons; inquired why the City must invest in weapons, guns, military contractors, and in any companies that are directly and knowingly involved in severe human rights violations around the world: Dov Baum, American Friends Service Committee.

Expressed support of the proposed amendments; stated the City should be investing in housing, not in military spending; expressed concern about military spending in the United States; stated climate change will affect Alameda more than any other city on the west coast; it is important to invest in companies that will help benefit the City: Doyle Saylor, Alameda.

Expressed support for the new policy and strategy; stated that he is appalled at what has

happened to the environment in the past twenty years; he is excited that the City is going to start to limit how it invests its money in industries that are hurting the environment: Fred Fielding, Twin Towers United Methodist Church.

Expressed support for the proposal and its proposed amendments; stated Council has an opportunity to be leaders in the broader Bay Area when it comes to ethical investments; she hopes everyone can agree it is unjust for weapons from the U.S. to be used to inflict cruelty or violence on any civilian communities around the world: Maya Gordon.

Expressed support for the recommendation; stated a change in language could be to call the companies weapons companies, as opposed to defense companies: Ed.

Expressed support for the change in the investment policy; stated arms manufacturers have an incentive to make as much money as they can; the City can and must do better; Alameda should not be putting public funds into weapons manufacturers or investments in companies that profit off of occupation, genocide, and apartheid: Vee So.

Stated it is encouraging to see this policy being advanced; the larger Bay Area feels very deeply about the genocide in Gaza; Albany passed a ceasefire resolution; she hopes the recommendation passes and more cities follow Alameda's lead: Amber Y, Albany.

Stated when investing in carbon-emitting companies, one is also investing in climate change, environmental destruction, and an inhospitable planet for the next generation; urged Council to make a better Alameda that invests in the future; urged Council to improve the legislation further by making it clear that all fossil fuel companies are included in carbon-emitting industries and by restricting investments in any company that has violated human rights; urged Council to vote for the recommendation: Roan Byrne-Sarno, Alameda.

Urged Council to amend the City's investment policy to be more socially responsible; Alameda directly affect what happens thousands of miles away when funds are invested in companies that contribute to violations of humanitarian law, occupation, genocide, and the murder of innocent civilians: Omar, Alameda.

Stated while the effort to amend the language is commendable, more must be done towards restricting investments in military defense companies and further avoiding investments in companies supplying services and tools used in war crimes or military attacks on civilians; urged Council to support the requested amendments: Ysrael Quezon, Alameda.

Stated City funds should be guided by social responsibility investment goals; she is inspired by San Francisco and Berkeley's investment policies that specifically speak to investing in support of community well-being, safe environments, sound fair labor practices, and community economic development, amongst others; she wants to discourage entities that manufacture firearms, weapons, or other military equipment and further reduce investment in carbon-emitting industries, including coal, oil, and gas; the City's finance should reflect the City's values: Jennifer Rakowski, Alameda.

Discussed a misconception about natural gas in the report; stated California has 200 natural gas fired powerplants, producing over 39 gigawatts of power; if removed, people may be unable to charge cars; demonizing natural gas is a mistake; he is glad to see the City resolving the issue about alcohol manufacturing; he would like to see low-interest 2% loans to certain

businesses addressed in the policy: Tod Hickman.

Read a statement on behalf of Paula Rainey; expressed support for the statement the City is making about being a City of peace and being invested in the planet: Michael Yoshii, Alameda.

Discussed the codes for energy, fossil fuel, electric power, natural gas extraction generation, amongst others; stated that she hopes Council is respecting public opinion on this matter: Shelby Sheehan.

Councilmember Jensen stated what she envisioned has been accomplished; when she joined Council and looked at the investment policy, she appreciated that the City has a forward-looking investment policy; there are many good options given by staff; she hopes her colleagues agree to amend the existing policy by adding and eliminating certain provisions to meet the needs of residents and not reduce the ability to make solid investments in Alameda.

Vice Mayor Daysog stated the changes being discussed tonight lock in the progressive investment policy Alameda has pursued for many years; his hope is for this to be a straightforward decision for Council.

Councilmember Vella stated that she understands the comments received about expanded policies and language; sometimes attempting to do too much makes one unable to do anything at all; those managing the portfolio need clear guidelines; expressed concern about there being a public misconception that the City has been investing in things it has not been investing in; she is appreciative of the changes and will support the proposed language.

Councilmember Herrera Spencer stated that she will not be supporting the recommendation; expressed support for the required legal changes; stated the report should read: oil and natural gas; the country has expressed natural gas is needed and why there is a demand for it; she previously inquired about purchasing vehicles, either hybrid or electric, and was told they are either not available or are not being made; inquired whether the City has to purchase vehicles that only use gasoline.

The City Manager responded in the affirmative; stated Council adopted a policy about purchasing electric vehicles, however, staff is unable to do so for all specialized vehicles at this time.

Councilmember Herrera Spencer stated that she appreciates the different terms used for weapons and being more direct; she strongly disagrees with the statements that not investing in the military promotes peace and non-violence; discussed the conflict between Russia and Ukraine; stated Russia would be happy to find out the country as a whole will not be investing in military defense; Alameda is a Coast Guard City; the Coast Guard defends the country; inquired whether the Alameda Police Department (APD) uses weapons that are classified as military, to which the City Manager responded in the affirmative; stated Alameda has purchased what the state has labeled military equipment.

Councilmember Herrera Spencer inquired whether the weapons could be described.

The City Manager responded weapons include guns, bullets, and rifles.

Councilmember Herrera Spencer inquired whether the City has armored vehicles, to which the

City Manager responded in the affirmative.

Councilmember Herrera Spencer inquired whether the City has cameras and drones, to which the City Manager responded in the affirmative.

Councilmember Herrera Spencer inquired if drones are considered military equipment, to which the City Manager responded in the affirmative; stated it may be changing but as of now, drones are considered military equipment.

Councilmember Herrera Spencer stated that she votes for the City's Police to have weapons; people count on APD having the correct tools; inquired whether the Police Chief's position is that drones can make it safer for Officers when responding to emergency calls, to which the City Manager responded in the affirmative.

Councilmember Herrera Spencer inquired whether an example could be given as to how it may be safer.

The City Manager responded if a suspect is hiding, the drone can be used to avoid direct confrontation and escalation; stated drones help provide safety for Officers, as well as the suspect and potential bystanders.

Councilmember Herrera Spencer inquired if the tools can be used for de-escalation, to which the City Manager responded in the affirmative.

Councilmember Herrera Spencer inquired why the City needs an armored vehicle, to which the City Manager responded it is used for high-risk warrants to protect the safety of Officers and first responders.

Councilmember Herrera Spencer inquired whether armored vehicles can be used for extricating Officers or hostages from a situation.

The City Manager responded that she is unsure since the example is beyond her operational knowledge.

Councilmember Herrera Spencer stated that she knows the answer to be yes; that is why the City has an armored vehicle; she strongly disagrees with the statements made that by not investing in military defense companies, the country and world are safer and it promotes peace; encouraged those in support to reach out to countries such as Russia, China, and North Korea to get them to stop invading and start protecting human rights; stated it is important for the country to continue its efforts.

Vice Mayor Daysog stated the issue when it comes to defense spending by federal or local governments investing in weapons manufacturers is that it is far too excessive; locally, money is being spent in a reasonable manner to address potential immediate needs; the City of Alameda spends a paltry amount in defense industries in comparison to the country.

Mayor Ezzy Ashcraft stated it was previously mentioned that Alameda, as an Island, should not be investing in fossil fuel companies or those that are increasing the existential threat of sea level rise and climate change; Alameda, along with several other neighboring agencies, have applied for a \$55 million Federal Emergency Management Agency grant; inquired if the City

policy prevents investing in gun manufacturers.

The City Treasurer responded to his knowledge, the companies are not investable per the State code; stated it can be added in specifically.

Mayor Ezzy Ashcraft stated that she hopes her colleagues would join her in adding it; children are constantly losing their lives to gun violence in the country; Police carry weapons because they are tasked with public safety; citizens, however, should not be carrying weapons; she would prefer the City not to invest in gun manufacturers.

The Finance Director stated Oakland, Richmond, and San Francisco all call out not investing in firearms and firearm manufacturers.

Mayor Ezzy Ashcraft expressed appreciation for language in the staff report about restricting investments to promote peace and ethical governance; stated the nationwide military budget number is jaw-dropping and must be reduced; money must be spent wisely and through an ethical lens; expressed support for the proposed investment policy; asks Council to consider expanding the policy to eliminate investment in gun manufacturers.

Councilmember Jensen stated that she would like the language to include striking a balance that is ethical and enforceable; that what is missing from the policy; the public so demands and deserves a clear statement of the City's opposition to investments in weapons used to kill; investments that are detrimental to people will be strictly avoided, including investments in companies that do not contribute to the wellbeing of people and the planet; suggested language include that the City of Alameda will not invest in industries or companies that facilitate or contribute to tobacco consumption, gambling, fossil fuels, or deadly weapons of any kind; stated that she would like to begin with objectives in the staff report and have staff determine the codes and specific industries that would be impacted and eliminated.

Mayor Ezzy Ashcraft suggested a change of language in 3E of the staff report to be as clear as possible; suggested replacing "...investments are to be made that will bear in mind the responsibility of city government to its citizens..." with "...investments are to be made that will reflect the responsibility of city government to its citizens."

Councilmember Jensen expressed support for the suggested language; stated any amendment to expand and focus on the responsibility of the City to residents is fine.

The City Treasurer stated the language regarding investments in companies that do not support the wellbeing of people and the planet is the type of assessment everyone can interpret differently; provided an example of the City having Pepsi bonds and how some may argue Pepsi does not support the wellbeing of people; cautioned Council must be careful about representing themes that cannot be enforced; his main goal is to have language that is clear enough not to be open to interpretation.

Mayor Ezzy Ashcraft inquired how the statement could be rephrased to be more enforceable.

The City Treasurer responded that he would include BIC codes; the policy conveys a clear theme, however, if there are no clear blocks, the policy does not have as much value.

The City Manager inquired whether having the language in the last sentence and the industries

listed at the end would be specific enough to apply BIC codes, to which the City Treasurer responded in the affirmative; stated the proposed amendments include BIC codes.

Mayor Ezzy Ashcraft stated inquired whether Council would ever consider saying there would be more investment in companies that support healthy people and planet, or something along those lines.

Councilmember Jensen stated that she agrees the statements are broad and global; she does not expect a financial analyst to determine what the quality of life or the wellbeing of people might be; the policy she is looking for is similar to the strategic plan, where there is a big goal, along with several actions that can be taken, bearing in mind the responsibility of the City government to its citizens; she wants to ensure it is clear that the City will not invest in companies that include tobacco, gambling, fossil fuels, and weapons of any kind.

The City Treasurer responded the issue lays in strictly avoiding companies that do not support the wellbeing of people; stated the policy will return to Council next year and is always a work in progress; if themes are not addressed tonight, there are opportunities to have the issues addressed annually.

Mayor Ezzy Ashcraft inquired whether it would be more efficient to reference BIC codes beyond the ones already noted.

The City Treasurer responded areas recommended by staff already have associated BIC codes; stated in the future, if Council would like other items in the policy, it must be translated into something like a BIC code so it is clear and can be enforceable.

Mayor Ezzy Ashcraft inquired whether the City invests in private prisons, to which the City Treasurer responded in the negative.

The City Manager stated that she hears Councilmember Jensen would like to add a vision statement; if the last sentence implementation was made clearer, the City Treasurer would not have to interpret what the wellbeing of people means; BIC codes can be assigned to the specific industries listed; inquired whether it would be clear enough to implement the value statement by restricting investments in those industries, to which the City Treasurer responded in the affirmative.

Councilmember Jensen showed a slide with language; suggested: "investments that enhance the quality of life and support the wellbeing of people and the planet;" stated the addition would make it clear the City will seek investments for those who enhance the quality of life and support the wellbeing of people in the planet.

The City Treasurer responded that he agrees, as it ties to the beginning of the statement.

Councilmember Vella inquired which part of the language is new and whether all the proposed language is new, to which Councilmember Jensen responded in the negative; stated the negative is being removed; her suggestion is to combine the statements that investments will be made that enhance the quality of life and support the wellbeing of people and the planet.

Councilmember Vella inquired whether is the language currently in the investment policy and whether all the new language is shown underlined and in red.



The City Treasurer responded the primary sentence being discussed is in red and underlined; stated the part regarding weapons and fossil fuels is part of staff recommendation; suggested it be kept in the theme, instead of in the restriction execution portion, which is a small technicality but an important one.

Councilmember Vella stated having the language is great, however, it is hard for people to follow where in the recommended language it belongs; it would be helpful to see it in the context of the staff report with the language being voted on; inquired how the language regarding strictly avoiding investments which serve to enrich a few to the detriment of people will be enforceable.

Mayor Ezzy Ashcraft stated that she agrees and was going to suggest that language be eliminated.

Councilmember Vella expressed concern about spending too much time on the item and passing language that is unenforceable and not easy to follow, as it can be interpreted several different ways; stated it would be helpful to see the language in the context of what is being considered.

The City Treasurer stated that he likes the first paragraph and agrees the sentence regarding enriching a few to the detriment of people could be eliminated; he does not think big public companies being invested in could be defined such a way, so it is somewhat irrelevant; suggested having the second paragraph say: the City of Alameda will not invest in X, Y, and Z; the rest is not ambiguous and is enforceable.

Mayor Ezzy Ashcraft inquired whether it could all be made into one paragraph, to which the City Treasurer responded in the affirmative.

The City Manager stated if Council is okay with the bulleted points of the industries with the BIC codes, that is how it will ultimately show up; staff has sufficient direction to make the changes.

Mayor Ezzy Ashcraft stated that she agrees with the City Treasurer about making changes to the language to eliminate the first sentence of the second paragraph and combine paragraphs.

Councilmember Jensen moved approval of the amended investment policy.

Vice Mayor Daysog seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: No; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Noes: 1.

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(24-423) Mayor Ezzy Ashcraft called a recess at 9:57 p.m. and reconvened the meeting at 10:17 p.m.

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(24-424) Mayor Ezzy Ashcraft stated the ordinance on the submerged parcels [paragraph no. 24-429] would not be heard tonight.

The City Clerk stated staff could bring it back as a regular agenda item without a Council vote.

Mayor Ezzy Ashcraft suggested staff bring it back and put it wherever on the regular agenda for the next meeting.

Councilmember Herrera Spencer moved approval of hearing the item under Continued Items on July 16, 2024.

Vice Mayor Daysog seconded the motion.

Under discussion, Councilmember Herrera Spencer stated three members of the public wait to speak on the item and have been here a long time; for this reason, it is important to have the item heard before regular agenda items at the next meeting.

On the call for the question, the motion failed by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Jensen: No; Vella: Absent; and Mayor Ezzy Ashcraft: No. Ayes: 2. Noes: 2. Absent: 1.

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(24-425) Adoption of Resolution Determining that the Public Interest and Necessity Demand the Acquisition, Construction and Improvement of Municipal Improvement Projects Constituting Public Infrastructure of the City, and their Financing Through the Issuance of General Obligation Bonds. Not Adopted; and

(24-425A) Introduction of Uncodified Ordinance Ordering the Submission of a Proposition Incurring Bonded Indebtedness to the Qualified Voters of the City of Alameda at the General Municipal Election to Be Held on November 5, 2024, for the Purpose of Financing the Cost of the Acquisition, Construction and Improvement of Certain Municipal Improvement Projects Constituting Public Infrastructure of the City. Not introduced.

The City Manager and Communications Director gave a Power Point presentation.

Councilmember Herrera Spencer inquired how the public knows what will be funded.

The City Manager responded the list in the ordinance and resolution are the list of eligible improvements; stated staff would ensure any future expenditure complies with the ordinance and the ballot language.

Councilmember Herrera Spencer stated there is \$800 million of projects listed; Council is being asked for a \$150 million bond; not everything listed will be funded; inquired how the public will know which items will be funded.

The City Manager responded staff would have to ensure projects are eligible and in the general categories; stated the alternative is to attach a specific list of improvements; staff does not recommend doing so because needs must be fully vetted; Council would make the decision about what projects receive funding.

The Communications Director stated community members would have the opportunity to engage with Council at the time of the budget cycle and share viewpoints on the projects.

Councilmember Herrera Spencer stated three people on Council get to decide what will get

funded; inquired whether three affirmative Council votes will be what ultimately decides how the \$150 million is spent, to which the City Manager responded in the affirmative; stated the alternative is to submit a very specific list of improvements which would make it difficult for future Councils to have flexibility and ensure the needs of the community are being met.

Councilmember Herrera Spencer requested clarification on whether voting for the resolution does not have legal consequence; inquired what Council is voting on, to which the City Attorney responded Council is not voting to issue bonds; stated the resolution being referred to is to determine the public interest and necessity exceeds the City's current funds and bonds are likely necessary.

Councilmember Herrera Spencer inquired whether voting on the resolution could wait until the item returns at the next Council meeting with more information; inquired how many votes are needed.

The City Attorney responded four votes are needed; the resolution cannot wait for the next meeting, as State law requires the resolution be adopted before Council final passage of the ordinance.

Councilmember Herrera Spencer inquired whether State law allows a priority list so the public knows where the money will go and in what order; inquired where the animal shelter, for instance, falls on the list.

The City Attorney responded Council has discretion; stated if Council wants a list, it can be adopted, however, as previously mentioned, that is not the recommended approach.

The City Manager clarified there is a bulleted list.

Councilmember Herrera Spencer inquired whether the list exceeds \$150 million, to which the City Manager responded in the affirmative.

Mayor Ezzy Ashcraft inquired whether some of the \$150 million bond funding could be used to leverage more funds, similar to the library bond, to which the City Manager responded in the affirmative.

Councilmember Herrera Spencer inquired whether the library bond included flooding related improvements and bike improvements.

The City Manager responded that she was not here at the time but to her understanding that is correct.

Councilmember Herrera Spencer inquired about having just one thing instead of the list of items being presented today.

The City Manager responded staff does not recommend doing so.

Discussed his job at the animal shelter; stated Alameda desperately needs a new animal shelter to accommodate State mandated services, a growing population, and one built to modern life-saving standards; urged Council to vote in favor of this item so it may be taken before the voters in November: John Lipp, FAAS.

Urged Council to vote in favor of the item; stated when looking at State funds and a probable change in administration in Washington D.C., there will be limited outside assistance for all communities in the Bay Area to be able to meet infrastructure needs; local revenues have to be generated to do the work needed for the community; if Council decides to move this forward, Building Trades will strongly move the message forward: Andreas Cluver, Alameda County Building Trades.

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(24-426) Mayor Ezzy Ashcraft stated a motion is needed to hear new items after 11:00 p.m.

The City Clerk stated the two remaining items are the Building 25 lease [paragraph no. 24-428] and the business license tax administration agreement [paragraph no. 24-430].

Councilmember Jensen moved approval of hearing the two items and stopping by midnight.

Vice Mayor Daysog seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: No; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Noes: 1.

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Expressed opposition to the bond proposal; stated that he is all for infrastructure spending, however, there are two problems with the bond issue that he would like to see addressed; the first problem is the planning being inadequate; inquired where the \$150 million amount came from; the second issue is regarding the financing, as it will cost double what the spending will be if a bond is issued: Glenn.

Stated the bond ask is too general and funds are not sufficiently spelled out; expressed concern about money being spent on the bond measure and associated costs; urged Council not to approve the item: Shelby.

Expressed concern about the current process; stated staff has known for years about the significant shortfall in funds available for infrastructure improvements yet, waited until the last minute to bring the matter forward; expressed concern about staff's ability to prioritize spending; stated now is not the time to pass the measure with such limited supporting data available: Jay Garfinkle, Alameda.

Stated Community Action for a Sustainable Alameda (CASA) has long advocated for revenue measures to meet infrastructure needs; the City has been fortunate in obtaining federal grants to address some of the most vulnerable areas; Council identified building resilience to climate change and water level rise as one of its five priorities in the strategic plan; placing the bond measure on the ballot allows Alameda voters to confirm the priorities: Ruth Abbe, CASA.

Councilmember Jensen inquired how staff identified the \$150 million amount.

The City Manager responded staff hired consultants, looked at past measures, polling and the City's need; stated past polling showed tolerance for how much voters would be willing to spend while being realistic about not asking voters to bare too much; based on that, \$150 million was determined as reasonable.

Councilmember Jensen stated a speaker mentioned the item was brought too late and no other discussions have been had; inquired whether there has been outreach or discussions about having a bond issue over the last eight years.

The Communications Director responded in 2018, staff brought Council a comprehensive batch of different possible revenue measures, including infrastructure bonds; significant outreach was conducted; stated in 2019, staff began to work on the possibility of an infrastructure bond, which was ready to go in 2020, however, it was not brought to Council due to the COVID-19 pandemic.

The City Manager stated this is a project in the strategic plan, which had significant community outreach; later, two mailers were sent to all voters in the City, which were very specific and asked for thoughts on a potential bond measure; there was also an online survey.

Councilmember Jensen stated that she recalls the strategic plan discussions, as well as the outreach; inquired whether there are other options staff feels may be viable, such as increasing sales tax or borrowing against city assets, to raise the amount of money necessary to meet needs.

The Communications Director responded the City is at the sales tax cap.

The City Manager stated staff issued a certificate of participation for the aquatic center; based on that, staff does not believe additional debt should be secured; General Fund reserves may be used, but not at the same magnitude.

Councilmember Jensen stated during her time serving on several boards, public agencies depended on voters to support the infrastructure needs of public facilities; expressed support for the item; stated that she believes the community recognizes the need is there.

Vice Mayor Daysog stated Alameda is a democracy in which people are encouraged and expected to vote and express views, and is also a republic in which elected representatives are tasked with exercising some level of discernment on behalf of the people; he will not be supporting the measure because he does not believe it is ready for a vote of the people; he believes revenues should be allocated to specific projects; his hope is staff can come back in a couple of years, as there are valuable projects that need to be funded.

Mayor Ezzy Ashcraft inquired what measure Councilmember Daysog would be willing to support; discussed previous measures, specifically for the library bond; stated this item is not being sprung on Council last minute; over the years, the Public Works Director has brought forth alarming reports of building infrastructure; inquired what if Council is able to narrow down projects that are urgent priorities.

Vice Mayor Daysog responded there is no time to create a list; stated a list should have been done months ago by staff; conducting polling and sending mailers is great and necessary information, however, it is insufficient; there will be no general obligation bond this November.

Mayor Ezzy Ashcraft responded the public has shown an understanding of the real existential threat of sea level rise; stated as Mayor, she feels a tremendous responsibility; repairs put off become more costly and damaging the longer one waits; voters in November could say no; she would hate not to let voters decide something they have expressed interest in; she disagrees

there is not enough time.

Vice Mayor Daysog stated there must be specific sets of lists.

Mayor Ezzy Ashcraft inquired what Councilmember Daysog would put on the list.

Vice Mayor Daysog responded that is for staff to have come up with; stated staff had time to come up with a list.

Mayor Ezzy Ashcraft stated staff has done so; there are categories.

Vice Mayor Daysog responded categories are not a list.

Mayor Ezzy Ashcraft stated there is a need for some flexibility; stated one does not want to be too specific as it may foreclose the opportunity to apply for grants, for example, and leverage bond funds.

Vice Mayor Daysog responded when previous bond measures have been associated with very specific projects; stated that is not what is in front of Council tonight.

Councilmember Vella stated that she is perplexed about having the perfect be the enemy of the good; inquired whether the City has ever gone to the voters for something similar to this before.

The City Manager responded previous measures that have passed, such as general taxes, would not have had a specific list.

Councilmember Vella stated previous general measures that have gone to the voters have been fairly successful; expressed concern with wanting to define specific projects when there is a myriad of projects and most need a certain amount of funding in order to get started; stated a pot of funds is needed; she will not be on Council next year, however, the infrastructure obligations and needs will continue to grow; Council must address the infrastructure at a certain point; not putting the question to the voters removes options from the larger constituency; the opportunity was missed in 2018 and project costs have now ballooned; options are being taken away, not only from this Council, but future Councils, and ultimately, the constituents.

Vice Mayor Daysog stated staff has had the \$800 million list for quite some time; asking for specific projects is not a stretch; voters have a right to know how much money will go to specific projects; that is what he would want in order to support the measure.

Councilmember Vella stated projects were not outlined when items such as the Transient Occupancy Tax (TOT), utility measure, or the sales tax were previously put on the ballot; Council let the voters decide; this measure would be more restrictive than previous ones; urged Councilmembers not to take the choice away from the voters, as it does a disservice to the community and democracy in general.

Mayor Ezzy Ashcraft stated in 2022, Council put the TOT increase to the voters, which passed; the money goes straight to the General Fund; Council decide where the money goes during budget workshops when the public weighs in; infrastructure needs will continue to grow; Alameda will become more vulnerable to sea level rise; while staff is working hard to address it, money is needed to do so; urged Council to let this move forward.

Councilmember Herrera Spencer inquired what money will be invested in the bridges to withstand major earthquakes.

The City Manager responded the City of Alameda does not own the bridges or the tubes, however, staff believes there are things to do, such as, additional planning, feasibility, and additional designs that could help; stated staff is actively designing and looking at ways to prevent flooding around the City's entry points to help facilitate future funding for facilities the City does not own in order to help make it more likely for other jurisdictions to be able to get funding.

Councilmember Herrera Spencer inquired how much money the City has spent on upgrading the bridges in the last five years.

The City Manager stated the City does not spend money on upgrading the bridges, which are not City facilities; stated staff is acutely aware about issues regarding extreme weather and the increases in flooding, making it clear to staff there is a need for infrastructure; although money has not been spent as of now, staff is actively looking for funding now to plan and design better bridges that are safer for the community.

Councilmember Herrera Spencer stated the hypothetical ballot language speaks first to prevent flooding of tubes, shorelines, and Bay Farm Island, which is a different item than upgrading the bridges to withstand major earthquakes; there probably is work the City can do to prevent flooding of tubes, however, the tubes are not the City's responsibility.

The City Manager responded potential flooding that could end up flooding the tubes could be on land the City owns, which the City would have to try to mitigate or change to prevent flooding.

Councilmember Herrera Spencer stated the language begins with flooding but then continues to address sea level rise, which is broad; she does not believe money will be spent on upgrading bridges to withstand major earthquakes; inquired whether the City has given money to the County to upgrade bridges in the past 100 years, to which the City Manager responded in the negative; stated problems or challenges there are now did not exist then.

Councilmember Herrera Spencer stated earthquakes are different from flooding; she does want to treat them the same; sea level rise may be a new problem, but earthquakes have always been a concern; it is fair to the public to prioritize items; it is not fair to the public to put out \$800 million of work and have them pay \$150 million in bonds; expressed concern about placing \$29 on top of all other taxes the community pays; stated people are moving out of the City because they cannot afford it anymore; inquired the total amount of financing charges.

The City Manager responded the number would depend on the rate at the time the bonds are issued; once bonds are issued, staff must deliver on capital improvements and would probably have to issue bonds over time, which would result in different rates based on the market at the time the bonds are issued.

Councilmember Herrera Spencer inquired whether an estimate could be given.

The City Manager responded it is highly speculative; stated if she were to say a number based on the rates today, it would be very different in 5 to 10 years.

Councilmember Herrera Spencer stated outreach and polling included items such as upgrading bridges, which received the highest rating; inquired whether the County or the State maintain the bridges.

The City Manager responded the County maintains the bridges; stated there are ways staff can use funds to support some sort of federal funding in the future and help support the County since the City has more of a vested interest.

Councilmember Herrera Spencer stated the language regarding upgrading bridges to withstand major earthquakes is misleading; the public may interpret it as the City upgrading the bridges; if money is being spent on helping design with the County, it should be specified; she has been told the ends justify the means and she disagrees; the animal shelter is a priority for her and the public.

Councilmember Vella stated earthquakes are not new, however, building standards and codes have changed and improved over time with knowledge about what is safer for design; she believes Council should let the voters decide; Council is not voting on language tonight and whether or not it is misleading; her understanding is Council will have another opportunity to do so; voting to place this on the ballot does not preclude ability to oppose it, campaign against it or vote against it; she hopes Council can reach an agreement tonight; expressed concern about the \$800 million amount increasing to an amount closer to \$1 billion by the time additional measures are potentially available; stated if the item is placed on the ballot and is voted down, at least it has been taken to the voters and they decided to not fund it; it is easier to ask people for \$29 than to ask for eight times that amount to get funds needed to complete everything.

Councilmember Herrera Spencer stated the measure does not state the number of years people would have to pay the amount, which is something she would require to have her name on this.

Mayor Ezzy Ashcraft stated earthquakes are not new but seismic standards are; the City's bridges are old and the public expects Council to work to make infrastructures safe; nobody wants a bridge to collapse or flooding of the Tube because mitigations for sea level rise were not done; Alameda is unique as an island.

Councilmember Vella moved approval of placing the measure on the ballot.

Councilmember Jensen seconded the motion.

Under discussion, Mayor Ezzy Ashcraft stated the item needs four affirmative votes and she hopes it will move forward.

On the call for the question, which required four affirmative votes, the motion failed by the following roll call vote: Councilmembers Daysog: No; Herrera Spencer: No; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 3. Noes: 2.

Mayor Ezzy Ashcraft stated that she is stunned Council would not let the voters vote on something they were already inclined to pass; voters who answered the polls will be looking for answers as to why it will not be moving forward.

(24-427) Recommendation to Consider Amending Charter Section 3-10 to Eliminate the



Supermajority Vote Requirement for Leases Longer than One Year and Sales of City Real Property; and

(24-427A) Adoption of Resolution Calling for the Holding of a Consolidated Municipal Election in the City of Alameda on Tuesday, November 5, 2024 Submitting a Proposed Charter Amendment Revising Section 3-10 Pertaining to Leases [and Sales] of City Real Property, Establishing the Policies and Procedures for Such an Election, Requesting that the County of Alameda Conduct Such an Election and Authorizing City Councilmembers to File Written Arguments For or Against the Measure. Not heard.

(24-428) Introduction of Ordinance Authorizing the City Manager to Execute a Lease Amendment for a Portion of Building 25 with Alameda Point Beverage Group, a California Corporation Located at 1951 Monarch Street, Hangar 200, at Alameda Point, Alameda, California, for a Term of Twenty-Five Months. Introduced.

Councilmember Jensen moved introduction of the ordinance.

Vice Mayor Daysog seconded the motion.

Under discussion, Councilmember Herrera Spencer expressed concern about being unable to ask questions.

On the call for the question, the motion carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

(24-429) Introduction of Ordinance Declaring Six Submerged Parcels on the Alameda Side of the Oakland Inner Harbor Tidal Canal Surplus Property; and Authorizing the City Manager to Execute Purchase and Sale Agreements, Deeds and All Other Necessary Documents Between the City of Alameda and Various Purchasers to Sell the Submerged Parcels at Fair Market Value. Not heard.

#### CONSENT CALENDAR - ITEMS REMOVED FOR DISCUSSION

(24-430) Recommendation to Authorize the City Manager to Execute an Agreement for Full Business License Tax Administration, Including Business Discovery, Collections, and Audit with Hinderliter De Llamas & Associates (HdL) for an Initial Three-Year Term with Two One-Year Extensions, for a Total Agreement Amount Not-to-Exceed \$800,000.

Councilmember Herrera Spencer stated an e-mail was received regarding the change in amount from \$18,000 to \$300,000; inquired why it is needed; inquired why the \$18,000 is not sufficient and why must it raise to \$300,000.

The Finance Director responded the \$18,000 is on a yearly basis; stated the e-mail mentioned the contract would increase to \$160,000 per year; a platform that is leased from HdL and houses all of the business license tax information is being received; the platform requires staff to run it and perform other tasks, such as printing notices, mailing, and maintaining data, amongst others; \$18,000 is the current system cost; running the program in-house costs closer to \$265,000; outsourcing and contracting with HdL is an economy of a scale; HdL provides more of an opportunity to do auditing, a robust discovery program, and collections, amongst other

things.

Councilmember Herrera Spencer stated the item mentions not-to-exceed \$800,000.

The Finance Director responded the amount is \$160,000 a year for five years.

Councilmember Herrera Spencer inquired whether staff currently doing the work will then be freed up, to which the Finance Director responded in the affirmative.

Councilmember Herrera Spencer inquired if the amount would reach \$800,000 over the course of the five years, to which the Finance Director responded in the negative; stated the amount is about \$136,000 if they are charging for the overall program and there is a contingency if an audit finds something.

Councilmember Herrera Spencer inquired whether the change will result in the elimination of any positions, to which the Finance Director responded in the negative.

Stated that she believes it is beneficial for the City to keep the work in-house; how much the City would gain is not stated; a lot of the answers to the questions are not consistent with the staff report; there is not enough information to say this is a cost-saving measure; Council should ask for the item to come back with more detail: Shelby.

Councilmember Jensen moved approval of the staff recommendation.

Councilmember Vella seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

#### CITY MANAGER COMMUNICATIONS

(24-431) The City Manager announced the water shuttle will officially launch on July 17; stated staff is getting ready to announce the details of the new Alameda Point shuttle and plan to have a pilot service run for ten weeks on weekends from July 27 to September 29; staff is working hard preparing for the 4<sup>th</sup> of July parade; more information can be found on the City's website; the heat wave will continue until next week; encouraged everyone to hydrate and cool in the shade or in cooling centers around the City, such as the Alameda Library; restriping on Park Street and Webster Street is complete; there will be an increase in traffic enforcement ticketing those double-parking and parking in bike lanes.

#### ORAL COMMUNICATIONS, NON-AGENDA

None.

#### COUNCIL REFERRALS

None.

#### COUNCIL COMMUNICATIONS

(24-432) Mayor's Nominations to Various Boards and Commissions.

Mayor Ezzy Ashcraft nominated Jamie Gloyne for appointment to the Transportation Commission.

(24-433) Councilmember Jensen stated the Waste Management Authority Board had elections several weeks ago and she is now the first Vice President.

(24-434) Mayor Ezzy Ashcraft stated on June 21, she attended the Association of Bay Area Governments (ABAG) and League of California Cities meetings; ABAG passed its budget and the Bay Area Housing Financing Authority (BAHFA) measure will move forward on the November ballot; on June 22, she was invited to be on a panel at the new leadership program at St. Mary's College; she and staff members were invited to Coast Guard Juneteenth celebration; she spoke at a Mastick Senior Center Town Hall, played in a bocce tournament in Danville for a League of California Cities fundraiser and will speak at a naturalization ceremony on the U.S.S. Hornet for 76 new U.S. citizens.

(24-435) Councilmember Herrera Spencer discussed crime in the City; encouraged residents to join her and other staff members for the 5K run before the 4<sup>th</sup> of July parade.

Mayor Ezzy Ashcraft stated the carjacking incident mentioned by Councilmember Herrera Spencer was scary and made the news; it is impressive that in less than an hour, Alameda, Oakland, and San Francisco Police departments worked together to catch the suspects.

#### ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 11:57 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

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