

**From:** [Shelby S](#)  
**To:** [Lara Weisiger](#)  
**Subject:** [EXTERNAL] AFB Sunshine Item Supplementals attached  
**Date:** Monday, November 6, 2023 5:18:43 PM  
**Attachments:** [6 2023 0701 AC AFB Parcel 74-906-37 County code 500 owned by utility owner address out of state really utility Property Search.pdf](#)  
[10 Minutes of 9019 2023 AFB meeting item City of Alameda - File # 2023-3465.pdf](#)  
[9 2023 1104 SLA and exemptions.pdf](#)  
[5 2023 1107 CC AFB minutes Oct 3 meeting -File # 2023-3518.pdf](#)  
[7 2022 1220 Press AFB LtrEd Alameda Food Bank only facility is W Ranger.pdf](#)  
[4 2023 XXXX City Website confirms AFB and Jean Sweeney Open Space Urban Ag Project.pdf](#)  
[1 Accela Citizen Access with AFB permits.pdf](#)  
[8 2022 0402 Press AFB moves to Ranger in 2020 Island Community Market Welcomes Shoppers.pdf](#)  
[2 2023 1011 Press AFB vacated Thau no later than Dec 2020 AFB websitet History Mission.pdf](#)  
[3 20210418 Press AFB JS expanding land.pdf](#)

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Lara-

Please see the attached per the AFB Complaint.

Thanks, Shelby

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Shelby  
510-435-9263



## ALAMEDA COUNTY ASSESSOR'S OFFICE

[New Search](#)

### Parcel Details for Parcel 74-906-37

**Parcel Number:** 74-906-37 **Active:** Yes  
**Property Address:** THAU WAY, ALAMEDA, CA 94501  
**Mailing Address:** PO BOX 2500, BROOMFIELD, CO 80038

#### Values

Select the year to see value details

Roll Year ↓	Land Value	Imps Value
<a href="#">2023</a>		
<a href="#">2022</a>		
<a href="#">2021</a>		
<a href="#">2020</a>		
<a href="#">2019</a>		

[◀](#) [◀](#) **1** [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [▶](#) [▶](#)

1 - 5 of 32 items

\*Corrected values

#### Maps

[Map 1](#)[Maps Disclaimer](#)

#### Use Code

500

PROPERTY OWNED BY A PUBLIC UTILITY

[Use Code Reference](#)

Parent Parcels	Child Parcels	Economic Unit
No records available.	No records available.	No records available.



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Details  
**File #:** 2023-3465  
**Type:** Consent Calendar Item  
**Body:** [City Council](#)  
**On agenda:** 10/17/2023  
**Title:** Minutes of the Special City Council Meeting, the Special Joint City Council and City of Alameda Financing Authority Meeting and the Regular City Council Meeting Held on September 19, 2023. (City Clerk)

Text

Minutes of the Special City Council Meeting, the Special Joint City Council and City of Alameda Financing Authority Meeting and the Regular City Council Meeting Held on September 19, 2023. (City Clerk)

**UNAPPROVED**  
**MINUTES OF THE SPECIAL CITY COUNCIL MEETING**  
**TUESDAY- -SEPTEMBER 19, 2023- -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 6:31 p.m.]

Absent: None.

**Consent Calendar**

Councilmember Jensen moved approval of the Consent Calendar.

Vice Mayor Daysog seconded the motion.

On the **call** for the question, the motion carried by the following voice vote: Ayes: Councilmembers Daysog, Herrera Spencer, Jensen, and Mayor Ezzy Ashcraft - 4. [Absent: Councilmember Vella - 1.]

(23-\_) Recommendation to Approve Jennifer Ott, City Manager, Andrew Thomas, Interim Base Reuse and Economic Development Director, Annie Cox, Acting Management Analyst, and Len Aslanian, Assistant City Attorney, as Real Property Negotiators for 1.7 Acres of City Owned Property Located at 677 West Ranger Avenue and along Pan Am Way (Alameda Food Bank). Accepted.

**Public Comment**

Teale Harden, Alameda Food Bank, discussed the Alameda Food Bank's 45-year service; stated there has been an increase in services over recent years; expressed support for the partnership with the City and for the use of space while construction occurs; urged Council support.

The meeting was adjourned to Closed Session to consider:

(23-\_) Conference With Labor Negotiators (Government Code Section 54957.6) City Negotiators: Jennifer Ott, City Manager, Jessica Romeo, Human Resources Director, Edward Kreisberg, Outside Counsel, and Doug McManaway, Deputy City Attorney Employee Organizations: International Association of Firefighters Local 689 (IAFF) Under Negotiation: Salaries, Employee Benefits and Terms of Employment

(23-\_) Conference With Real Property Negotiators (Pursuant to Government Code Section 54956.8) Property: 677 West Ranger Avenue (1.7 Acres Located on Pan Am Way between West Midway Avenue and West Ranger Avenue), Alameda, CA; City Negotiators: City Manager Jennifer Ott, Interim Base Reuse and Economic Development Director Andrew Thomas, Annie Cox, Acting Management Analyst, Assistant City Attorney Len Aslanian; Negotiating Parties: City of Alameda and The Alameda Food Bank; Under Negotiation: Price and Terms of Purchase

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding Labor, staff provided information and Council provided direction by the following vote: Ayes: Councilmembers Daysog, Jensen, and Mayor Ezzy Ashcraft - 3; Noes: Herrera Spencer - 1 [Absent: Councilmember Vella - 1]; regarding Real Property, staff provided information and Council provided direction unanimous voice vote - 5.

**Adjournment**

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 6:39 p.m.

Respectfully submitted,  
 Lara Weisiger, City Clerk

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

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**MINUTES OF THE SPECIAL JOINT MEETING OF THE CITY COUNCIL**  
**AND THE CITY OF ALAMEDA FINANCING AUTHORITY (CAFA)**  
**TUESDAY- -SEPTEMBER 19, 2023- -6:59 P.M.**

Mayor/Chair Ezzy Ashcraft convened the meeting at 7:05 p.m. Councilmember/Authority Member Jensen led the Pledge of **A**lliance.

**ROLL CALL** - Present: Councilmembers/Authority Member Daysog, Herrera Spencer, Jensen, Vella and Mayor/Chair Ezzy Ashcraft - 5. [Note: Vice Mayor/Authority Member Daysog joined the meeting via Zoom at 7:10 p.m.]

Absent: None.

### CONSENT CALENDAR

Councilmember/Authority Member Vella moved approval of the Consent Calendar.

Councilmember/Authority Member Jensen seconded the motion, which carried by unanimous voice vote - 4. [Absent: Vice Mayor/Authority Member Daysog - 1.] [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(\*23- APFA) Minutes of the Special Joint Meeting of the City Council and Alameda Public Financing Authority (APFA) Held on September 21, 2021. Approved.

### AGENDA ITEM

(23- CC) Resolution No. 16097, "Authorizing the Issuance and Sale of City of Alameda Financing Authority 2023 Lease Revenue Bonds for the City Aquatic Center in an Amount Not-to-Exceed \$16,000,000 and Approving Certain Documents in Connection with the Issuance and Sale of the Bonds and Authorizing the City Manager, Assistant City Manager and Finance Director to Execute the Documents and Take **All** Related Actions in Connection Therewith." Adopted;

(23- CAFA) Resolution No. 23-05, "Authorizing the Issuance and Sale of City of Alameda Financing Authority 2023 Lease Revenue Bonds for the City Aquatic Center in an Amount Not-to-Exceed \$16,000,000 and Approving Certain Documents in Connection with the Issuance and Sale of the Bonds and Authorizing the City Manager, Assistant City Manager and Finance Director to Execute the Documents and Take **All** Related Actions in Connection Therewith." Adopted;

(23- CAFA-A) Resolution No. 23-06, "Adopting Amended By-Laws". Adopted; and

(23- CC-A) Ordinance No. 3349, "Urgency Ordinance Authorizing the City Manager to Enter into Leases with the City of Alameda Financing Authority." Adopted.

The Finance Director gave a brief presentation.

In response to Councilmember/Authority Member Herrera Spencer's inquiry related to the proposed location, the Recreation and Parks Director stated Jean Sweeney Park is the desired location and other alternative sites will not be sought; the layout of the site will vary based on programming, size of the pool and parking lot.

The Assistant City Manager stated staff's approach follows previous direction from Council.

Councilmember/Authority Member Herrera Spencer inquired whether the space is sufficient for an Olympic sized pool.

The Recreation and Parks Director responded staff has met with design consultants for a preliminary fit test; stated the site fits size requirements.

Councilmember/Authority Member Herrera Spencer further inquired whether the site would have sufficient parking for an Olympic sized pool swim meet.

The Recreation and Parks Director responded in the affirmative; stated a joint-use agreement will be created to use adjacent existing parking as overflow for swim meets.

Councilmember/Authority Member Herrera Spencer stated the report references events having the ability to earn revenue; inquired whether there is interest in the space earning revenue.

The Recreation and Parks Director responded in the affirmative; stated staff anticipates a tremendous amount of interest in a large pool capacity.

Councilmember/Authority Member Herrera Spencer inquired whether there is an estimation of how much the City could earn per event.

The Recreation and Parks Director responded the numbers are currently preliminary; stated that he would prefer not to be specific.

Councilmember/Authority Member Herrera Spencer inquired whether Council will have the information at some point prior to deciding on the final size of the pool.

The Recreation and Parks Director responded in the affirmative; stated staff is developing the project budget and programming; staff will present information prior to Council selection of pool size.

Councilmember/Authority Member Herrera Spencer inquired what would happen if Council does not approve the matter.

The Finance Director responded there would be a risk of interest rates being higher.

Councilmember/Authority Member Vella requested clarification about the process; stated that she would like to understand related timelines.

The Recreation and Parks Director stated staff is currently working with consultants, looking at the program and developing a detailed construction cost estimates; a Request for Proposals will go out in late October to early November; the design development and community engagement meetings will follow with staff returning to Council in late spring for design selection; then, the project will go out to bid; construction will likely begin in early 2025.

The City Manager stated staff has discussed providing a site tour that could be a possible joint meeting of City Council and the Recreation and Parks Commission as part of the project outreach.

Mayor/Chair Ezzy Ashcraft inquired whether the public will be able to join, to which the City Manager responded in the affirmative.

Expressed concern about the cost, bonds, and debt; discussed local taxes and debt: Tod Hickman.

Mayor/Chair Ezzy Ashcraft stated Council has had many discussions related to the need for more aquatic facilities in Alameda; swimming and aquatic sports can be done at any age with many related advantages; expressed support for the proposal.

Councilmember/Authority Member Herrera Spencer inquired about the risk of using the Alameda Police building as an asset.

The Finance Director responded the risk is minimal due to Council ensuring the debt service is budgeted on an annual basis and payments are made.

Councilmember/Authority Member Herrera Spencer inquired the years for the debt service, to which the Finance Director responded 30 years.

Councilmember/Authority Member Herrera Spencer inquired the current amount of the unfunded pension liability, to which the Finance Director responded that she did not know.

Councilmember/Authority Member Herrera Spencer inquired the amount of debt the City currently holds, to which the Finance Director responded that she does not have the information.

Councilmember/Authority Member Herrera Spencer inquired whether an approximation is available, to which the Finance Director responded in the negative.

Councilmember/Authority Member Herrera Spencer inquired whether there is another way for the project to be financed without being attached to the Alameda Police administration building.

The Finance Director responded in the affirmative; stated the City can go to the voters and ask for a General Obligation Bond; Council provided direction to use the proposed approach.

Councilmember/Authority Member Herrera Spencer stated the City owns many buildings; inquired why the Alameda Police administrative building is being used.

The Finance Director responded the building is being used due to needing an asset worth at least \$16 million; stated a Charter provision prohibits leasing Recreation and Parks properties; the Police building is the ideal choice.

Councilmember/Authority Member Herrera Spencer inquired whether buildings at Alameda Point could be used.

The Finance Director responded Alameda Point is restricted under the agreement between the City and the Navy.

Councilmember/Authority Member Herrera Spencer inquired whether the Carnegie Library could be used, to which the Finance Director responded the Carnegie building is not worth enough.

Councilmember/Authority Member Herrera Spencer stated that she is reluctant to use the Police building; she would prefer to use other buildings; inquired whether the City could use two other buildings.

The Finance Director responded in the negative; stated that she has looked at many options; the Police administration building was previously used; staff tried many combinations and the funding was not possible.

Councilmember/Authority Member Herrera Spencer stated that she would have preferred to have the numbers shown in the report.

Councilmember/Authority Member Jensen inquired about payments and whether there will be any public payment or assessment on tax bills.

The Finance Director responded in the negative; stated there will be no assessments on the residents; the funding will come from the General Fund.

Councilmember/Authority Member Vella stated the interest rates could potentially increase and likely will; the price of \$30 million is the aquatic center project cap set by Council; there are a number of important meetings coming up where Council will decide on matters impacting the total costs; expressed support for a joint project site tour prior to the spring of 2024, at least one month, if not sixty days, before design to ensure adequate time to shift and provide feedback before the matter comes to Council; expressed concern over related meetings being scheduled too close together; stated that she would like the site tour to map out the possible options with stakes and strings indicating the differences between 30- and 50-meter pool sizes; expressed support for approving the funding.

Councilmember/Authority Member Vella moved approval of the staff recommendation [including adoption of the resolutions and ordinance].

Councilmember/Authority Member Jensen seconded the motion.

Under discussion, Councilmember/Authority Member Herrera Spencer inquired whether staff anticipates having enough revenue options when the matter returns.

The Recreation and Parks Director responded in the affirmative; stated when the matter returns with design options, staff will have a full operating plan, including impacts of decisions made in relation to the program of a 30- or 50-meter pool, plus any other amenities.

Councilmember/Authority Member Herrera Spencer inquired whether the options will be presented during workshops with the public, to which the Recreation and Parks Director responded in the affirmative.

Councilmember/Authority Member Herrera Spencer further inquired whether the information presented will include information on a diving well.

The Recreation and Parks Director responded the option is preliminarily included in the program, is called the warm pool and is adjacent to the larger pool; there is a depth situation; stated staff is moving through design details and diving is currently a program element within the design concept.

Councilmember/Authority Member Herrera Spencer expressed support; stated that she would have preferred a different building other than the Police building; expressed support for an Olympic sized pool and diving well; stated the size provides a different kind of opportunity for swimmers of all ages; inquired how far out swimmers in the East Bay would have to travel for similar sized services, to which the Recreation and Parks Director responded Pleasanton and Dublin have similar sized pools.

Councilmember/Authority Member Herrera Spencer stated the size option compliments the athletic opportunities in the community and should be accomplished.

The Assistant City Manager stated staff will not only have options to present during public input as well as the joint meeting site tour, but will also bring Council options to provide direction for final design.

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

#### ADJOURNMENT

There being no further business, Mayor/Chair Ezzy Ashcraft adjourned the meeting at 7:37 p.m.

Respectfully submitted,  
Lara Weisiger, City Clerk and Secretary, CAFA

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

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#### MINUTES OF THE REGULAR CITY COUNCIL MEETING TUESDAY- - SEPTEMBER 19, 2023- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:37 p.m.

**ROLL CALL** - Present: Councilmembers Daysog, Herrera Spencer, Jensen, Vella, and Mayor Ezzy Ashcraft - 5. [Note: Vice Mayor Daysog was present via Zoom and left the meeting at 8:44 p.m.]

Absent: None.

#### AGENDA CHANGES

(23- ) Mayor Ezzy Ashcraft requested both final passages [paragraph nos. 23-\_\_\_ and 23-\_\_\_] and the **All Good Living** [paragraph no. 23-\_\_\_] matters be heard first.

Councilmember Vella inquired whether Council is adding extra time to public comment for the Consent Calendar items; proposed Council hear whether there are other items being pulled from Consent prior to deciding on how to proceed.

The City Clerk stated there are public comments for the Consent Calendar; Council may **call** the entire Consent Calendar after **All Good Living**.

Mayor Ezzy Ashcraft proposed hearing **All Good Living** first, followed by the Consent Calendar.

Councilmember Vella moved approval of hearing **All Good Living** and the Consent Calendar first on the agenda.

Councilmember Jensen 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.

#### REGULAR AGENDA ITEM

(23- ) Introduction of Ordinance Authorizing the City Manager to Execute a 59-Month Lease with **All Good Living** Foundation for the Property Located at 1900 Thau Way, Alameda, CA. Introduced.

The Economic Development Manager gave a Power Point presentation.

Councilmember Herrera Spencer inquired whether the property is zoned Open Space.

The Interim Base Reuse and Economic Development Director responded in the affirmative; stated the use is, and has been, compatible with the zoning.

Councilmember Herrera Spencer inquired how a trailer is considered compatible in the Open Space district.

The Economic Development Manager responded the Food Bank was located on the site and grandfathered the use.

In response to Councilmember Herrera Spencer's inquiry about the zooming definition of Open Space, the Acting Planning, Building, and Transportation Director stated the proposed use is an existing building that has been in the space for a long time; it is a legal, non-conforming use; under the Municipal Code, the use can remain with a new tenant as long as the building is not removed or demolished.

Councilmember Herrera Spencer inquired how long the trailer will remain.

The Economic Development Manager responded the proposed lease is for four years and eleven months and cannot be renewed unless an extension is approved by Council.

In response to Councilmember Herrera Spencer's inquiry about grandfathering, the Acting Planning, Building, and Transportation Director stated a new use would have to comply with the current Zoning Code; stated in the Open Space district, the use has to go through a Use Permit process; the use must be related; if the building did not exist and the related use was proposed, it would not be **allowed**.

Councilmember Herrera Spencer stated the term is for 59-months due to the State Surplus Lands Act (SLA); inquired whether the property could be used for housing and how the SLA applies to Open Space.

The Interim Base Reuse and Economic Development Director responded the SLA limits the lease to less than five years; stated if Council wishes to prolong the lease, the City would have to make the site available or solicit interest from affordable housing providers; there is a non-conforming use and a **good** proposal; the City is ready to support the non-profit; if Council does not approve the lease, the trailer can be removed.

Councilmember Herrera Spencer discussed an open space initiative, which prohibits open space from being sold or used.

Councilmember Herrera Spencer inquired the process to selecting **All Good Living** over other non-profits; questioned whether **all** Alameda non-profits were given the opportunity to apply, to which the Interim Base Reuse and Economic Development Director responded in the negative.

The Economic Development Manager stated staff feels **All Good Living** is a very strong community collaborator; the organization has several community clothing pantries in Alameda; the Food Bank contacted staff to request the lease be extended for **All Good Living**; staff reviewed Village of Love using the

space, but the space was not a fit; a Requests for Proposal (RFP) was not done since only certain uses similar in type are permitted in the space; the provider must be an existing social service use, similar to the Food Bank.

Councilmember Herrera Spencer inquired whether a public process was held to **allow all** non-profits in Alameda to apply.

The City Manager responded in the negative; stated staff is recommending the lease for the reasons provided; the use conforms with the grandfathered use and provides a safety net service to homeless children in the City.

Councilmember Herrera Spencer inquired the market rate price for the space.

The City Manager responded staff did not conduct an appraisal; stated the open space use is highly limited and the value would be very low.

Councilmember Herrera Spencer inquired whether any member of staff knows the market rate value and the square footage of the trailer.

The Economic Development Manager responded that she does not have the square footage of the trailer; stated the City is only leasing the land to the provider, not the trailer; the City does not own the trailer.

Councilmember Herrera Spencer inquired the square footage of the land, to which the Economic Development Manager responded approximately 10,000 square feet.

Councilmember Herrera Spencer inquired what Pyka is paying for rent at Alameda Point.

The Interim Base Reuse and Economic Development Director responded the two are not comparable; stated the area is zoned Open Space.

Councilmember Herrera Spencer inquired whether Chuck Corica Golf Course would be comparable, to which the Interim Base Reuse and Economic Development Director responded it depends.

Councilmember Herrera Spencer inquired who comprises the team of **All Good Living**, to which the Economic Development Manager responded Chris Tam is the Executive Director.

Inquired the impact the matter will have on neighborhoods; stated Alameda does a great job of caring for the homeless; expressed support for more avenues to help; questioned how many more avenues should be provided: Augstin Garcia.

Discussed public comment and legal questions: Shelby Sheehan, Alameda.

Stated that he is thankful for Council's consideration of the lease; discussed services provided by **All Good Living**; stated the space will help store and distribute donations for the community closet programs; the site will **allow All Good Living** to distribute products directly to schools, families, and students: Chris Tam, **All Good Living** Foundation.

Expressed support for Councilmember Herrera Spencer's questions and comments: Tod Hickman.

Expressed support for the lease; stated that she has seen students benefit from the work of **All Good Living**; the non-profit has deep roots with the City and aligns closely with the Food Bank use: Jennifer Rakowski, Alameda.

Stated that she fully endorses the use of space: **All Good Living** supports the needs of Alamedans: Marilyn Rothman, Alameda.

Councilmember Vella stated Council receives staff reports and are able to ask staff clarifying questions ahead of meetings; members of the public can also ask questions due to the meeting packet being published well in advance of the meeting; questions have been answered; the space will be used for storage; items will then be brought to different schools for distribution; unhoused students suffer instability and attendance issues; the amount of unhoused students across California and Alameda has grown substantially; the foundation has partnered with a number of Alameda schools and has grown significantly.

Councilmember Vella moved introduction of the ordinance.

The City Clerk explained one speaker was not **called**.

Expressed support for the project, supporting students, and staff; stated it is important to ensure there is strong citizenship and a more informed public; the best thing to do is care for the next generation; expressed support for the provider having a larger space: Gabriel Duncan, Alameda Native History Project.

Mayor Ezzy Ashcraft discussed Councilmembers attending school events relating to a United States Department of Education award; stated Council is mindful that a percentage of students at local schools are homeless and might not know where they will sleep night to night; **All Good Living** has been supporting these children in providing clean clothes, backpacks, and other supplies; two current Councilmembers are former School Board members and served with the late Niel Tam; expressed support for the motion.

Councilmember Jensen seconded the motion.

Under discussion, Councilmember Herrera Spencer stated that she will not support the motion; expressed concern over transparency; stated there should have been an open process; **all** City non-profits should have had an opportunity to apply; **All Good Living** is doing **good** work; it is important to address any concerns of impropriety; expressed concern over the lease amount being low; stated there are many non-profits in the City and **all** should be given the opportunity to go through the process; transparency in selection is critical; she has concerns about the use being placed on open space and the term being just shy of triggering the SLA, which requires affordable housing be given the first opportunity; it is important to uphold the process and provide affordable housing; expressed support community input regarding the use; stated the location is adjacent to Jean Sweeney Park and the proposed aquatic center; stated the work being done is important, but the process should be transparent.

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

## CONSENT CALENDAR

Expressed support for City staff providing building updates; discussed community activities and events for Veterans and the Veterans' building; stated that he appreciates the City's efforts and urged Council not to forget about the Veterans: Greg Owens, Veterans Group of Alameda.

Urged Council pull the Pyka lease due to legal concerns; stated legal concerns relate to provisions of giving Pyka possession of the parcel enclosed with fencing that obstructs the public view of Seaplane Lagoon; expressed concern over the City permitting fencing in a historic district within Tidelands and obstruction of public access to water: Shelby Sheehan, Alameda.

Discussed the Bills for Ratification [paragraph no. 23- ] and the Alameda Historic Museum; questioned whether the City is renting property from the Museum; stated many Consent Calendar items are being exempt from the California Environmental Quality Act (CEQA): Gabriel Duncan, Alameda Native History Project.

Discussed concerns related to the Pyka lease and view corridor; urged Pyka be required to place shipping containers behind the building: Tod Hickman.

Stated that she submitted a letter regarding the Pyka lease; expressed support for Pyka's work; stated it is important to maintain the view corridor; urged the City to develop a proper landscaping plan to avoid issues related to obstructed views: Carmen Reid, Alameda.

Councilmember Jensen moved approval of the Consent Calendar.

Councilmember Vella seconded the motion.

Under discussion, Councilmember Herrera Spencer requested the bills [paragraph no. 23- ] and the Pyka lease [paragraph no. 23- ] be removed from the Consent Calendar for discussion.

On the **call** for the question for the remainder of the Consent Calendar, 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. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(\*23- ) Minutes of the Special and Regular City Council Meetings Held on July 18, 2023. Approved.

(23- ) Ratified bills in the amount of \$4,767,861.32.

Councilmember Herrera Spencer stated there has been public comment related to the Alameda Museum; requested clarification for the \$3,550 line item.

The Assistant City Manager responded the City has a five-year lease agreement with the Alameda Museum; the City pays roughly \$42,000 under property rental; the City is not renting property to the Alameda Museum and the items likely needs to be recategorized; the amount is a monthly payment.

In response to Councilmember Herrera Spencer's inquiry about what the payment is for, the Assistant City Manager stated archival services; the payment includes both archival services for City documents and related support for park display information; the agreement will come before Council in January.

Councilmember Herrera Spencer moved approval of the bills.

Councilmember Vella seconded the motion.

Under discussion, Mayor Ezzy Ashcraft stated that she is looking forward to the upcoming report; concerns have been raised about the Museum's focus on the Victorian era not being comprehensive of Alameda.

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.

(\*23- ) Recommendation to Accept the Annual Report on the Settlements for the Period of July 1, 2022 through June 30, 2023, including 1) General Liability Claims and Litigation Settlements, 2) Workers' Compensation Settlements, and 3) Personnel Settlements; and Related Closed Session Disclosure Report. Accepted.

(\*23- ) Recommendation to Authorize Updates to the Existing Alameda Police Department Policy Manual to Conform to Best Practices and to Ratify Policies that Have Been Updated Pursuant to Legal Updates, Significant Liability Issues, and Imminent Safety. Accepted.

(\*23- ) Recommendation to Authorize the City Manager to Execute a Forty-Five Month Agreement with Terraphase Engineering Inc., for an Amount Not-to-Exceed \$200,000, Including Contingencies, to Provide Environmental Support Services Related to the Clement Avenue/Tilden Way Project. Accepted.

(\*23- ) Recommendation to Authorize the City Manager to Execute a Second Amendment to the Service Provider Agreement with CSG Consultants, to Extend the Term of the Agreement through December 31, 2023, for Third Party Plan Check Services. Accepted.

(\*23- ) Recommendation to Authorize the City Manager to Execute a Five-Year Agreement with Dream Ride Engineering, Inc. for Full-Service Elevator Maintenance and Repairs in City Building Facilities (Various Locations) for an Amount Not-to-Exceed \$183,898. Accepted.

(\*23- ) Ordinance No. 3350, "Approving the Transfer by Quitclaim Deed of Approximately 0.11 Acres of City Property at the Del Monte Development Site to Alta Buena Vista Owner, LLC, in Exchange for the Clement Avenue Right-Of-Way Between Entrance Road and Sherman Street to the City per the Development Agreement for the Del Monte Warehouse Project." **Finally** passed.

(\*23- ) Ordinance No. 3351, "Amending the Alameda Marina Master Plan and Approving Density Bonus Application No. PLN23-0179 to Increase the Alameda Marina Sitewide Housing Unit Count from 760 Units to 801 Units." **Finally** passed.

(23- ) Ordinance No. 3352, "Authorizing the City Manager to Execute a Lease with Pyka Inc., a Delaware Corporation, for Building 39, Located at 950 West Tower Avenue at Alameda Point, Alameda, California, for an Eight Year Lease Term with an Additional Three-Year Extension Option for Research and Development of Autonomous Electric Aircraft." **Finally** passed.

Councilmember Herrera Spencer stated that she expressed concerns about the matter during introduction; expressed concern over a nearby company, Saildrone, placing trailers within the view corridor; inquired the height of the shipping containers, to which the City Manager responded that she did not know.

Mayor Ezzy Ashcraft expressed concern over the reference to Saildrone during the discussion for final passage of lease with Pyka; inquired whether the discussion is permitted.

The City Attorney responded Councilmember Herrera Spencer is likely referencing Saildrone as a comparison to the containers on the Pyka premises.

Councilmember Herrera Spencer inquired how **tall** the container height would be on the Pyka premises, to which the City Manager responded eight to twelve feet high.

The Interim Base Reuse and Economic Development Director stated typical shipping containers are approximately eight feet high; the lease indicates there can be no stacking of shipping containers; the height would be for one shipping container and is only **allowed** in a limited area of the lease premises.

Councilmember Herrera Spencer stated that she believes the container height is at least ten feet high; eight feet is above the fence line; chain link fences are see-through; inquired whether Saildrone is next to Pyka, to which the City Manager responded in the affirmative.

Councilmember Herrera Spencer stated there has already been some loss of view of the Seaplane Lagoon from West Tower Avenue; the view is **partially** obstructed due to shipping containers at Saildrone; inquired how many shipping containers Pyka will have on the premises.

The City Manager responded the lease indicates Pyka cannot stack shipping containers, which are only permitted in specific locations on premises in order not to block views and corridors on either side of the building; staff has limited how the number and location of containers.

Councilmember Herrera Spencer stated the sides of the building show the view.

The City Manager stated there are views to San Francisco from West Tower Avenue; there is 70 feet of view corridor on both sides of the building, which will be maintained consistent with the zoning; City Council has approved the zoning map; staff can bring the zoning back to Council for further discussion if desired; view corridors are preserved in the lease.

Councilmember Herrera Spencer inquired whether the 60 feet is considered the street, to which the City Manager responded in the affirmative.

Councilmember Herrera Spencer stated the term view corridor includes the street; inquired whether the rest of the lease area premises can be considered up to the street.

The City Manager responded in the affirmative; stated the fencing can go up to the street; the 70 feet of right-of-way will include the street and sidewalks; 70 feet is a significant right-of-way; Council can direct staff to bring back the Town Center Plan to review or change view corridors.

Councilmember Herrera Spencer inquired whether the distance between the buildings was 180 feet and was the view corridor, to which the City Manager responded that she did not know.

Councilmember Herrera Spencer stated that she will have to accept that the 180 foot distance is correct; expressed disappointment about the inquiry not being answered; stated 60 feet is significantly less than 180 feet; many people enjoy Alameda for its views; expressed support for the City Attorney providing an opinion on whether the views are protected under the Tidelands Trust or under the Historic District.

The City Attorney stated that he would defer to Planning, Building, and Transportation staff regarding Historic District regulations; his understanding is that staff has reviewed historic preservation issues and do not believe views are protected; the report received from staff regarding the Tidelands Trust is that the proposed lease is a longstanding use that has been in existence; other analysis staff shared with Council is preferred to remain confidential.

Councilmember Herrera Spencer stated the shipping containers are not a longstanding use; there have not been shipping containers at the premises for over 20 years; inquired whether the longstanding use is related to the building or shipping containers blocking views.

The City Attorney responded the report received from staff indicates the use of shipping containers and fencing is relatively common in Alameda Point and Tideland areas; staff has prepared a short analysis for Council which is preferred to remain confidential.

Councilmember Herrera Spencer stated that she believes views are protected; expressed concern over containers encroaching on the use and enjoyment of the Island; stated that she does not believe there have been lines of shipping containers at the site; the fencing is **intentionally** chain-link for people to be able to see through; the use is not continued and is new; expressed concern over the quantity of shipping containers and how the containers will travel through the City; stated Pyka plans to have roughly 300 containers shipped each year, which will cause more traffic; referenced **all** letters and correspondence opposing the project.

Councilmember Vella moved final passage of the ordinance.

Councilmember Vella stated that she would caution against making comparisons about Alameda Point tenants; tenants have **illegally** erected structures that blocked the view corridor; several Spirits **Alley** tenants have erected temporary structures that have been utilized for events, but the structures remained long past the event; there are examples of similar obstructions occurring regularly.

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

(\*23- ) Ordinance No. 3353, "Authorizing the City Manager to Execute a Fifth Amendment to the License with Amber Kinetics, Inc., a California Corporation, to Extend the License Term for Twelve Months and to Establish a New Monthly Rent for the Unimproved Lot Located at 641 West Red Line Avenue for Electrical Systems Storage." **Finally** passed.

#### PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(23- ) Proclamation Declaring October 1 through 7, 2023 as Public Power Week.

#### ORAL COMMUNICATIONS, NON-AGENDA

(23- ) Robert Bezek, Legion Post 647, discussed planning efforts for the use of the Veterans Building.

[Note: Councilmember Vella left the meeting at 8:44 p.m. and returned at 8:46 p.m.]

(23- ) Gabriel Duncan, Alameda Native History Project, discussed the Alameda Museum; stated that he has had issues gaining access to the Alameda Museum's holdings due to mismanagement and improper indexing; discussed damages resulting from a water pipe break in the Museum.

(23- ) Tod Hickman expressed concern over the agenda order; discussed Council and view corridors; stated there has been a correction to the communication chain; expressed concern over meetings.

(23- ) Josh Altieri, Alameda Housing Authority, provided an update on Poppy Place affordable housing.

(23- ) Jake Rizzo, Alameda, discussed Council's attempts to combat increasing housing costs and homelessness in Alameda and opportunities for Council to increase its ability to have space made for more housing units by rezoning.

(23- ) Shelby Sheehan, Alameda, discussed concerns and duties related to the City Attorney.

Mayor Ezzy Ashcraft expressed concern over comments being directed at staff.

(23- ) Susan Gonzales, League of Women Voters, stated it is National Voter Registration Day; encouraged residents to register to vote.

#### CONTINUED AGENDA ITEMS

None.

#### REGULAR AGENDA ITEMS

(23- ) Resolution No. 16098, "Appointing Clifford Tong as a Member of the Golf Commission." Adopted.

Mayor Ezzy Ashcraft made brief comments regarding Mr. Tong.

Councilmember Vella moved adoption of the resolution.

Councilmember Jensen seconded the motion, which carried by unanimous voice vote - 4. [Absent: Vice Mayor Daysog - 1.]

\*\*\*

Mayor Ezzy Ashcraft **called** a recess at 9:01 p.m. and reconvened the meeting at 9:15 p.m.

\*\*\*

(23- ) Work Session on the Draft City of Alameda Three-Year Strategic Plan (Fiscal Years 2023-2026).

The City Manager and the Communications and Legislative Affairs Officer gave a Power Point presentation.

Councilmember Herrera Spencer stated Council has received correspondence related to the Alameda Naval Air Museum (ANAM) library; inquired whether the library will be incorporated into the plan at a later time or whether the issue is new.

The City Manager responded that she is not aware of an ANAM project; stated that she is willing to discuss and work with ANAM to further understand needs; the topic is not currently included in the Strategic Plan.

Councilmember Herrera Spencer inquired whether the hybrid tree protections and new tree planting will be included in the Strategic Plan, to which the City Manager responded in the affirmative

The Assistant City Manager stated the Strategic Plan includes completing the Urban Forest Plan (UFP); the UFP includes strengthening the tree protection ordinance.

The City Manager stated the project name can be clarified in order to be more transparent; staff can add language about strengthening the tree ordinance language.

Councilmember Herrera Spencer stated that she received correspondence regarding using revenues from the Big Whites to restore buildings; inquired whether the project is included in the Strategic Plan.

The City Manager responded the City has funds for the work; renovations will be completed; if the project is not explicitly listed in the Strategic Plan, it can be added.

Stated a number of people participated in the survey and suggested additions to the Vision Statement and project list; expressed support for including the Carnegie Library; expressed concern over no other suggestions being included in the plan list and architecturally distinguished neighborhoods not being referenced: Dodi Kelleher, Alameda Architectural Preservation Society (AAPS).

Discussed the schedule of the Safe Routes to School and Jean Sweeney Park neighborhood connectors; questioned the status of specific and prioritized programs from the Active Transportation Plan; expressed concern over projects slipping through the cracks: Cyndy Johnsen, BikeWalk Alameda.

Urged Council to include specific protection for urban trees on public land; expressed concern over large desirable trees being removed on private land; urged the City to add language to strengthen the tree protection ordinance by expanding desirable tree species over a certain age and size and strengthening penalties: Chase Martin.

Expressed support for the strategic plan focus on Diversity, Inclusion, Equity, and Belonging (DEIB) and housing; stated that she would like mini grant programs for community organizations similar to the City of Santa Rosa; urged the City pursue a similar program; discussed the Community Assessment Response and Engagement (CARE) and rent protection programs: Jennifer Rakowski, Alameda.

Discussed adding language to the vision statement and expanded vision statement and listed of specific projects and priorities APPS supports: Christopher Buckley, AAPS.

Expressed support for comments provided by AAPS members; expressed concern over the matter returning on the Consent Calendar; questioned ethics of the process; urged Council to listen to the comments provided: Shelby Sheehan, Alameda.

Expressed support for the Strategic Plan and for more resources for infrastructure projects; expressed concern over slipping project timelines; stated delays have been caused by staff shortages; additional help is needed: Denyse Trepanier, BikeWalk Alameda.

Expressed support for comments provided by Speaker Martin and for expanding support for trees; discussed neighbors tearing down trees and paying penalty fines; expressed support for adding Redwood Trees and attention being paid to Alameda Point's Historic District: Carmen Reid, Alameda.

Stated the Strategic Plan is not ready for finalization and should not return on the Consent Calendar; all issues mentioned by commenters are clear public concerns; urged the matter be brought back on the Regular Agenda: Tod Hickman.

Mayor Ezzy Ashcraft requested clarification about projects being delayed and pushed to a later date.

The Senior Transportation Coordinator stated a number of projects the plan have been delayed; there are significant staffing shortages for transportation engineers; construction project often face delays; Jean Sweeney Park connectors are under the Recreation and Parks Department.

The Recreation and Parks Director stated the design has been completed for Jean Sweeney Park trail connectors; the City has received a grant for \$450,000 to perform construction, however, when project quotes came back, the cost had increased to roughly \$850,000; staff is seeking additional funding causing a subsequent project delay.

The Acting Planning, Building, and Transportation Director stated the Central Avenue improvement project is a State route; much of the planning work based on Council approval earlier in the year has been moved to coordination with partner agencies, like Caltrans; the process of working with additional agencies takes time; staff anticipates construction will start in 2024.

The City Manager stated the current work session allows staff to carefully go over dates and project schedules; staff will try to push matters along; she can discuss timelines with BikeWalk if needed.

Mayor Ezzy Ashcraft inquired whether there are plans to increase staff.

The Public Works Director announced a new City Engineer has been hired and will start September 25; stated the Cross Alameda Trail Signal Improvement Project construction contract was awarded by Council; the Clement Avenue project is currently out to bid and staff plans to bring the construction contract to Council in November; Central Avenue should be put out to bid in the spring of 2024; construction on Clement Avenue will likely be finished prior to starting construction on Central Avenue.

Councilmember Jensen discussed survey responses; stated the Strategic Plan is needed for her as a new Councilmember; expressed support for being able to look at strategies necessary to continue making Alameda a great place to live; the Strategic Plan is comprehensive; proposed and displayed changes to the vision statement and a priority section title; stated that she added language about architecturally distinguished neighborhoods and transparent decision making; the additions have been brought forth by Councilmembers and members of the public and should be included in the vision statement; the City is tremendous and unique with assets that should be prioritized; changing the title broadens the scope to include everyone in Alameda and to add historic resources; Alameda is a historic city and should be recognized as such; expressed support for the future finalized plan.

Mayor Ezzy Ashcraft stated anything being prioritized should be tied into the budgeting process; the focus on historic resources would need to consider associated costs; questioned the best way to approach the proposed changes.

The City Manager stated a number of projects in the Strategic Plan address historic resources; the Veteran's building, Carnegie library, and Big Whites are historic; the City already has some money budgeted to address historic resources; Alameda Point is a nationally registered historic district; when altering or rehabilitating buildings within the Historic District, staff ensures the Historic Advisory Board (HAB) is involved; if Council wishes to direct staff to add the term historic resources, the projects can be grouped under a bullet point to indicate work is being done to protect historic, City-owned resources; the list would include sub-bullets with the projects; the change would likely not have a large impact on the budget and staff would be able to call greater attention to historic resources and what is being done to address the topic.

Councilmember Jensen expressed support for the extensive project list; stated the list provides everyone the opportunity to see where projects fall under the priority list; she would like to include historic resources; expressed support for an audit of the Alameda Museum to identify historic resources available and ensure the resources are properly cared for.

The City Manager stated staff is working on the Alameda Museum matter and can add the project to the Strategic Plan if desired.

Mayor Ezzy Ashcraft expressed support for the forthcoming report on the Alameda Museum; stated the Alameda Museum has long been focusing on a narrow slice of history.

Councilmember Vella stated the presentation included process steps; stated the current matter is not the first step of the Strategic Plan; there have been considerable amounts of opportunity for public input; expressed concern over changing or altering course based off the most recent actions and not the whole process; stated that she would like to consider deliberation and discussion as an entire Council and not just being reactive to comments pitched in that have already been deliberated on with determinations made; the approach would be counterintuitive to the transparent process; expressed concern over the term "architecturally distinguished" due to a number of characteristics which ultimately distinguish architecture; stated the distinction depends on the purpose of the structure; the importance of the building varies drastically based on different factors; there are new neighborhoods that are not considered historic and consist of a large portion of the City, such as Bay Farm Island; expressed concern over having language misconstrued; expressed support for ways to recognize the process for historic buildings and designated historic resources going through different processes; stated that she would support a slight change to the language to address the provision and distinguish that the City is not limiting itself; expressed support for the change in adding language related to a transparent process; stated concerns have been raised about existing projects; the Strategic Plan is about forward looking and is not to undermine or diminish other projects that are underway; existing projects are still important and are priorities; expressed support for the City keeping at the tasks at hand in figuring out how to build projects already underway.

Councilmember Herrera Spencer expressed support for the recommended changes proposed by Councilmember Jensen; stated the language could be modified to address the concern of misinterpretation by stating: "architecturally distinguished;" there are different styles of architecture throughout the community; expressed concern over the matter returning to Council on the Consent Calendar; discussed Council and public speaking time on agenda matters; stated there is not enough participation allowed if the matter comes back on Consent; inquired the reason why the matter would return on the Consent Calendar.

The City Manager responded the work session is being held to receive comments; stated two Strategic Plan retreats were held, as well as community outreach events; staff will weigh how many comments and changes are received and make edits to quickly to Council; staff would make a judgement call on how many edits are being presented; if the edits are relatively contained, changes would be made and the final version would be placed on Consent in order to focus the regular agenda on other matters.

Councilmember Herrera Spencer stated that she does not support the approach; expressed support for transparent decision making; stated the approach does not honor transparent decision making; correspondence for the matter has been received; she supports the comments provided by Alameda Citizens Taskforce's and AAPS; expressed concern over trees being removed when not permitted; questioned the enforcement mechanism for unpermitted removal of trees; discussed her prior Council Referral regarding a tree protection ordinance; stated trees are critical and important for the climate action; she would like more precision in the Plan regarding planting of trees; expressed support for the work done on the Veterans' building; stated ANAM and Alameda Museum are assets of the community and need help; expressed concern over the quantity of stickers indicating interest for vacancy tax in year one; requested clarification about the priorities listed in year one.

The City Manager stated the priorities are based on the work plan for staff; the vacancy tax function is held in the Finance Department; the Finance Director worked on a vacancy tax in Oakland; the Finance Department has the capacity to address the matter in year one; if there is desire to do so, staff can postpone it.

Councilmember Herrera Spencer stated the Council stickers should indicate project prioritization; the City unfortunately does not address **all** needed work due to the lack of time; she was unable to go back and count stickers, however, when Council is asked to prioritize matters, those with more stickers should be considered higher priorities; discussed short-term rentals being included in years two and three; stated that she would like projects included in year one based on the number of stickers; it is important to honor Council's direction.

Mayor Ezzy Ashcraft stated part of the Strategic Plan process was the public and Council retreat session workshops; another element had been taking the Plan to staff's Executive Management Team; there has been robust public outreach; Council plays a role, however, nothing is completed without staff; the City Manager works to delegate projects; recommendations made are taken to heart.

The City Manager stated staff needs to balance Council priorities with staff workload and community input; staff made judgement **calls** based on how much different departments were working on and what capacity is available to move projects along; in addition to the strategic priorities, operations need to be balanced; staff considered Council priorities when setting the Plan.

Councilmember Herrera Spencer stated the information should be shared for ease; matters which only received one sticker should be checked; she would like disclosure when a priority does not occur; expressed concern over raising new issues; stated that she understands the City does not have a view ordinance; inquired what happens to new issues that arise and how the issues would be incorporated.

The City Manager responded the Strategic Plan is generally a workplan of the City and is typically done around the budget cycle in order to make trade-offs; stated staff does acknowledge matters arise that are not anticipated or included in the Strategic Plan; staff is happy to make changes and would present analysis in the staff report; new matters will indicate changes to the Plan and any related delays; the report will be used as a way to make trade-offs about capacity.

Councilmember Herrera Spencer stated that there is a problem with crime in the City; expressed concern over not keeping up with crime as much as possible; noted Berkeley has surveillance cameras and related items as crime increases; discussed a recent community beat meeting; expressed support for the beat meetings and urged public participation; stated that she would like to be able to address crime related matters when they arise; questioned whether she will need to bring a Council Referral or whether staff can bring new matters to Council.

The City Manager stated the Strategic Plan is meant to be a working document to help staff manage and aligned workload with Council expectations; changes to the Plan are anticipated; staff might have a new idea on fighting crime and recommendations that might **fall** outside the Strategic Plan would be brought to Council, however, staff will also present resulting trade-offs; the final decision on how to proceed will remain with Council.

Councilmember Herrera Spencer inquired whether Council will still have a referral process to bring matters forth for consideration.

The City Manager responded in the affirmative; stated staff's response to the Council Referral will be to reference the Strategic Plan as a tool showcasing any resulting changes.

Councilmember Herrera Spencer expressed concern over the title: Diversity, Equity, Inclusion, and Belonging; stated there are different variations of the title and she would like to substitute accessibility versus belonging.

Councilmember Vella expressed support for a walkthrough of Alameda Point being scheduled and agendized in a way to include the Planning and Historic Advisory Boards and the community; stated there have been changes to buildings over time; expressed concern over controlling the timing of projects; stated Council responded to staff priorities at the second retreat; she is concerned about pushing back priorities listed in year one; grant funding deadlines could be missed; Council understands staff's capacity and the process of adding positions takes time; expressed support for the general timing of the Plan and keeping an eye on transportation projects; stated delays will need often require budget adjustments; budget adjustments would be the proper place to address changes, not the Strategic Plan.

Councilmember Jensen stated the vision statement was more extensive at the first retreat and Council responded; she did not anticipated the proposed vision statement would be final after her recommendations; her inclusion of the architectural **ally** distinguished term was not meant to exclude neighborhoods or indicate that resources should be only focused on historic, Victorian era structures, but meant to recognize **all** the great varieties of Alameda's built environment.

Mayor Ezzy Ashcraft proposed the term "safe, architectural **ally** varied neighborhoods;" stated the term distinguished is a buzz word which has different connotations; Alameda has a wide variety of neighborhoods, which is part of the charm; the City does need to eventually finalize the Strategic Plan; Council has made enough changes and comments; staff can bring the matter back on the Consent Calendar; Council can pull the matter from Consent if there are any question or concerns over a topic not being properly captured; expressed support for moving the Plan forward; stated there has been a lot of public input; she supports the idea of the tree ordinance being strengthened to protect existing trees and planting of new trees; discussed the City of Palo Alto's treescape; stated that she supports the vacancy tax being included in year one; proposed language changes to page 5 of the Plan under the expanded vision statement; stated the change should read: "Alameda is a low crime community thanks to our ability to meet the needs of our most vulnerable community members while maintaining well-resourced public safety departments. We also pride ourselves on providing ample mental health services...;" proposed a change to page 9 under house **all** Alamedans to include the three P's of addressing homelessness and housing insecurity: "Production, Preservation, and Prevention;" proposed a change to page 14 related to access to pickleball courts; discussed an article related to converting large retail spaces to pickleball courts; stated page 21 outlines funding for a bicycle-pedestrian bridge; announced a tour of the project site for stakeholders; stated a public tour will occur at some point to introduce Alamedans to the project; expressed support for the Plan; inquired when the matter will return to Council.

The City Manager responded given the proposed changes, staff can bring the Plan back relatively quickly, likely at the first or second meeting in November; she has taken copious notes on Council comments.

(23- ) Public Hearing to Consider Introduction of Ordinance Amending the Zoning Map for the Approximately 2,280-Square-Foot Property at 1715 Lincoln Avenue (APN 72-299-11) from C-1, Neighborhood Business District, to R-5, Residential District, in Conformance with the Property's General Plan Land Use Designation of Medium-Density Residential, as Recommended by the Planning Board.

The Planner II gave a Power Point presentation.

In response to Councilmember Herrera Spencer's inquiry related to building height, the Planner II stated the R-5 zoning district allows up to 40-feet in height; the building is subject to historic preservation rules and would require a certificate of approval from the HAB in order to be demolished; if demolition occurs, there would be a 40-foot height limit, as well as lot setback requirements.

Councilmember Herrera Spencer inquired whether there is a way for the space to have increased density by providing more affordable units.

The Planner II responded in the affirmative; stated the zoning allows one unit for every 171 square feet of lot area and the space allows two units; if the space is redeveloped, the building would be on an about 600 square foot pad in the middle.

Councilmember Herrera Spencer inquired how many stories equates 40-feet.

The Planner II responded most newer townhomes in Alameda are three stories tall and are between 35 to 40-feet tall; stated staff would anticipate a three-story structure maximum.

Councilmember Herrera Spencer stated surrounding homes are single level; inquired how a three story building would work for the space.

The Planner II responded that he is unsure of the surrounding structure heights; stated similar to any other property owner, zoning codes allow the opportunity to change or develop property.

Councilmember Herrera Spencer inquired whether neighbors could end up with a three-story building in the area with nothing else similar nearby.

The Planner II responded in the affirmative; stated the zoning allows neighbors the same opportunity to build additions.

Stated he is the applicant and had planned to open a cannabis dispensary; he was not selected and is looking to wind down the investment; the space will be converted to residential and add to the City's housing stock; approximately \$80,000 worth of improvements will be made to the space to be sold as a retail space; the footprint of the property will not change: Mark Hersman, Portman Enterprises.

Councilmember Vella moved introduction of the ordinance.

Councilmember Jensen seconded the motion.

Under discussion, Councilmember Herrera Spencer stated the applicant is finding a better use for the space moving forward; expressed support for seeing the improvements.

On the call for the question, the motion carried by unanimous voice vote - 4. [Absent: Vice Mayor Daysog - 1.]

#### CITY MANAGER COMMUNICATIONS

(23- ) The City Manager announced the closure of applications for Rise Up Alameda, the Guaranteed Basic Income program; discussed smoke and air quality advisories resulting from wildfires in Northern California and Oregon; stated the City is soliciting thoughts from Alameda residents and businesses on winter holiday decorations and event; announced upcoming events: Nuestros Colores Art and Cultural Festival, PAL in the Parks, the annual job fair, a free family fun bike ride, and a community workshop at DePave Park.

#### ORAL COMMUNICATIONS, NON-AGENDA

(23- ) Carmen Reid, Alameda, discussed the Alameda Museum.

#### CITY MANAGER COMMUNICATIONS

(23- ) The City Manager announced the City's received the 2023 award of excellence for opportunity and empowerment for Dignity Village.

Mayor Ezzy Ashcraft stated the award is from the American Planning Association Statewide chapter; the project won for the Northern California chapter; the project has also been submitted for a Statewide award; receiving the award from APA is a proud moment.

#### COUNCIL REFERRALS

None.

#### COUNCIL COMMUNICATIONS

(23- ) Councilmember Herrera Spencer gave a crime report; discussed law enforcement beat meetings and grant funding; announced that she attended the AAPS 50<sup>th</sup> Legacy Home Tour, the Blues Brews and Barbecue event, and a climbing event near Dashe Cellars at Alameda Point; stated that she will be attending an upcoming League of California Cities conference in Sacramento; discussed the Green Strides school event.

(23- ) Councilmember Vella discussed attending the Green Strides tour and awards and the focus on safe routes to school; outlined the Green Otters program and City ordinances related to compostables and banning single use straws; expressed support for student leaders and educators; announced the upcoming Walk and Roll to School event, the St. Feld Merry Fall Festival, and the Asian Health Services gala.

(23- ) Mayor Ezzy Ashcraft discussed attending the Asian Health Services gala event, the St. Mary's first responders memorial mass, the Alameda Education Foundation's back-to-school barbecue event, a press conference at Oakland International Airport, the 15<sup>th</sup> anniversary celebration of Alameda's sister city Jiangyin China, the upcoming League of California Cities conference and Nuestros Colores.

(23- ) Councilmember Jensen discussed attending a Stopwaste meeting; announced fundraising opportunities for Alameda schools related to recycling and composting; discussed Alameda Police Department reports, updates, resources, citation increases and catalytic theft reductions.

(23- ) Mayor Ezzy Ashcraft stated Council receives updates on crimes and APD is responsive with an impressive case closure rate; discussed recent APD case closures and reductions in catalytic converter thefts.

(23- ) Councilmember Herrera Spencer made an announcement about attending the Alameda Welfare Council luncheon.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 11:10 p.m.

Respectfully submitted,  
Lara Weisiger, City Clerk

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



# Surplus Land Act Frequently Asked Questions (FAQs)

*This document provides answers to frequently asked questions about the Surplus Land Act (SLA) (Government Code sections 54220-54234) and the responsibilities of local agencies under the SLA. The Department of Housing and Community Development (HCD) reserves the right to update this document as needed in response to new facts, issues, or laws.*

## General Questions

### 1. What is the Surplus Land Act (SLA)?

The SLA is a “right of first refusal” law that requires all local agencies to offer surplus land for sale or lease to affordable home developers and certain other entities before selling or leasing the land to any other individual or entity.

### 2. When do I have to follow the SLA?

Any time a local agency disposes of land, it must follow the SLA unless the land qualifies as **exempt surplus land**. Dispositions include both sales and leases (unless the lease is less than five years or where no demolition or development will occur during the term of the lease).

### 3. Is land ever exempt from the SLA?

Yes. There are many exemptions in the SLA. Most, but not all, are found in Government Code section 54221, subdivision (f)(1). Exemptions to the SLA can be generally summarized in the following four categories:

1. Those where the pre-AB 1486 version of the SLA applies because the local agency took action to dispose of the land prior to September 30, 2019 (“Grandfathering” exemptions). These dispositions are exempt from the current version of the SLA subject to the SLA as it existed on December 31, 2019.
2. Those where the disposition can be streamlined because the proposed development on the surplus land includes a certain percentage of affordable units (Affordable Housing exemptions)
3. Land that is disposed of or restricted for another public use under certain conditions (Public Use exemptions)
4. Land that is not suitable for housing because of size or other factors (Unsuitable Parcel exemptions)

### 4. What is a disposition?

A disposition occurs when a local agency declares land to be surplus or exempt surplus and then **sells or leases** the land. All dispositions of surplus land must be approved by HCD before the sale or lease can be finalized. (Gov. Code, § 54230.5, subd. (b)(1).)



## 5. When do I need to contact HCD regarding a standard surplus land disposition?

The SLA requires local agencies to contact HCD twice.

First, when a local agency declares land surplus and issues a Notice of Availability (NOA), the local agency must send the NOA to HCD. (Gov. Code, § 54222, subd. (a)(1).) Second, the local agency must contact HCD again once at least 60 days have passed after the issuance of an NOA and any required 90-day good faith negotiations have concluded. At that time, the local agency must provide HCD with disposition documents that include the following: a copy of the Resolution declaring the land surplus, a copy of the NOA, a copy of the draft affordability covenant, proof of NOA delivery to all required entities per Government Code section 54222 (see Noticing Requirements below), and a description of any negotiations that have taken place. (Gov. Code, § 54230.5, subd. (b)(1).)

## 6. How do I contact HCD with questions about the SLA?

All correspondence with HCD should be submitted via [the Surplus Lands Portal](#).

## Dispositions

### 1. Are leases subject to the SLA?

Yes. Leases are subject to the SLA in most cases. The only exceptions are leases that are less than five (5) years or where no demolition or redevelopment will occur (SLA Guidelines section 102(h)(1)).

### 2. Are easements subject to the SLA?

No. In almost all cases, easements are not subject to the SLA. However, if a purported easement substantively resembles a sale or lease, then we recommend you discuss with HCD.

### 3. When are affordability restrictions required?

All dispositions of surplus land require an affordability covenant. Every sale or lease of land that takes place under the SLA requires that an affordability covenant be recorded against the land. Land sold or leased to an affordable housing developer or local public entity that responded to the Notice of Availability (NOA) within 60 days following the issuance of an NOA must include an affordability covenant requiring at least 25% of the total units developed to be affordable to lower income households. (Gov. Code, § 54222.5.) In addition, a 15% affordability covenant is required on land sold or leased after no entity responds to the NOA during the 60-day period or after price or terms cannot be reached during the 90-day good faith negotiation period. (Gov. Code, §§ 54233, 54233.5.)

An affordability covenant should also be recorded for exempt surplus land dispositions that are put out to open, competitive bid by a local agency for affordable housing development



pursuant to Government Code section 54221, subdivision (f)(1)(F)(i) or mixed-use development pursuant subdivision (f)(1)(F)(ii). For dispositions of exempt surplus land pursuant to subdivision 54221(f)(1)(A), local agencies must record a regulatory agreement establishing the minimum affordability requirements.

#### **4. Are dispositions for exempt surplus land the same as dispositions for surplus land?**

No. The exempt surplus land disposition process requires much less documentation. To dispose of “exempt surplus” land, a local agency must submit a resolution with written findings supporting the exemption to HCD for review (SLA Guidelines section 400(e)(1)). After HCD reviews the resolution and written findings and concurs that the land qualifies as exempt surplus land, the local agency is free to sell or lease the land (SLA Guidelines section 400(e)).

HCD staff will also review a draft resolution and provide feedback as to whether the resolution addresses the requirements of “exempt surplus” land before the local agency presents it to its governing body. However, HCD review of a draft resolution is optional (SLA Guidelines section 400(e)(2)).

Greater details on exemptions are available in our Guide to Exemptions.

#### **5. Are properties in a Long-Range Property Management Plan subject to the SLA?**

Yes. All locally owned land, including land that has been designated in Long-Range Property Management Plans (LRPMP) approved by the Department of Finance (DOF) or the Community Redevelopment Property Trust, is subject to the SLA. (Gov. Code, § 54221, subd. (b)(2).) When disposing of surplus land in an LRPMP, HCD requests that the local agency includes two additional documents in its disposition paperwork: a copy of the LRPMP and the letter from the DOF approving the LRPMP.

#### **6. What if there was an exclusive negotiating agreement (ENA) or legally binding agreement to dispose of the land prior to September 30, 2019?**

Land is subject to the version of the SLA that existed on December 31, 2019 so long as the local agency entered into an exclusive negotiating agreement (ENA) or other legally binding agreement to dispose of land on or before September 30, 2019, and the disposition of the land is completed by December 31, 2022, to the party that entered into the ENA or other legally binding agreement or its successor or assign. (Gov. Code, § 54234, subd. (a)(1).)

#### **7. If a local agency leases agency-owned land that requires tenant improvements and repair work, would that be considered a “disposition of surplus land”?**

No. For the purposes of the SLA Guidelines, the term “disposition” excludes short-term leases for a term of less than five years, as well as leases where no demolition or development will



occur. A lease that allows tenant improvements and minor maintenance would not be considered a disposition of surplus land (SLA Guidelines section 102(h)).

## **Determining How the SLA May Apply to a Local Agency's Proposed Disposition of Land**

*Before a local agency considers selling or leasing locally owned land, it should consider if the land is surplus, exempt surplus, or not otherwise subject to the SLA. This section addresses frequently asked questions regarding those considerations.*

- 1. Our local agency is proposing to dispose of land for economic development purposes. We received grant funding from state or federal sources which prohibit us from developing housing on the land. Does this qualify the land for an exemption?**

Yes, if grant funding from another agency restricts the development from pursuing any residential uses, then the land may qualify for the exemption in Government Code section 54221(f), subdivision (1)(G). HCD recommends that the local agency contact HCD via the [Surplus Lands Portal](#) to confirm that the grant does in fact prohibit housing development before declaring the land “exempt surplus land” under Government Code section 54221(f), subdivision (1)(G).

- 2. Our city has surplus land in a commercial district. The development of housing would be subject to a conditional use permit. Would this exempt the land from the SLA?**

No, the city must abide by the SLA process of notifying all mandatory parties and negotiating in good faith with any interested parties proposing to develop affordable housing on the land. (Gov. Code, § 54223, subd. (b).)

- 3. For affordable housing exemptions using the no-bid affordable housing exemption (Gov. Code, § 54221, subd. (f)(1)(A)), does the city or county still have to declare the land as “exempt surplus” through an act of its governing board?**

Yes. All surplus land and exempt surplus land must be declared as such. (Gov. Code, § 54221, subd. (b)(1).)

- 4. Our agency is proposing to dispose of land that is not currently zoned for residential use. Can we declare it exempt surplus land for this reason?**

The land can only use the exemption in Government Code section 54221(f), subdivision (1)(G) if the restriction prohibiting housing is imposed by another agency. If the agency that owns the



land is a city or county that zoned the land for non-residential use, that designation cannot be used to qualify the land for this exemption.

## **Noticing Requirements for Land Disposed of as Surplus Land**

### **1. When must a local agency send out a Notice of Availability (NOA)?**

A local agency must send out a Notice of Availability (NOA) before selling or leasing surplus land or participating in negotiations to sell or lease surplus land. (Gov. Code, § 54222.) A local agency must give entities that are interested in purchasing or leasing the surplus land at least 60 days from the date the agency sends the NOA to notify the agency of its interest. (Gov. Code, § 54222, subd. (e).)

### **2. Who does a local agency disposing of surplus land need to notify that surplus land is being made available?**

The following entities must be notified (Gov. Code, § 54222):

- If the NOA is for developing low- and moderate-income housing, the local agency must notify:
  - HCD
  - Any local public entity within whose jurisdiction the surplus land is located. Local public entities include: any county, city, city and county, the duly constituted governing body of an Indian reservation or rancheria, tribally designated housing entity as defined in Section 4103 of Title 25 of the United States Code and Section 50104.6.5, redevelopment agency organized pursuant to Part 1 (commencing with Section 33000) of Division 24, or housing authority organized pursuant to Part 2 (commencing with Section 34200) of Division 24 of the Health and Safety Code, and also includes any state agency, public district, or other political subdivision of the state, and any instrumentality thereof, that is authorized to engage in or assist in the development or operation of housing for persons and families of low or moderate income. “Local public entity” also includes two or more local public entities acting jointly.
  - CalHFA-certified Housing Sponsors who have notified HCD of their interest in developing affordable housing on surplus land. (Gov. Code, § 54222, subd. (a)(1).) A link to the full list of developers can be found on the [Public Lands for Affordable Housing Development page](#) on HCD’s website. Those entities with an “X” in column C of the table are CalHFA-certified Housing Sponsors that are required to receive NOAs.
- If the NOA is for open space purposes, the local agency must notify: the State Resources Agency, any regional park authority having jurisdiction where the land is located, and the park or recreation department of the city and/or county in which the land is located. (Gov. Code, § 54222, subd. (b).)
- If the land is suitable for school facilities construction or for use by a school district for open-space purposes, the local agency must notify the school district in which the land is located. (Gov. Code, § 54222, subd. (c).)



- If the land is located in a transit village or infill opportunity zone, the local agency must notify the county, city, city and county, successor agency to a former redevelopment agency, public transportation agency, or housing authority within whose jurisdiction the surplus land is located. (Gov. Code, § 54222, subd. (d).)

### **3. Does a local agency disposing of surplus land need to send the NOA to mandatory parties via email or certified mail?**

Noticing via email where a local agency sends one email and “Bcc” all the required entities is acceptable. (Gov. Code, § 54222, subd. (a)(1).) Certified mail is also acceptable.

### **4. Are we required to notify all entities that have notified HCD of their interest in surplus land prior to disposing of surplus land?**

No, only the housing sponsors certified by the California Housing Finance Agency (CalHFA) must be notified from that list. (Gov. Code, § 54222, subd. (a)(1).) However, the local agency may notify any other housing developers in addition to the CalHFA-certified housing sponsors. Remember that the CalHFA list is being continually updated. Please check the HCD website to ensure you notice the up-to-date list.

Please be reminded that the local agency disposing the land must also notify other local public entities (LPEs) within whose jurisdiction the surplus land being disposed of is located. (Gov. Code, § 54222, subd. (a)(1).) The LPEs required to be noticed vary based on the location of the land and do not appear on HCD’s list. It is the local agency’s responsibility to determine all LPEs that must be sent an NOA.

### **5. If, at the conclusion of the 60-day noticing period, no qualified party submitted a Notice of Interest (NOI) for the surplus land we are disposing, do we have any other obligations under the SLA?**

Yes, the local agency must record a deed restriction requiring that, in the event 10 or more residential units are developed on the land, 15 percent of the units be set aside as affordable housing. A sample deed restriction can be found [here](#). The agency must also submit a copy of this deed restriction along with a summary of the disposition to HCD for review using the form [here](#). The local agency must wait for a letter from HCD before agreeing to terms to sell or lease the land. (Gov. Code, §§ 54230.5, 54233, 54233.5.)

## **Noticing Requirements for Land Disposed of as Exempt Surplus Land**

### **1. Who does a local agency need to notify when disposing of exempt surplus land pursuant to one of the competitive bid affordable housing exemptions (Gov. Code, § 54221, subd. (f)(1)(F)(i-ii))?**



If exempt surplus land is disposed of through an open, competitive bid pursuant to one of the affordable housing exemptions in Government Code section 54221, subdivisions (f)(1)(F)(i-ii), the following entities in Government Code section 54222, subdivision (a), must be notified and invited to participate:

- HCD
- Any local public entity within whose jurisdiction the surplus land is located
- CalHFA-certified Housing Sponsors who have notified HCD of their interest in developing affordable housing on surplus land. A link to the full list of developers can be found on the [Public Lands for Affordable Housing Development page](#) on HCD's website. Those entities with an "X" in column C of the table are CalHFA-certified Housing Sponsors that are required to receive NOAs.

## **2. Who does a local agency need to notify when disposing of land that is located within a coastal zone, adjacent to a historical unit of the State Parks System, listed on or eligible for the National Register of Historic Places, or within the Lake Tahoe region?**

Unless land was granted by the state in trust to a local agency pursuant to Government Code section 54221, subdivision (f)(1)(H), land that is located within a coastal zone, adjacent to a historical unit of the State Parks System, listed on or eligible for the National Register of Historic Places, or within the Lake Tahoe region is not exempt surplus land and the local agency must send a notice of availability for open space purposes to the following entities in Government Code section 54222, subdivision (b):

- The State Resources Agency
- Any regional park authority having jurisdiction where the land is located
- The park or recreation department of the city and/or county where the land is located

## **Good Faith Negotiating Period and Coming to Terms**

### **1. If one or more qualified parties submitted an NOI for the surplus land we are disposing of, but we were unable to come to terms with any of them at the conclusion of the 90-day good faith negotiation period, do we have any other obligations under the SLA?**

Yes. If after engaging in good faith negotiations for at least 90 days to dispose of the land for a housing development that includes at least 25 percent affordable units, the local agency cannot agree on price and terms, the agency must record a deed restriction requiring that, in the event 10 or more residential units are developed on the land, 15 percent of the units be set aside as affordable housing. A sample deed restriction can be found [here](#). The agency must also submit a copy of this deed restriction along with a summary of the disposition to HCD for review using the form [here](#). The local agency must wait for a letter from HCD before agreeing to terms to sell or lease the land. (Gov. Code, §§ 54230.5, 54233, 54233.5, 54230.5.)



## **2. Does the SLA require the disposing agency to sell or lease its surplus land at or below fair market value?**

No, local agencies may sell or lease surplus land at fair market value or below fair market value. However, local agencies are not required to sell or lease land below fair market value. (Gov. Code, § 54226.)

Details

**File #:** 2023-3518

**Type:** Consent Calendar Item

**Body:** [City Council](#)

**On agenda:** 11/7/2023

**Title:** Minutes of the Special and Regular City Council Meetings Held on October 3, 2023. (City Clerk)

Text

Minutes of the Special and Regular City Council Meetings Held on October 3, 2023. (City Clerk)

UNAPPROVED  
MINUTES OF THE SPECIAL CITY COUNCIL MEETING  
TUESDAY- -OCTOBER 3, 2023- -5:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:07 p.m.

Roll Call - Present: Councilmembers Daysog, Herrera Spencer, Jensen, Vella and Mayor Ezzy Ashcraft - 5. [Note: Councilmember Vella arrived at 5:41 p.m., left at 5:48 p.m. and returned at 5:50 p.m.]

Absent: None.

The meeting was adjourned to Closed Session to consider:

(23- ) Public Employee Performance Evaluation (Pursuant to Government Code Section 54957); Position Evaluated: City Attorney - Yibin Shen

(23- ) Conference with Legal Counsel - Existing Litigation (Pursuant to Government Code Section 54956.9(a); Case Name: Brennan, et al. v. City of Alameda, et al.; Court: Alameda County Superior Court; Case Number: 22CV024994

(23- ) Conference with Labor Negotiators (Pursuant to Government Code Section 54957.6); City Negotiators: Jennifer Ott, City Manager, Jessica Romeo, Human Resources Director, Edward Kreisberg, Outside Counsel, and Doug McManaway, Deputy City Attorney; Employee Organizations: International Association of Firefighters Local 689 ((IAFF); Under Negotiation: Salaries, Employee Benefits, and Terms of Employment

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding Existing Litigation, staff provided information and Council provided direction by the following vote: Ayes: Councilmembers Daysog, Herrera Spencer, and Jensen - 3; Noes: Mayor Ezzy Ashcraft - 1; [Absent: Councilmember Vella - 1]; regarding Performance Evaluation, Council conducted the performance evaluation and gave direction to staff by the following vote: Ayes: Councilmembers Daysog, Herrera Spencer, Jensen, Vella and Mayor Ezzy Ashcraft - 5; and regarding Labor, staff provided information and Council provided direction by the following vote: Ayes: Councilmembers Daysog, Jensen, Vella, and Mayor Ezzy Ashcraft - 4; Noes: Councilmember Herrera Spencer - 1.

Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 7:03 p.m.

Respectfully submitted,  
 Lara Weisiger, City Clerk

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

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MINUTES OF THE REGULAR CITY COUNCIL MEETING  
TUESDAY- - OCTOBER 3, 2023- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:15 p.m. Vice Mayor Daysog led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Daysog, Herrera Spencer, Jensen, Vella, and Mayor Ezzy Ashcraft - 5. [Note: Councilmember Vella left the meeting at 11:54 p.m.]

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(23- ) Proclamation Declaring October 2023 as Lesbian, Gay, Bisexual, Transgender and Queer + History Month.

Mayor Ezzy Ashcraft read the proclamation.

(23- ) Proclamation Declaring October 2023 as Filipino-American History Month.

Mayor Ezzy Ashcraft read the proclamation.

(23- ) Proclamation Declaring October 2023 as Domestic Violence Awareness Month.

Mayor Ezzy Ashcraft read the proclamation.

ORAL COMMUNICATIONS, NON-AGENDA

(23- ) Brian Kennedy, Alameda, discussed a recall petition being circulated for the Alameda County District Attorney, reduced charges, and nepotism.

- (23- ) Ryan LaLonde, School Board Member, made announcements about Walk and Roll to School Day and the 31<sup>st</sup> Annual College Night at College of Alameda.
- (23- ) Shelby Sheehan, Alameda, expressed concern about the Pyka lease and fence approved at the previous City Council meeting.
- (23- ) Tod Hickman expressed concern about view corridors, public comments, and public trust.

CONSENT CALENDAR

Councilmember Herrera Spencer recorded a no vote on the Chrisp Co. agreement [paragraph no. 23- ] and the South Shore Parcel Map resolution [paragraph no. 23- ] and requested the 1900 Thau Way ordinance [paragraph no. 23- ] be removed from the Consent Calendar for discussion.

Vice Mayor Daysog recorded a no vote on the Chrisp Co. agreement.

Expressed concerns about the All Good Living Foundation lease; discussed the approved lease use and factual errors; urged the lease not be approved: Shelby Sheehan, Alameda.

Discussed Final Tract Map 8570 [paragraph no. 23- ] and related public access; urged Council consider voting no on the permanent public access easement; expressed concern over lowered property values: Dani Musso, Alameda.

Mayor Ezzy Ashcraft stated the Tract 8570 resolution would also be pulled for discussion.

Expressed support for the All Good Living Foundation lease and urged to Council approve the lease: Ruth Abbe, Alameda, Community Action for Sustainable Alameda (CASA).

Expressed support for the All Good Living Foundation lease; outlined the need for the space and services; discussed donations received, program expansion, and planned upgrades to the trailer and site: Chris Tam.

Expressed concern over blocking views and reduced property values; questioned whether All Good Living Foundation could use existing space; stated the Consent Calendar should only include routine items: Tod Hickman.

Stated All Good Living Foundation is essential to Alameda City and County and does amazing things for Alameda residents; space is needed for the services to continue; urged Council to provide necessary space: Sabunmi Woods, Lighthouse Community Schools.

Expressed support for the lease with All Good Living Foundation; stated needing more space is a good indication of the work and services being provided; urged Council to approve the lease: Akesa Fakava, Twin Towers United Methodist Church.

Expressed concern about delays and public access for the Final Map for Tract 8570; discussed repairs made to the area: Dona Fisher, Alameda.

Councilmember Vella moved approval of the remainder of the Consent Calendar.

Councilmember Herrera Spencer seconded the motion, which carried by unanimous voice vote - 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(\*23- ) Minutes of the Special City Council Meeting, the Special Joint City Council and Successor Agency to the Community Improvement Commission Meeting and the Regular City Council Meeting Held on September 5, 2023. Approved.

(\*23- ) Ratified bills in the amount of \$4,364,327.58.

(\*23- ) Recommendation to Authorize the City Manager to Execute a Five-Year Agreement with Cooke & Associates, Inc. to Conduct Background Investigations for Pre-Employment and Concealed Carry Weapon (CCW) License Applicants, for a Total Amount Not-to-Exceed \$250,000. Accepted.

(\*23- ) Recommendation to Authorize the City Manager to Execute an Agreement with BrightView Landscape Development Inc. for Alameda City Hall West Lawn Conversion, Project No. P.W.11-22-28, in an Amount Not-to-Exceed \$462,847.55. Accepted.

(23- ) Recommendation to Authorize the City Manager to Execute a First Amendment to the Agreement with Chrisp Company for the Sign and Striping Maintenance Project on Main Street between Ralph Appezato Memorial Parkway and Navy Way to Increase the Total Compensation by \$44,204 for a Total Amount Not-to-Exceed \$767,931.

Note: Councilmember Herrera Spencer recorded a no vote, so the item carried by the following vote: Ayes: Councilmembers Daysog, Jensen, Vella and Mayor Ezzy Ashcraft - 4. Noes: Councilmember Herrera Spencer - 1.

(\*23- ) Recommendation to Authorize the Purchase of One Street Sweeper and One Ford F450 Dump Truck Consistent with Revised Vehicle Replacement Policy in Amounts Not-to-Exceed \$393,000 from Tymco, Inc., \$66,000 from Watsonville Fleet Group and \$53,000 from Western Truck Fabrication; and

(\*23- A) Resolution No. 16099, "Amending the Fleet Replacement Fund (601) Budget (1) Reappropriating \$393,000 from Fiscal Year 2024-25 to Fiscal Year 2023-24 to Advance the Street Sweeper Purchase from Fiscal Year 2024-25 to Fiscal Year 2023-24; and (2) Reappropriating \$119,000 in Unspent Funds from Fiscal Year 2022-23 to Fiscal Year 2023-24 for the Purchase of a Dump Truck." Adopted.

(23- ) Resolution No. 16100, "Approving Final Map for Tract 8570 to Subdivide a Portion of the Oakland Inner Harbor Tidal Canal (APN 71-289-8) to Create Seven Parcels;" and

(23- A) Resolution No. 16101, "Amending the Fiscal Year 2023-24 Operating and Capital Budget by 1) Increasing Property Income Revenue in the Tidelands Fund (Fund 216) by \$60,000 from the Sale of Six Small Parcels in Tract 8570; and 2) Upon Receipt of these Revenues, Appropriating \$60,000 from the Tidelands Fund (Fund 216) to the Fernside Eastshore Pathway Capital Improvement Project (C73000)." Adopted.

The Assistant City Manager gave a brief presentation.

In response to Councilmember Herrera Spencer's inquiry related to property owners, the Assistant City Manager stated the addresses are 3227 and 3229 Fernside Boulevard and the neighbors previously signed a letter submitted to Council; staff has not received concerns from other neighbors.

Councilmember Herrera Spencer inquired whether the property owners at 3229 Fernside Boulevard support concerns voiced by owners of 3227 Fernside Boulevard, to which the Assistant City Manager responded staff has not received any input during the final map process.

Councilmember Herrera Spencer expressed support for bifurcating the addresses; stated that she would like to spend more time on the address the concern; the matter should have been placed on the Regular Agenda; the neighbors at 3227 and 3229 Fernside Boulevard share the access point.

Mayor Ezzy Ashcraft stated that she would not support a motion to bifurcate the matter; the City has spent years on the issue.

The City Attorney stated the Final Map covers all properties; Council cannot pull out one particular property to vote differently; Council may provide staff direction to change the Final Map altogether; the Final Map is one product.

Councilmember Herrera Spencer requested clarification whether the Final Map can currently be changed or whether the matter would need to return to Council.

The City Attorney stated the change cannot be made from the dais; the maps are engineered; if Council disagrees with how the map is drawn, the matter will need to be sent back to staff for a new map to be created.

Councilmember Herrera Spencer inquired whether a new map could come back to Council at the next regular meeting.

The Assistant City Manager responded in the negative; stated the next regular agenda needs to be published on Thursday; stated the map is drawn by an outside firm.

The City Manager stated staff might have to return to Council through the Tentative Map process versus simply changing the Final Map; the Tentative Map process is lengthy.

In response to Councilmember Jensen's inquiry related to the Final Map, Special Counsel stated the Final Map has a public access easement over four of the submerged parcels which are being conveyed to the property owners; two of the parcels have scenic view easements; if Council approves the Final Map, staff will return with the sale of the six parcels to the adjacent property owners; the property owners have indicated some objection to the easement and price of \$10,000 previously approved by Council; when the matter returns, Council can change the price or provide direction to staff; Council may direct staff to have further discussions with property owners.

Councilmember Herrera Spencer inquired whether the issue is related to price, to which Special Counsel responded in the affirmative; stated each property owner would be required to pay \$10,000 to the City in order to receive the submerged parcels; some property owners have objected to paying \$10,000 due to the parcels not being encumbered by public service, access, or scenic view easements; staff can be directed to have further discussions with the property owners.

Councilmember Herrera Spencer inquired whether the parcels differ from those previously addressed.

Special Counsel responded the parcels would have easements and others did not; stated the question to Council is whether or not a scenic view and public access easement is a sufficient infringement on property rights to warrant a lesser price than \$10,000; when the matter returns, staff will explain why the \$10,000 price is appropriate.

Councilmember Herrera Spencer inquired whether staff would share the differences and opinions within the report, to which Special Counsel responded in the affirmative.

Councilmember Herrera Spencer moved adoption of the resolutions.

Councilmember Jensen seconded the motion, which carried by unanimous voice vote - 5.

(23- ) Resolution No. 16102, "Approving Parcel Map of South Shore Center to Subdivide a 40.88-Acre Property into Four Lots at 2212 South Shore Center." Adopted.

Note: Councilmembers Daysog and Herrera Spencer recorded no votes, so the item carried by the following vote: Ayes: Councilmembers Jensen, Vella and Mayor Ezzy Ashcraft - 3. Noes: Councilmembers Daysog and Herrera Spencer - 2.

(23- ) Ordinance No. 3354, "Authorizing the City Manager to Execute a 59-Month Lease with All Good **Living** Foundation for the Property Located at 1900 Thau Way, Alameda, CA." Finally passed.

Councilmember Herrera Spencer inquired whether the parcel is located on Jean Sweeney Open Space Park, to which the Assistant City Manager responded in the affirmative.

Councilmember Herrera Spencer inquired whether staff did not discuss the matter with the Board of Jean Sweeney Open Space Park, to which the Assistant City Manager responded in the affirmative.

Councilmember Herrera Spencer stated Council received a letter from two Jean Sweeney Park Boardmembers; the letter requests the matter return to Council in order to allow Boardmember to comment; showed pictures of the area; stated that she did not previously support the matter and is saddened to know there has been no outreach to Jean Sweeney Open Space Park Boardmembers; expressed concern over the former lease being abandoned by the Food Bank; stated the new occupant, All Good **Living** Foundation, was hand-selected with no public process; the trailer should have been demolished once the park moved forward; a community garden is planned nearby; public discussion on keeping the trailer or demolition is necessary in order to find the highest and best use; not have a public discussion and process for the approved tenant is not appropriate; many non-profits support and serve the Alameda community; all should have been allowed to apply for the space; the process has subverted a transparent processes.

Mayor Ezzy Ashcraft stated the Jean Sweeney Open Space Park is a public park; questioned whether the Recreation and Park Commission oversees City parks, to which the Assistant City Manager responded in the affirmative.

Mayor Ezzy Ashcraft inquired what the Board of Directors for Jean Sweeney Open Space Park oversees.

The Assistant City Manager responded the Board oversees the Jean Sweeney Open Space Park fund; stated the Board is a non-profit, 501(c)(3) in the community with a Board of Directors; the Recreation and Parks Department works with the Board on certain aspects of the park, including: managing cleanup volunteers and bench and picnic table donations; she worked with the Board on the initial design of the park.

Mayor Ezzy Ashcraft inquired whether the City needs Board permission to rent the trailer on City property, to which the City Attorney responded in the negative.

Mayor Ezzy Ashcraft stated the trailer used to belong to the Alameda Food Bank and would be converted to storing items for All Good **Living** to distribute items to students in Alameda; all students in Alameda should have access to the same supplies regardless of housing status; All Good **Living** Foundation has not yet taken possession of the space; the City is likely responsible for picking up trash in the meantime; the matter is not related to view corridors and is an opportunity for the community; there is a great need for the services; expressed support for final passage.

Councilmember Jensen inquired whether upkeep for the lease premises has been discussed with All Good **Living** Foundation.

The Assistant City Manager responded in the affirmative; stated All Good **Living** Foundation plans to paint the building and beautify the general area; there is minimal use of the trailer; the space is not active and can attract unwanted behavior; once the area is activated and people are present, the unwanted nuisances will diminish.

Councilmember Jensen inquired whether another organization would be approved for the space if All Good Living Foundation would not have been chosen.

The Assistant City Manager responded that she is not aware of another interested organization; stated no one has come forth expressing interest in the space.

Councilmember Jensen inquired whether the City would have the authority to allow another use for the existing trailer.

The Assistant City Manager responded the City owns the land and the Food Bank owns the trailer; stated the Food Bank would decide what to do with the trailer along with Council consent about who would use the trailer if it remains in its current location.

Councilmember Jensen expressed support for the idea of reaching out to the Jean Sweeney Open Space Park Boardmembers; stated the matter has been moving forward relatively quickly; she is supportive of the matter; inquired whether the lease term is six months, to which the Assistant City Manager responded the lease is for four years and eleven months, with a six month termination clause for no cause; stated if the City finds funding and wants to utilize the space, the City can provide six month notice to All Good Living Foundation and the Food Bank would be responsible for moving the trailer.

Vice Mayor Daysog expressed support for the correspondence from the Co-Chair of the Jean Sweeney Open Space Foundation; stated interesting points have been raised; All Good Living Foundation renders a great service to families in need; he supports the \$1 per year lease; the lease term is for 59-months in order to remain within the parameters of the Surplus Lands Act (SLA); a 60-month term would trigger the SLA and require the City to make the site available for affordable housing; the use will not exceed 59-months; there is a possibility the term will be shorted if the park planning process moves forward; the City is safeguarded; the Jean Sweeney Open Space Foundation have been good partners through the process; he sees no problem with delaying the approval for one month to get approval from the Foundation; Council will note any comments provided and whether the ideas presented by the Foundation and the Recreation and Parks Commission can be implemented; he would like to hold off on approving the matter for one month apart from any related legal issues; he is supportive of the lease, the All Good Living Foundation project, and Chris Tam; the currently vacant building is subject to graffiti; the lease will activate the space.

Vice Mayor Daysog moved approval of having the matter return in one month time to gather input from the Jean Sweeney Open Space Foundation and the Recreation and Parks Commission.

Mayor Ezzy Ashcraft stated the matter is a final passage of ordinance; Boardmembers have access to email to provide input.

Councilmember Vella expressed concern over Council conferring with a non-public Board related to real property negotiations and waiving privilege; stated Council does not typically confer with outside groups related to real property negotiations; the matter has been properly and publicly agendized; the matter had also been agendized under Closed Session as well; she is concerned about creating a new carve-out for issues related to the City and Council violating fiduciary responsibilities; stated provisions in the lease allow for changes in response to concerns being raised about the pool; citizens are able to come to Council meetings and express concerns about matters; Council has heard concerns; provisions in the lease address the concerns raised; anything happening in relation to the pool could be solved by using the six month termination provision; the lease could be amended and brought back to Council; the concerns are addressed; she does not want to continue to have the trailer lie vacant for longer than necessary.

Councilmember Vella made a substitute motion to approve final passage of the ordinance.

Councilmember Jensen seconded the substitute motion.

Under discussion, Councilmember Herrera Spencer stated a motion had already been on the table, which she had been willing to second prior to other Councilmembers being called upon; the Boardmember providing comment is local and two other Members are out of the country; expressed support for delaying the matter; inquired how much money the Jean Sweeney Open Space Fund has contributed to the park over time, to which the Assistant City Manager responded that she does not currently have the information on-hand.

Councilmember Herrera Spencer stated a professional courtesy of including the Board in the discussion would be appropriate.

Councilmember Vella stated allegations of pay to play were raised when the ordinance was introduced; Friends of the Park have been stewards of parks in terms of contributions; the City has a public process for transparency; Council follows said process; the City encourages people to continue to volunteer and be partners, but also does not waive certain actions relative to process or transparency to allow a private entity to weigh-in on public property outside of normal functions.

Vice Mayor Daysog stated that he is not proposing negotiations between the Foundation and the City over the use of the space.

The Assistant City Manager stated a bifurcation of the design occurred with the Cross Alameda Trail due to soil contamination; State regulations required burying contamination under the trail; the trail cannot move; the entirety of the aquatic center, community garden, and associated parking lot will be north of the trail between the trail and the business park; the aquatic center design will not be affected by the proposed lease; the two are not connected.

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(23-) Councilmember Vella moved approval of allowing an additional 1 minute for Vice Mayor Daysog.

Mayor Ezzy Ashcraft stated Councilmember Herrera Spencer should also be given 1 more minute.

Councilmember Vella concurred and amended the motion.

Councilmember Jensen seconded the motion, which carried by unanimous voice vote - 5.

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Vice Mayor Daysog proposed Council vote on his motion first to see if there are enough votes; stated there is merit to his proposed motion.

Mayor Ezzy Ashcraft inquired how many votes are needed to postpone the matter, to which the City Clerk responded three.

Mayor Ezzy Ashcraft stated the delay would be for more than one month due to staff report timelines.

Councilmember Vella questioned whether the proposal for delaying approval includes a non-transparent process where a private Board is allowed to engage in negotiations with the City; expressed concern over the proposed process.

Vice Mayor Daysog stated that his motion does not include negotiations, but to gather information and return in one month.

Mayor Ezzy Ashcraft stated the matter is a final passage of an ordinance; the matter was on a previous agenda and already heard; many people can and have provided public comment; questioned the reason Boardmembers waited until the eleventh hour to come forward with concerns; concurred with Councilmember Vella's concerns related to process; inquired whether Vice Mayor Daysog would still like his motion considered, to which Vice Mayor Daysog responded in the affirmative.

Councilmember Herrera Spencer seconded Vice Mayor Daysog's original motion, which failed by the following voice vote: Ayes: Councilmembers Daysog and Herrera Spencer - 2. Noes: Councilmembers Jensen, Vella and Mayor Ezzy Ashcraft - 3.

Councilmember Vella moved final passage of the ordinance.

Vice Mayor Daysog seconded the motion.

Under discussion, Vice Mayor Daysog stated the points raised by Boardmembers are valid, however, there are safeguards included within the lease; the City has a six month option to terminate if needed.

Councilmember Jensen expressed support for future projects at Jean Sweeney Park including review by the Jean Sweeney Open Space Park Foundation in addition to the Recreation and Parks Commission.

On the call for the question, the motion carried by the following voice vote: Ayes: Councilmembers Daysog, Jensen, Vella and Mayor Ezzy Ashcraft - 4. Noes: Councilmember Herrera Spencer - 1.

(\*23- ) Ordinance No. 3355, "Amending the Zoning Map for the Approximately 2,280-Square-Foot Property at 1715 Lincoln Avenue (APN 72-299-11) from C-1, Neighborhood Business District, to R-5, Residential District, in Conformance with the Property's General Plan Land Use Designation of Medium-Density Residential, as Recommended by the Planning Board." Finally passed.

CONTINUED AGENDA ITEMS

None.

REGULAR AGENDA ITEMS

(23- ) Recommendation to Review and Comment on the Port of Oakland's Draft Environmental Impact Report for the Terminal Modification and Development Project at the Oakland Airport and on City Staff's Draft Response Letter.

The Interim Planning, Building and Transportation Director gave a Power Point presentation.

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(23- ) Councilmember Vella moved approval of allowing an additional 2 minutes for the presentation.

Vice Mayor Daysog seconded the motion, which carried by unanimous voice vote - 5.

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The Interim Planning, Building and Transportation Director completed the presentation.

Councilmember Herrera Spencer inquired the names of the airport experts involved in the response.

The Interim Planning, Building, and Transportation Director responded staff has not hired outside counsel; stated staff is planning to perform outreach with the City Attorney and City Manager's offices after public comment has been heard and Council has provided direction.

Councilmember Herrera Spencer inquired whether the matter would return to the public.

The Interim Planning, Building, and Transportation Director responded in the negative; stated the letter needs to be submitted by October 16; peer review will occur over the next week.

In response to Councilmember Herrera Spencer's inquiry about the reason there is no airport expert counsel, the Interim Planning, Building, and Transportation Director stated staff has been trying to identify airport experts; the field is highly specialized and there are not many; staff has spoken to various Port consultants.

Councilmember Herrera Spencer inquired the resulting letter process, if Council opposes expansion.

The Interim Planning, Building, and Transportation Director responded the process would not differ greatly; stated the letter makes substantial claims about the methodology of the Environmental Impact Report (EIR).

The City Manager stated staff is happy to have outside counsel take a look at the letter to ensure nothing is missed; the Interim Planning, Building, and Transportation Director has been serving as a staff member of the Airport Noise Forum for many years; staff is highly trained in California Environmental Quality Act (CEQA) compliance; the fundamental assumption is that impacts related to growth drives analysis; staff has raised the key issues that require response from the Port.

Councilmember Herrera Spencer inquired why the City did not retain airport experts to participate in the EIR process; stated the City is running out of time to make any changes.

The City Attorney responded staff is prepared to engage with additional airport legal experts; stated many different experts exist; the attorneys will rely on statistical and scientific input from staff and others to provide and perform analysis.

Councilmember Herrera Spencer inquired whether the matter would return to Council and the public for further consideration.

The City Manager responded in the negative; stated staff will work with consultants and have identified the issues; staff can submit additional comments after October 16 and before the final EIR with an expectation that the Port will respond; technical consultants will review everything prior to October 16 and staff can submit more prior to the final EIR; staff can bring the comments to Council.

Councilmember Herrera Spencer inquired whether staff believes the City does not need to submit a full, comprehensive response prior to October 16.

The City Manager responded staff has raised significant issues with fundamental assumptions about the EIR which now have to be responded to; stated the Port is willing to come to the table with the City and negotiate a Memorandum of Understanding (MOU) to address potential solutions and codify the existing relationship; staff has addressed and raised the major issues; staff can complete additional technical analysis, if Council so desires.

Councilmember Herrera Spencer inquired whether the community concerns about current airport functions will be addressed by the Port.

The Interim Planning, Building, and Transportation Director responded there are a wide spectrum of issues; stated not all issues are addressed; staff sees the role of a technical consultant as being able to assist staff to negotiate an MOU with the Port.

In response to Councilmember Jensen's inquiry related to the Airport Noise Capacity Act (ANCA), the Interim Planning, Building, and Transportation Director stated the Port cannot limit runway usage based on noise concerns; safety concerns can limit runway usage.

In response to Councilmember Jensen's inquiry related to use of the north runway field, the Interim Planning, Building, and Transportation Director stated some of the arrangements were preexisting; the north field runways are generally shorter and limit aircraft capacity; longer runways have more flexibility with types of aircrafts.

Councilmember Jensen stated the City submitted robust comments at the previous expansion EIR; many concerns have been outlined in the proposed letter; inquired whether Council can take action, provide further comments, or litigate against something that is not initially commented on in the future.

The Interim Planning, Building, and Transportation Director responded in the affirmative; stated Council can provide comments; the Port has invited an open dialogue.

The Chief Planning Counsel stated any party providing comments under the comment period allows the City to raise the issue in litigation under CEQA; the record can be bolstered after the initial comment period ends by submitting additional studies; the Port is only required to respond to comments submitted before the close of the comment period; if the City submits comments after the comment period, the Port may respond, but is not required to do so.

Councilmember Jensen stated questioning the assumptions in the letter is part of the process; inquired whether the City is questioning assumptions and whether an assumption that the project will not result in usage of permanently restricted runways is being questioned.

The Interim Planning, Building, and Transportation Director responded staff recognizes a fundamental issue within the EIR is the assumption that future air traffic is a market demand issue and is out of the Port's control; stated the Port has indicated the assumption to be a Federal Aviation Association (FAA) matter.

Councilmember Jensen stated the assumptions made related to usage will impact the City of Alameda.

Expressed opposition to the expansion for health and safety reasons; stated the draft response is inadequate; Council does not live on Bay Farm; expressed concern about the Port's actions; submitted information: Michael Robles-Wong, Costa Brava Homeowners Association (HOA).

Stated the Citizens League for Airport Safety and Security (CLASS) is not opposed to modernization and upgrades; expressed concern over extensive expansion; urged the City to hire additional consultants to assist with preparation of comments; discussed increases in traffic; submitted information: Matt Pourfarzane, (CLASS).

Discussed airport expansion in the Bay Area; stated the City is not prepared; urged Council to understand the turning point with Harbor Bay's quality of life; stated the matter will have associated litigation: Alfredo Tearasas, Costa Brava HOA.

Stated that he is interested in the effects of health on the community; discussed studies and results based on those living near airport facilities; submitted information: Sam Glassner, Alameda.

Stated the draft letter falls short of the required forcefulness; there is a complex relationship between the Port of Oakland and the City of Alameda as partners; urged Council to be more forceful in its response; stated many residents are terrified and concerned: Kerwin Allen, Cantamar HOA and CLASS.

Stated that she has noticed an increase in noise and pollution; expressed concern over insomnia: Emma Kung, Alameda.

Discussed video of flybys experienced at Harbor Bay; stated the noise is very loud; urged Council to focus on Bay Farm as an important place; stated many schools are in flight paths: Flora Tso, Casitas HOA.

Stated that he would like the letter to reference high speed rail and Amtrak service options as well as cruising aircraft emission information: James Johnston, Alameda.

Stated many businesses rely on Oakland Airport to remain vital; discussed Alameda's job generation; expressed support for the airport being an economic alliance: Madlen Saddik, Chamber of Commerce.

Expressed concern over the health of his daughters related to the airport expansion; urged Council to oppose the expansion and take all possible measures to protect the health of children and residents: Will Hastings, Alameda.

Urged Council to oppose the expansion of the airport; stated the public health impacts of expansion have not been addressed by the staff report or draft EIR; expressed support for the Port conducting a formal health impact assessment: Paul English, Alameda.

Expressed concern over the north field; discussed jet fuel residue on roofs; stated an air quality monitor is needed on Bay Farm Island; discussed noise pollution; urged a review of noise levels in September; submitted information: Neil Wilson, Garden Isle HOA.

Councilmember Vella inquired the dates of the elevated noise.

Mr. Wilson responded noise alerts were issued September 22, 23, 24, and 25; stated conversations could not be held due to noise.

Mayor Ezzy Ashcraft noted any handouts or information can be submitted to the City Clerk.

Expressed support for the comments made and the draft letter; stated that her primary concern is the health and wellbeing of local communities; discussed studies indicating long-term health impacts of noise pollution; expressed concern over the scale of growth: Jessica Carter, Alameda.

Questioned how the City will explain not seeking expert-based scientific and technical data in preparing the letter, whether the letter is lacking legal and political force, and whether Council wants to rely on bolstering the record later on: Larry Freeman, Alameda Neighborhood News.

Discussed the impacts of air pollution and noise on health; stated the EIR has no technical aspects; the assessments are being measured from kilometers away; expressed concern over emissions being used to measure concentrations: Jason Su, Alameda.

Stated that he opposes the expansion due to noise; expressed support for the comment period being extended 30 days and for consideration of Alameda wildlife; stated the noise rattles his windows: Rick Lewis, Alameda.

Discussed the EIR report; stated impacts from noise should be mitigated; she has monitored noise with a reader in real-time and recorded 13 airplanes in 40 minutes with an average decibel read of 67; noise levels are out of compliance; submitted information: Celia Wang, Alameda.

Stated the Oakland Airport is not a good neighbor and does not deserve expansion; he has filed over 1,000 noise complaints over 5 years; discussed recommended changes to takeoff and flight patterns; urged Council use its leverage: Alan Levine, Alameda.

Stated airplanes are disruptive and loud; expressed concern over health and safety issues and Alameda property values; stated property values affect property taxes: Becky Cusack, Alameda.

Stated data about whether or not existing flights are full needs to be evaluated in order to justify the expansion; there is improper handling of takeoff direction; many children in the area cannot bear the noise of planes; he cannot effectively work from home with airplane noise: Aakash Mehta, Alameda.

Expressed concern over the City's lack of science and defensive techniques to protect residents and view corridors; expressed support for efforts to protect residents: Tod Hickman.

Stated Council should be concerned and compelled to help residents of Bay Farm: Meggie Kang, Alameda.

Stated the public comment period has been extended past the original 60-day period, to 90 days; the Port is committed to a partnership with all regional partners and to long-lasting solutions for all Oakland Airport neighbors; stated the goal is for the airport to have zero emissions; all are invited to submit comments: Diego Gonzalez, Port of Oakland.

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Mayor Ezzy Ashcraft called a recess at 9:51 p.m. and reconvened the meeting at 10:00 p.m.  
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Councilmember Vella stated there have many comments related to experts; inquired whether staff is looking to hire an expert ahead of submitting comments and whether staff is trying to engage the previous experts consulted in 2001.

The City Manager responded staff has not engaged with consultants, but is happy to do so; staff recently sought out previous consultants; staff can work with consultants to supplement the record before October 16 and continue working to supplement the record after; based on comments, staff would focus on air quality and traffic.

Councilmember Vella stated there have been recent studies on the impact of aviation fuel and lead poisoning; she would like the information included in the response; toxicity has been included, but she would like a focus on lead contamination; the contamination is typically within one mile of an airport; flight patterns cause concerns related not only to the immediate impact of Bay Farm, but also the East End; a number of schools are impacted, including private schools; the noise from planes overhead is significant; impacts are heard from planes taking off as well as landing; questioned whether the City can request air and noise quality monitors at a number of locations throughout Alameda.

The City Manager stated the letter requests for additional monitors; the language can be more forceful and appear as a demand versus request.

Mayor Ezzy Ashcraft inquired whether Councilmember Vella's proposed request is to have the Port install monitors, to which Councilmember Vella responded in the affirmative.

Councilmember Vella stated the City needs to make the request as a condition to move forward; studies will be difficult to put into place and enforce without monitors; it is important for the Port to be a true partner in installing monitors; the City should make the demand versus request; the locations should be mutually agreed upon by the City and the Port and include expert consideration; expressed support for the comment period being extended; stated the City needs to perform its due diligence; the airport is convenient, but stops being convenient when a comparison is made about it being as large as San Francisco International Airport; she hopes studies and analyses are made for working configurations to divert planes away versus encouraging overhead flight paths; she would like considerations made to limit direct human impacts; Council needs to advocate for residents; expressed concern over impacts similar to those of South San Francisco occurring to residents of Alameda; stated that she would like more clarity about direct impacts made in the letter; she understands diversions create impacts to surrounding areas, however, Alameda should not bear the brunt of all impacts; expansion is needed, but Alameda should advocate for itself and mitigate the harm; expressed support for stronger language being included for the mitigation measures.

Vice Mayor Daysog stated the Oakland Airport expansion is the most important matter facing residents of Alameda given the strong potential for negative impacts on quality of life; the expansion is more important than Alameda Point or redevelopment in the estuary area; the planned development of 900,000 square feet of new terminal space at the Oakland Airport represents a profound negative impact on quality of life in all Alameda, not just Bay Farm; it is imperative to leverage the draft EIR process and get Oakland Airport to scale down its proposal; Oakland Airport has failed to adequately explain the necessity and impacts of the addition of 900,000 square feet; the draft EIR includes a projected increase of 24 million passengers by year 2038; the future amount of 24 million passengers can already be accommodated by the existing 630,000 square feet of terminal space; the Oakland Airport could accommodate through the use of remote hardstands; the draft EIR discusses remodeling the existing terminals; the 900,000 square feet imposes no new significant impacts because whether the terminal remains at the existing square footage, or increases by 900,000 square feet, roughly 24 million passengers can be served; the analysis is flawed and the additional 900,000 square feet would result in approximately 9.8 million additional, new passengers; the analysis that counts for the draft EIR comment period should include comments from airport planning experts; the City needs to dramatically change course within days; the City needs to submit analyses and expert testimony related to airport noise, planning, and legal analysis; the City's comments to the draft EIR of 1997 included 100 pages of expert testimony; the proposed comments consist of one page and six bullet points with no in-depth analysis; the proposed letter is inadequate; missing expert testimony is imperative; the City must raise detailed, substantive comments as part of the draft EIR; in turn, Oakland Airport will provide responses as part of the final EIR; the City could then pursue litigation if there is a need to do so at the time of the final EIR; expert testimony provided after the draft EIR comment period does not require a response from the Port; talk of litigation is premature; it is imperative for the City to get expert testimony onto the draft EIR record within the next few days.

Councilmember Jensen stated comments provided by Councilmembers with related experience helps her better understanding the matter; questioned current compliance; stated the EIR is based on future passenger and cargo activity levels forecasted by the Port; the growth will happen whether or not the expansion occurs; more passengers will be present regardless of airport modernization or adding terminals; expressed concern over compliance with existing settlement agreements; stated the City submitted extensive comments for the 2001 expansion; the passenger level in 2002 was a little less than 13 million passengers; the 2022 passenger level is at 12 million; regardless of expansion, projections have not occurred; the agreements entered into by the City are not subject to extensive control or authority by the Airport; the draft EIR indicates the matter is not up to the Port; the ANCA prohibits the airport from limiting the use of runways and the north runway is consistently used by aircrafts as granted by the settlement agreement; expressed support for directing staff to immediately engage technical support and expertise to respond to the issues of current usage and compliance as well as those in the draft EIR; stated the current letter addresses noise impacts and average noise levels; the EIR indicates a reduction in noise levels from years 2028 to 2038; it is disingenuous to think that 16 more gates and triple the amount of cargo and passengers will result in quieter functions; the 2001 expansion indicated a similar reduction in noise; she would like to have a more robust discussion related to noise, air quality, safety, and transportation impacts; the City needs to respond to impacts surrounding new parking lots in the Bay Farm area.

Councilmember Herrera Spencer expressed support for the comments made; stated CLASS made comments related to the use of an expert and staff needs to respond; expressed support for staff working with CLASS; stated staff has tried to execute a draft letter, but there is a lot of pressure in performing; discussed speaking at public meetings on issues at the Hilton hotel; stated the City needs to demand air quality monitors be on Bay Farm and the main Island immediately; the language related to air quality should not be in letter format; the issues need to be indicated point-by-point with aid from technical experts; she is the co-chair of the Airport Noise Forum; airport functions will be automated with planes repeatedly over houses; expressed support for staff visiting Bay Farm to experience the noise; stated residents on the East End only experience a small portion of the noise experienced by Bay Farm residents; constant planes overhead have significant impacts; this matter is the most important issue to hit Alameda since the airport was built due to pollutants, contaminants, and noise; it is critical for experts to provide information; the draft EIR came out July 17; the comment period was extended; urged residents visit [www.stopoakexpansion.org](http://www.stopoakexpansion.org); stated the City needs to be specific on the air quality impacts and to provide exact distances; the City must advocate for residents; discussed increases to passengers and cargo, and parking lots shifts; stated more traffic through Alameda due to people traveling to the airport can be expected; the parking will be insufficient; the increases made are more substantial for employees than passengers; the City is not the only entity that can provide a response to the EIR; all comments can be submitted; comments need to be submitted prior to the deadline; comments submitted after the deadline are not the same; the Port is not required to respond to late comments; the City can offer alternatives to expansion, such as high speed rail; Alameda must do its

part for residents; the Sierra Club is against the expansion due to climate impacts; the Port is not a good neighbor and can only do so much with serious problems resulting.

Mayor Ezzy Ashcraft stated commentors have done a good job expressing concerns; CLASS has provided background on the matter; there are health and safety concerns related to noise and emissions; she expects the Port to be good neighbors; the impacts to the City appear to be minimized in the EIR; expansion needs to be properly depicted and issues must be addressed; the City can direct the Port to provide funding for noise monitors; noise must be measured in real-time to understand the impacts on neighboring residents and businesses; the Oakland Airport development team have been taking notes during the meeting; health and safety will always be the top concern, as well as the environment; discussed an airport site tour which covered quieter, more fuel efficient jet engines; stated alternative fuels are being developed to help decrease greenhouse gas emissions; the Port is one of 30 members of a task force discussing sea and ground level rise; climate change knows no geographical boundaries; all agencies have to do their part to address greenhouse gas emissions; the Port should lead the way; the City needs to be less polite in the proposed letter and not ask permission for the quiet enjoyment of property; the foregone conclusion of the FAA is not acceptable; representatives in Washington DC and lobbyists can be consulted if needed; expressed support for the City working cooperatively with the Port; inquired where the teeth are located and what happens if the Port does not provide the desired response or if agreements are violated.

The City Attorney responded the ultimate remedy to the EIR process is litigation; stated staff hopes not to have to engage in litigation; Council has provided robust comments; staff can work with technical and scientific expert counsel to incorporate comments; the consequences of any breach in agreement is dependent on the agreement terms; agreements are readily enforceable and have many provisions which allow enforce; agreements will need to be carefully drafted and enforcement of agreements will be completed by litigation.

Mayor Ezzy Ashcraft stated that she agrees with Vice Mayor Daysog that litigation would be premature; the Port is performing many innovative things; discussed a groundbreaking celebration for the Go Port project; stated that she is looking to the Port for the same innovation in the proposed expansion.

The City Manager stated staff can immediately commence negotiations for an MOU, which is similar to a settlement agreement and bring it back to Council before the final EIR is released; the proposed project needs a certified EIR; the project must be approved by the Port's elected officials; the City can attend meetings and politically influence those necessary.

Vice Mayor Daysog stated discussion of any MOU is also premature; the City must gather expert testimony to submit as part of the draft EIR process.

Councilmember Vella expressed support for multimodal transportation being a part of the project; expressed concern over the City subsidizing parking; stated that she would like more connectivity to ferries and the airport with bus connections through the first and last mile; a Bay Area Rapid Transit (BART) station is nearby; there have been impacts to headway times for busses; expressed support for the City making the same requests of the Port related to transportation demand and parking.

Councilmember Herrera Spencer discussed wildlife impacts and changes to property values; expressed concern over decreases in property values; stated that she would like a draft of the letter shared with the public in advance of response.

Vice Mayor Daysog moved approval of continuing the matter to October 14; stated staff will need to hire an airport traffic planner, airport noise expert, and airport legal counsel or relative consultants to review and provide expert testimony and analyses of the draft EIR and include staff comments in response to the EIR with expert testimony and analytic attachments prior to October 14; expressed support for the City requesting another 30-day extension; discussed difficulties in searching for draft EIR attachments.

Councilmember Vella inquired whether there is need for a special meeting; proposed a friendly amendment to the motion that the motion to provide direction to staff to hire experts, update the letter, circulate it to Council, and Council providing feedback ahead of the deadline.

Vice Mayor Daysog accepted the friendly amendment to the motion.

Mayor Ezzy Ashcraft stated that she supports staff spending time on getting expert reports incorporated in the letter versus preparing for another Council meeting.

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(23- ) Councilmember Vella moved approval of providing 30 seconds additional speaking time to Councilmember Herrera Spencer.

Vice Mayor Daysog seconded the motion, but the question was not called.

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Mayor Ezzy Ashcraft inquired whether the City Clerk has a clear understanding of the motion on the table.

The City Clerk responded in the affirmative; stated the motion is to approve staff hiring outside experts and review the testimony in the draft EIR; revisions to the letter will be circulated to Council prior to the deadline; there will be attachments which include the explanation of growth assumptions, adequacy of noise and impact analyses relative to appropriate environmental and transportation standards.

Councilmember Herrera Spencer proposed a friendly amendment to the motion that the letter be shared with the public and Council, not just Council in advance of the deadline.

Vice Mayor Daysog accepted the friendly amendment to the motion.

Councilmember Vella seconded the amended motion, which carried by unanimous voice vote - 5.

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(23- ) Councilmember Vella moved approval of hearing the remaining agenda items up to midnight with the Alameda Swimming Pool Association lease [paragraph no. 23- ] last since she has to recuse herself.

Councilmember Jensen seconded the motion, which carried by the following vote: Ayes: Councilmembers Daysog, Jensen, Vella and Mayor Ezzy Ashcraft - 4. Noes: Councilmember Herrera Spencer - 1.

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(23- ) Recommendation to Authorize the City Manager to Execute a Five-Year License Agreement with Truleo Inc. for a Software Subscription for Automated Body Worn Camera Review and Analysis in a Total Not-to-Exceed Amount of \$180,000.

The Police Captain gave a Power Point presentation and the City Manager made brief comments.

Expressed support for continued review of body-worn cameras and the contract with Truleo; stated the technology is new and requires review; analysis of interactions, including contact with members of the public whose first language is not English, need to be reviewed; urged further development of policies: Jennifer Rakowski, Alameda.

Mayor Ezzy Ashcraft discussed a meeting in Columbus, Ohio with the Police Chief; stated the analytic software has freed up time for Alameda Police Department (APD) staff; she has not heard residents indicate Officers should be taken off of streets to be placed in front of a computer and analyze hours of data from camera footage;

expressed support for the changes made to the license agreement; stated catching problematic behavior before it magnifies is huge; some Police departments in the Bay Area have been negatively reported in the news; stated that she wonders if the technology of body-worn cameras and associated policies could have helped turn actions around; Alameda has an innovative Police Chief bringing new technologies to the department; the technology not only helps stop behaviors that need to be addressed, but also catches behavior that needs to be highlighted and positively reinforced; the mental health implications and high rates of suicide amongst first responders can be helped by catching stressful situations and allowing for supervisor check-ins; expressed support for the agreement; stated Truleo is currently the only provider and a sole-source contract is not always going to be likely; Truleo currently offers necessary technology; the agreement can be tailored to fit the needs of the City.

Councilmember Vella stated there is a desperate need for this tool and technology which helps amplify personnel; the product is a benefit to the City and helps with recruitment of new Officers; the technology tends to improve the more it is used and gets better over time; the City should look at how many minutes the technology is processed and where issues have been found; there is value in noting different language interactions; the technology is looking at how the Officer is responding to encounters and should remain; focus should be spent on what the City can control, which includes Officer behavior.

Councilmember Vella moved approval of authorizing execution of the agreement.

Councilmember Jensen seconded the motion.

Under discussion, Councilmember Herrera Spencer requested a friendly amendment to the motion to approve sharing Alameda data with other entities to review the work.

Vice Mayor Daysog inquired the context of sharing data and whether the City will want to share data or is precluding the sharing of data.

Councilmember Herrera Spencer responded there has been a request that the matter does not provide sufficient transparency or breadth to be held up as a scholarly review and that the City should give access to researchers with expertise in artificial intelligence, ethics, policing, and health to be able to review conclusions.

Councilmember Vella expressed concern over the approach; stated the City has requested limitations be placed on how information can be shared; reviews can be performed by requesting footage and data; requests are run through the City Manager for approval; the language is already included in the contract and would be subject to limitations; some experts limit the sharing of information to studies; sharing and privacy concerns have been addressed in the new agreement.

Councilmember Herrera Spencer inquired whether a third party has reviewed the case study, to which the Police Captain responded in the negative.

Councilmember Herrera Spencer inquired how the method can be a best practice without a third-party review.

The City Manager responded the Police Department has reviewed use of force records and have been able to corroborate trends; stated staff has looked at data outside of Truleo; there is a desire for the technology to be used as far and wide as possible; she would like to carefully look at the data due to it being sensitive in nature; staff is open to the benefits of sharing information about the City's experience.

Councilmember Vella stated there appears to be a separate request to have a third-party validated study; there is also support for having authorization to move forward with the matter; studies occur often; there is a commitment to participate in a study if and when appropriate; approving funding for a study is not on the agenda; expressed support for Council sticking to agenda materials.

Councilmember Herrera Spencer stated that she does not believe having Officers review footage is a third-party study; requested confirmation that a third-party has not reviewed data to validate conclusions about a 36% decrease in use of force and a 30% decrease in offensive language.

The Police Chief stated there was not a third-party; APD looked at the information and was able to corroborate trends.

Councilmember Herrera Spencer further inquired whether a third-party has looked at the information to validate the numbers, to which the City Manager responded in the negative.

Councilmember Herrera Spencer discussed a previous referral from April; stated that she would like to see all data supporting the reported conclusions and specific examples; the report has examples and exact information is not being confirmed; expressed concern over APD being used by a company that has been unable to validate any conclusions; stated it is not appropriate for the City's reputation to be used to sell a product that cannot be validated; her previous support for Truleo was for moving forward with body-worn cameras; the case study compares the first half of 2021 with the first half of 2022; due to the City's retention policy, the complete data would have only been from 2022; expressed concern over analyses being conducted incorrectly; stated a third-party analysis should have been performed; Truleo's description is wrong; the percentages are outrageous; expressed concern over the lack of third-party verification; stated the concerns are legitimate; many things have occurred over time which could have impacted numbers; she does not believe the City has had a 36% decrease in use of force; she continues to be disappointed in the City being involved with a product that cannot be verified; others have cancelled Truleo contracts; the process is not a best practice; results cannot be confirmed; she has attempted to receive underlying data and has been unsuccessful; expressed concern over not receiving the requested information; stated the requests are fair; the reported numbers do not appear to be accurate and indicate a previous high level of use of force to report a large reduction of 36%; the program does not distinguish when use of force is appropriate; the improvement is not being taken seriously by Truleo; the City is getting sucked into something without verification; the case study exceeded Council authority; she will not support the agreement.

Mayor Ezzy Ashcraft discussed Council's Code of Conduct; stated disbelief of the reported decrease in use of force suggests an accusation of falsifying information, which is concerning; inquired whether the City verifies results.

The City Manager responded staff does verify results through human review and assessment; stated when actions are flagged, supervisors review video footage to corroborate and verify the data and flagged audio to be able to manage performance in either a positive or constructive manner; the product would not be recommended if there were errors and mistakes in reporting; APD has performed its own analysis of use of force incidents and have found similar trends; staff has corroborated both through human assessment and its own data analysis and can confirm that the product is viable and will continue to help the City remain efficient with its resources and help improve performance management within APD.

Councilmember Vella stated collecting footage and not reviewing it is not a best practice; the product is used as a screener and is not performing the hard review of footage; the tool screens and flags incidents for human review to efficiently use staff time; there appears to be a request for not only percentages, but also raw data and numbers and a request that staff include the information in future updates; expressed support for the City authorizing the agreement.

Councilmember Jensen expressed support for the Police Chief; stated that she supports APD staff identifying the product as effective.

Vice Mayor Daysog stated there is a question of whether or not the City should have a tool which helps improve the way in which Officers interact with the public; expressed support for having such a tool; stated concerns related to validating the claims made is important; imperative analytics are weighed against the practicality of having a tool; expressed support for the City having the tool; stated it is possible to change vendors in the future.

Councilmember Herrera Spencer proposed a friendly amendment to the motion to approve having the case study removed from Truleo's website and that Alameda's name not be used to sell an unverified product.

Vice Mayor Daysog discussed a news article touting Alameda's use of this tool; stated the article referenced a reduction in numbers; the article showed Alameda as positive for making an effort to improve the way in which Officers interact with the public by leveraging technology; expressed support for the motion on the table.

Mayor Ezzy Ashcraft concurred with Vice Mayor Daysog; stated communities are better off using body-worn cameras and analyzing data with software like Truleo; expressed support for Alameda being an example, for positive Police practices, and making policing better.

Councilmember Herrera Spencer stated that she does not think the City is doing a service helping policing in the country or anywhere else by attaching Alameda's name to a study that has not been verified; she will continue to request the data and question the statements and data.

On the call for the question, the motion carried by the following voice vote: Ayes: Councilmembers Daysog, Jensen, Vella and Mayor Ezzy Ashcraft - 4. Noes: Councilmember Herrera Spencer - 1.

(23- ) Resolution No. 16104, "Amending Resolution Nos. 15382, 15697, 15766, 15772 and 15875 to Amend the Rules of Order Governing City Council Meetings Concerning the Consent Calendar, Speaking Times for the Public and Reviewing, Changing or Rescinding Prior Council Actions." Adopted.

The City Clerk gave a brief presentation.

Mayor Ezzy Ashcraft inquired whether the matter refers to a similar successful attempt by another city, to which the City Clerk responded in the affirmative; stated the proposed matter came from a brainstorm about a city where the Assistant City Manager previously worked.

Stated that she would prefer hearing Council questions prior to public comment; discussed the League of Women Voters opposition; stated the matter appears to impede and exclude public participation; public speakers have indicated the desire for more speaking time and transparency; expressed concern over censorship, questions, and staff duties: Shelby Sheehan, Alameda.

Expressed concern over the composition of the Consent Calendar and the public right to speak; discussed the League of Women Voters' and Alameda Citizens Task (ACT) Force opposition; stated Council appears to be thwarting public speaking: Tod Hickman.

Mayor Ezzy Ashcraft requested clarification about the comments provided by the League of Women Voters.

The City Clerk stated Councilmembers would have to announce which Consent Calendar items would be pulled first; the pulled items would allow for a full discussion and public comment; the announcement occurs to let the public know which items will be heard at a later point; the process opens up public comment for the pulled items; speakers could potentially speak on both the entire Consent Calendar and the pulled item; the proposal is providing what the League of Women Voters is requesting.

Councilmember Vella stated the City Attorney is not public counsel; the City, as an entity, is the client of the City Attorney; it would be inappropriate for the City Attorney to provide public counsel, representation, or advice; the public should secure legal counsel or seek counsel if needed; there is a limited period of time for Council deliberation; Councilmembers cannot speak to a majority and many do not speak to each other prior to meetings; Council meetings are the people's time and involve deliberation; the current meeting has involved Council discussion, deliberation, and public comment; many jurisdictions provide less time for public comment and do not have the same posting and advance publication requirements as Alameda; Councilmembers are able to view the meeting materials once published, and ask staff clarifying questions and effectively utilize speaking time; members of the public have the ability to reach out to Councilmembers before the meeting; public questions and comments help Councilmembers formulate opinions; there are rules and qualifications for items placed on the Consent Calendar; final passage is on the Consent Calendar and the public has a minimum of two opportunities to speak; expressed support for the clarification and for the resolution.

Councilmember Jensen concurred that public commenters will benefit from the change; stated Berkeley's rules for public comment are tighter than Alameda's and require that three Councilmembers vote to pull a matter off of the Consent Calendar; expressed support for the ability to comment on a matter without having to pull it for discussion.

Councilmember Jensen moved adoption of the resolution and request that the process be trialed for six months and return to Council for reauthorization.

Councilmember Vella seconded the motion.

Under discussion, Councilmember Vella inquired whether the six-month time frame allows for the time frame plus the time for the staff report to be drafted and agendized, to which Councilmember Jensen responded in the affirmative; stated the process would not stop at six months; staff needs time to return with data on implementation and Council can hear from the public.

Councilmember Herrera Spencer discussed previous meeting rules where Council or the public could pull Consent Calendar items; requested clarification that Council is reverting to the previous meeting rules.

The City Clerk stated members of the public would be able to speak on the pulled Consent Calendar items; Councilmembers can pull Consent Calendar items.

Councilmember Herrera Spencer inquired how much time the public is able to speak, to which the City Clerk responded the time is being made uniform and consistent across all agenda sections.

Councilmember Herrera Spencer inquired whether the amount of time would remain at the current three minutes for up to six members of the public.

The City Clerk responded in the negative; stated there is a change to lower the number to up to five.

Councilmember Herrera Spencer inquired whether a Councilmember pulling an item from the Consent Calendar changes the Council speaking time from five minutes to nine minutes, to which the City Clerk responded in the negative.

Councilmember Herrera Spencer inquired why a pulled Consent Calendar item would be treated differently for a member of the public than a Councilmember.

The City Clerk responded staff tried to honor the current differentiation between speaking times for Consent and Regular Agenda items; stated the proposed method is an attempt at a simpler, cleaner approach to allow Council comments and ensure public comment is uniform.

Councilmember Herrera Spencer stated Council has received comments related to the public preparing two speeches due to not knowing the speaking time ahead of time.

The City Clerk noted most members of the public are used to the two-minute speaking time and often do not take the full three-minute speaking time.

Councilmember Herrera Spencer stated ACT and the League of Women Voters have provided comments regarding speaking times.

The City Clerk stated staff is providing what is being requested by both parties with a slight difference from the ACT request.

Councilmember Herrera Spencer inquired why two-and-a-half minutes are not being provided as a speaking time.

The City Clerk responded ACT proposed the amount of time after the agenda report was published; stated the ability to speak on pulled Consent Calendar items is being proposed.

Councilmember Herrera Spencer stated that she understands pulled Consent Calendar items will be placed at the end of the Regular Agenda; inquired whether Council would need four votes to change the order, to which the City Clerk responded in the affirmative.

Councilmember Herrera Spencer inquired the reasoning behind the change, to which the City Clerk responded the goal is for Council to not spend a large amount of time on the Consent Calendar.

Councilmember Herrera Spencer stated ACT commented that oftentimes matters on the Consent Calendar are priority; inquired whether priority matters would still be placed at the end of the Regular Agenda Items, to which the City Clerk responded in the affirmative.

Councilmember Herrera Spencer inquired whether the City Manager recommends the proposed change and where the pulled items would go if four Councilmembers voted to move the matter to another place on the agenda.

The City Manager responded Council overriding the pulled Consent Calendar item could be heard after the vote on the non-pulled Consent Calendar items; stated that she would recommend Council hear the overridden matters after the non-pulled Consent Calendar items.

Councilmember Herrera Spencer stated the current speaking time for the entire Consent Calendar is two-minutes; inquired whether speakers can comment on pulled Consent Calendar items, to which the City Clerk responded in the affirmative.

Vice Mayor Daysog expressed support for the status quo; stated Council has the option to rearrange items under Agenda Changes; the current proposal is more streamlined.

Mayor Ezzy Ashcraft stated the current process is being abused and pulled items are being pulled to record a no vote at the expense of other items with public speakers.

Councilmember Herrera Spencer inquired whether pulled Consent Calendar items cannot be placed back on the Consent Calendar by a vote of Council.

The City Clerk responded the Rules of Order allow one member of Council to pull an item; stated a vote of four Councilmembers could override the Rules of Order.

Councilmember Herrera Spencer stated that she pulls items from Consent due to having questions or hearing questions from the public; she believes the City inappropriately places many items on the Consent Calendar and items do not appear routine and customary; Council, apart from the Mayor, has no input on items being placed on the Consent Calendar.

On the call for the question, the motion carried by the following voice vote: Ayes: Councilmembers Jensen, Vella and Mayor Ezzy Ashcraft - 3. Noes: Councilmembers Daysog and Spencer - 2.

\*\*\*

(23- ) Councilmember Vella moved approval hearing the ASPA lease item then adjourning.

Vice Mayor Daysog seconded the motion, which carried by unanimous voice vote - 5.

\*\*\*

(23- ) Introduction of Ordinance Authorizing the City Manager to Execute a Lease Agreement for Four Years and Eleven Months with the Alameda Swimming Pool Association for Operation and Maintenance of the Pools at Franklin Park and Lincoln Park. Introduced; and

(23- A) Resolution No. 16103, "Amending the Recreation and Parks Department Fiscal Years 2023-24 and 2024-25 Budgets to Appropriate \$15,000 in Each Fiscal Year for Reimbursement to the Alameda Swimming Pool Association for Lifeguard Training Certification and Financial Assistance." Adopted.

Councilmember Vella recused herself and left the meeting.

The Assistant City Manager gave a Power Point presentation.

Councilmember Herrera Spencer requested clarification about senior citizens and disabled access

The Assistant City Manager responded twice per week a senior swim is conducted for those aged 50 and older and those with disabilities.

Expressed support for the matter if it will increase public access; urged the discussion not be rushed: Shelby Sheehan, Alameda.

Urged Council not to approve the lease; expressed concern over the membership model; stated the model does not work for many and is not welcoming; discussed the ASPA Board; expressed support for staff negotiating a better lease: Kristan Lavietes, Alameda.

Expressed concern over the cost of pool membership, required duties, and lack of day rates; stated the price is exorbitant and exclusive for many casual swimmers; discussed costs for other public pools; suggested an audit be done: Willis Calkins, Alameda.

Stated the lease duration is too long and lacks public access; discussed timing issues for child swim lessons; expressed support for casual swimming cost options and better public access: Alex Spehr. Alameda.

Stated other swimming pool clubs are more expensive; ASPA is run by volunteers and gets by with what it has; the cost is reasonable; urged Council approve the lease: James, ASPA.

Stated pool access costs \$540 per year, which is \$45 per month and includes the key fee; key access requires lifeguard certification; volunteer requirements include two, two and a half hour shifts per year; the only membership requirement is to be a resident of Alameda; urged Council to approve the lease: Peg Magarian, ASPA.

Councilmember Jensen inquired whether the reimbursement has changed.

The Assistant City Manager responded staff took the reimbursement out of the budget due to there being a desire to bring the matter with the lease.

Councilmember Jensen moved introduction of the ordinance.

Vice Mayor Daysog expressed support for public comments; stated the information presented is cause for his continued support.

Councilmember Herrera Spencer inquired the options in Alameda for drop-in swimming.

The Assistant City Manager responded only Alameda Recreation and Parks Department (ARPD) programs offer drop-in swimming at Alameda and Encinal High Schools.

Councilmember Herrera Spencer stated there is a continuum of access to pools through the program; the two pools compliment the high school pools; discussed ARPD swimming program costs; inquired the current cost of a six-week swim class with ARPD, to which the Assistant City Manager responded that she does not have the information.

Councilmember Herrera Spencer stated that she recalls the cost being roughly \$60 to \$80 per child, per half hour lesson, which is significantly more than ASPA; the costs are affordable due to program volunteers; inquired how old the pools are, to which the Assistant City Manager responded the pools were built in 1959.

Councilmember Herrera Spencer stated maintaining older pools is difficult; the timing of child swim lessons is a valid concern; expressed support for ASPA and the lessons provided; stated volunteers have provided good options for free swim lessons and senior and disabled swim; the options compliment the programs offered by ARPD; inquired whether the \$45 cost per month needs to be paid all-at-once.

The Assistant City Manager responded ASPA does not accept monthly payments; stated there is no online registration system and payments are only received by check; payments can be received on a twice per year basis; ARPD group swim lessons cost \$40 per person for four-classes.

Councilmember Herrera Spencer inquired whether the classes are 20 or 30 minutes, to which the Assistant City Manager responded the class is 45minutes.

Councilmember Herrera Spencer stated that her children did not learn to swim in four lessons; the cost through ARPD was prohibitive; expressed support for the lease with ASPA.

Mayor Ezzy Ashcraft expressed support for the lease.

Councilmember Herrera Spencer seconded the motion, which carried by unanimous voice vote - 4. [Absent: Councilmember Vella - 1.]

CITY MANAGER COMMUNICATIONS

Not heard.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

Not heard.

ADJOURNMENT

(23-\_\_) There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 12:28 a.m. in memory of Senator Dianne Feinstein.

Respectfully submitted,  
Lara Weisiger, City Clerk

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

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**Letter: Alameda Food Bank Deserves Better Facilities**

## To the Editor:

have had the pleasure to be a volunteer at the Alameda Food Bank (AFB) (<https://www.alamedafoodbank.org/>) for the past five years. It has been a privilege to work at the AFB, especially when Covid hit in 2020. The AFB rose to the challenge and the exceptional efforts and changes made to accommodate the increased demand was simply extraordinary. Yet, the AFB is operating under increasingly challenging conditions.



(<https://alamedapost.com/wp-content/uploads/2022/12/food-bank.jpg>)

Alameda Food Bank warehouse at 650 W. Ranger Ave. Photo Adam Gillitt

The Alameda Point warehouse serves as the sole facility for all AFB operations and is in poor condition. The dilapidated facility lacks heat, has countless leaks, electrical and lighting problems, insufficient Internet service to check in guests, and the parking lot and walkways are uneven, subject to flooding, and during the winter there is no lighting so I have had to walk some elderly clients to their cars with a flashlight because they are afraid of falling.



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The Alameda Food Bank is everything the City of Alameda stands for—compassion, generosity, and kindness to others (<https://alamedapost.com/features/alameda-life/island-community-market-welcomes-shoppers/>). The Mayor, City Council, and community leaders regularly highlight the Alameda Food Bank for the important service it provides to our community. During this holiday season, I ask that our leaders commit to ensuring the Alameda Food Bank has a permanent, safe, and respectful facility, so that it can continue to provide food security to everyone who needs it, including our children and our seniors.

Sincerely,

Karen Greaves  
Alameda Resident &  
Alameda Food Bank Volunteer

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# Jean Sweeney Open Space Urban Ag Project

Jean Sweeney Open Space Park (Sweeney Park) is a 25-acre community park located in the central west area of the community. The park site is the former Alameda Beltline Railroad property that was secured by the City, with significant advocacy by long-time resident Jean Sweeney. It is the City of Alameda's (City) largest park and after opening two of four phases in 2018. The City applied for the Statewide Park Program grant to update, design, and construct the most western phase of the park called the Urban Agriculture Phase which, most notably, would include:

- a community garden with plots for Alameda residents;
- free plots for Alameda Food Bank constituents, to address food insecurity in our community;
- large plots for faith organizations and others to provide food for those in need; and
- opportunities for educational workshops on garden related topics.

The western phase of Sweeney Park includes the community garden, a second playground, demonstration gardens to model drought tolerant landscapes, a tool and seed lending library in collaboration with the Alameda Free Library, an outdoor classroom, a second parking lot, restroom and small picnic areas. The community garden is planned to serve Alameda residents, as well as address food insecurity in the community, through collaborations with the Alameda Food Bank, local faith organizations, and Alameda Backyard Growers. A portion of the garden plots will be provided at no cost to Alameda Food Bank constituents, with gardening workshops and guidance provided by Alameda Backyard Growers. Larger plots will be available to faith organizations who grow food to distribute to those who are in need.

In February 2021, city staff held a community input meeting and the public also had the opportunity to provide input through an online survey.  [Click here](#) (PDF, 553KB) (</files/assets/public/v/1/departments/alameda/rec-and-park/sweeney-park-urban-ag-survey-data.pdf>) for the survey results.

The city will learn whether it received the grant later this summer and if received, will then do a more detailed design update. The public will have more opportunities to provide feedback when this detailed design is brought to the Recreation and Parks Commission and City Council for final approval.

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04/21/2010	<b>M10-0053</b>	Building/Mechanical Permit/Over the Counter/NA	ALAMEDA FOOD BANK:REMOVE (3) WALL FANS & REPLACE W		1900 THAU WAY, ALAMEDA, CA 94501	Finaled
12/09/2008	<b>PDA-90-22</b>	Planning/Entitlement/NA/NA	Planned Development or Amendment		1900 THAU WAY, ALAMEDA, CA 94501	Approved
06/03/2008	<b>B08-0626</b>	Building/Building Permit/Commercial/Over the Counter	ALAMEDA FOOD BANK - INSTALLATION OF A 4 FT X 8 FT WALL SIGN		1900 THAU WAY, ALAMEDA, CA 94501	Finaled
05/09/2007	<b>CB07-0528</b>	Building/Combination Building Permit/Commercial/New	ALAMEDA FOOD BANK - BUILD 35 1/2 X 56 MODULAR BUILDING FOR STORAGE & D		1900 THAU WAY, ALAMEDA, CA 94501	Finaled
05/09/2007	<b>CB07-0527</b>	Building/Combination Building Permit/Commercial/Alteration	ALAMEDA FOOD BANK - DEMOLITION OF 24 X 60 MODULAR BUILDING (BLDG/PLBG/		1900 THAU WAY, ALAMEDA, CA 94501	Finaled
02/23/2007	<b>PDA07-0002</b>	Planning/Planned Development Amendment/NA/NA	ALAMEDA FOOD BANK - REPLACE EXISTING 24' X 60' MODULAR BUILDING WITH N		1900 THAU WAY, ALAMEDA, CA 94501	ISSUED
02/20/2007	<b>DR07-0017</b>	Planning/Major Design Review/Commercial/NA	DEMO 24 X 60 MODULAR BUILDING & BUILD 36 X 56 MODULAR BUILDING FOR STO		1900 THAU WAY, ALAMEDA, CA 94501	ISSUED
03/09/2000	<b>E00-3160</b>	Building/Electrical Permit/NA/NA	ADD 2 DUPLEX RECEPTACLES		1900 THAU WAY, ALAMEDA, CA 94501	EXPIRED
05/18/1998	<b>E98-3362</b>	Building/Electrical Permit/NA/NA	ADD 3 EXTERIOR LIGHTS		1900 THAU WAY, ALAMEDA, CA 94501	FINAL
01/11/1996	<b>B96-0130</b>	Building/Building Permit/Commercial/NA	FOOD BANK TRAILER-REPAIR		1900 THAU WAY, ALAMEDA, CA 94501	FINAL

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# Island Community Market Welcomes Shoppers

## Alameda Food Bank's Distribution Center at Alameda Point is an All-Choice Shopping Experience



(<https://alamedapost.com/wp-content/uploads/2022/04/island-community-market-welcome-sign.jpg>)

This welcome sign made by second graders from Saint Philip Neri School greets shoppers at the Island Community Market. Photo Adam Gillitt.

**O**ne of the first things you see when you walk into the Island Community Market is a colorful welcome sign at the check-in desk, made by second graders from Saint Philip Neri School

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here in Alameda. Framed by paper handprints of the young students who created it, the warm greeting underscores both the generosity of our community and the positive experience that Alameda Food Bank executive director Cindy Houts and her staff of 250 volunteers have created for those who get food there.



(<https://alamedapost.com/wp-content/uploads/2022/04/cindy-houts.jpg>)

Cindy Houts, Executive Director of Alameda Food Bank. Photo Adam Gillitt.

“When we opened up here last July, we made a conscious effort to make it more like a market, and we renamed it the Island Community Market,” said Houts, who joined the Food Bank as executive director in 2015. “So when a person says, ‘I’m going to the market,’ it’s not like saying, ‘I’m going to the food bank.’ It just feels more normalized.”

Clients now check in, get a cart, and shop throughout the store at their leisure, as they would in any other grocery

store. There are well-organized aisles of canned and dry goods, a beautiful selection of fresh produce, a self-serve deli fridge, meats and plant-based protein, eggs, pantry items, cookies, crackers, chips, and more. And to top it off, there’s Peet’s coffee (the roasting plant is located on Bay Farm Island). This bountiful market came to exist, to some extent, as a result of the COVID-19 pandemic.



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The Island Community Market is open Monday, Wednesday, and Friday, noon to 4 p.m., at 250 Ranger Avenue in Alameda. For information on volunteering, donating, or getting food, visit [alamedafoodbank.org](http://alamedafoodbank.org) (<https://alamedafoodbank.org>).

## Growth Driven by Pandemic

The Food Bank’s former distribution center, a small portable building at the corner of Atlantic and Constitution near the western edge of Sweeney Park, “tried to preserve the dignity of clients with an

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‘all-choices’ shopping experience,” Houts noted. But that all came to an abrupt end when the number of local residents needing help mushroomed from about 800 families in 2019 to more than 8,000 in 2020.

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The food bank had to quickly move to its current location, a 10,000-square-foot warehouse on Alameda Point, where cars could line up for drive-through service. Volunteers handed out pre-packed bags filled with an assortment of fresh produce, protein, and baked goods.

*All of this goodness is made possible not just by donations but by the hard work of volunteers. “We have 250 volunteers and they do it all,” Houts said.*

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“During the pandemic we were one of the largest drive-through distribution sites and that was really great,” said Houts. “And when the state opened up last summer, the numbers had reduced enough — even though we were still doing three times as much as before — that we felt it would be manageable to do in-person grocery shopping again.” With a warehouse that size, there was plenty of room for social distancing. And of course there would have to be plenty of food on the shelves.

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“We have three vans, and our volunteer drivers go to grocery stores in town — Trader Joes, Lucky’s, Target, Safeway, Grocery Outlet,” Houts said. “We pick up food that they can’t sell. It might be because it’s just at the expiration (sell by) date, or a box might be a tiny bit dented, but it’s still edible, safe, and nutritious.”

Plentiful produce is Houts’ specialty. “We get a lot of our produce from Food Recovery from local grocery stores, and from the Alameda County Community Food Bank,” she said. “But I feel so strongly that we need to have a great quantity and quality of fresh produce that I also purchase some from a wholesale produce mart in Oakland.”



(<https://alamedapost.com/wp-content/uploads/2022/04/island-community-market-fresh-produce.jpg>)

Bright displays of fresh produce greet shoppers at the Island Community Market. Photo Adam Gillitt.

All of this is made possible primarily through the generosity of the Alameda community. Houts noted that 84 percent of the Food Bank's funding is provided by individuals and small organizations here in town. The other 16 percent comes from two federal grants (a Community Development Block Grant managed by the city, and FEMA funds managed by United Way Bay Area) and other corporate funding sources, Houts said.



([https://uss-hornet.org/calendar/silveroak/?utm\\_source=alamedapost](https://uss-hornet.org/calendar/silveroak/?utm_source=alamedapost))

Individual donations vary from pennies to thousands of dollars, but all are heartfelt. A 6-year-old boy sold some toys he no longer wanted and donated the proceeds. A second grader donated her allowance and birthday money. A former client sent a substantial donation with a handwritten note: "As a single mom about 20 years ago, the Alameda Food Bank was the primary source for feeding my family on a week-to-week basis. Several times during the year we got the added bonus of holiday meals from you. My kids are grown now and I am finally in a position to give back."

## Paying it Forward

Houts pays it forward by seeing to it that the Food Bank gives to others. "We share food with other organizations such as City Team Ministries in Oakland, because they make a lot of meals for people in their residence program and for the homeless," she said. "We also provide food for the Dine and Connect dinners, which are hosted by different churches every Monday." The list of Food Bank good deeds goes on and on. They help to provide hot meals for the homeless in Alameda and contribute snacks to the Village of Love, a nonprofit organization that has a drop-in day center for the homeless and a safe parking site for 25 vehicles.

When items are available, the Food Bank donates supplies — toiletries, laundry soap, etc. — and snacks to the shower program at Christ Episcopal Church. And they also help our furry friends, giving pet food and supplies to Friends of the Alameda Animal Shelter (FAAS).

(<https://alamedapost.com/wp-content/uploads/2022/04/island-community-market-volunteer.jpg>)

Dan is one of over 250 volunteers who give their time to support the Alameda Food Bank.  
Photo Adam Gillitt.

All of this goodness is made possible not just by donations but by the hard work of volunteers. “We have 250 volunteers and they do it all,” Houts said. “There’s no way that just four paid staff could do it, and there’s no way that we could afford to pay people to do this work. They are amazing. And we have challenges here with the facility, but the volunteers are willing to show up even when it’s freezing and windy and raining and cold. They’re just incredible.”



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# History/Mission

One of Alameda's Primary Social Service Organizations

<https://www.alamedafoodbank.org/history-mission/#:~:text=Our%20History,of%2035%20individuals%20per%20month.>

## Our Mission

Founded in 1977, the Alameda Food Bank is a non-profit organization that offers assistance to the Alameda community by providing nourishing food in a compassionate and respectful manner with the support of dedicated volunteers and local partners.

We do this by operating a food distribution center that allows individuals in need to obtain the food they need to feed themselves and their families. We also set up mobile pantries at Alameda Housing Authority facilities and donate food to Alameda organizations serving the homeless.

Our staff and volunteers strive to make the experience convenient and comfortable for all those who seek our help. Our generous community donates funds and food to help us meet the needs of our clients.



## Our History

The Alameda Food Bank was founded in 1977 by a group of concerned local citizens who saw the importance of a source of free food in the community for those in need. AFB initially operated out of a closet in the back room of a church for a few days each month, serving an average of 35 individuals per month.

As word of the food bank's services spread within the community, the number of recipients and volunteers steadily increased. By 2017, more than 150 volunteers were serving over 2,000 families each year comprising about 5,500 individuals. That number surged during the federal government shutdown in late 2018/early 2019 as local Coast Guard families and other federal employees turned to us for help when their paychecks were held up for weeks.

The extraordinary impact of the COVID-19 pandemic on the livelihood of so many Islanders caused an explosion in need in early 2020. The number of families seeking our help jumped tenfold from about 800 a month in 2019 to almost 8,000 per month by mid-2020.

The increased demand and need for social distancing necessitated a relocation from our 2,200-square-foot distribution center at Atlantic and Constitution to our 10,000-square-foot warehouse on Alameda Point where we created a drive-through service.

Throughout our history, the community's acceptance and support of our mission has been evident in the generous donations we receive and the commitment of our volunteers. Local markets donate fresh surplus food and our local mail carriers and Alameda Scouts conduct major food drives on our behalf each year. Though started on a shoestring, the Alameda Food Bank is now recognized as one of Alameda's primary social service organizations.



The Food Bank was founded in 1977 by a group of concerned local citizens who saw the need in the community for a source of free food for those in need.



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## LOCAL NEWS

# Alameda mayor's address: Sweeney park developing as voted on in 2018

1.72 acres of land that Union Pacific owns on property's southern border not included in eminent domain action



By **MARILYN EZZY ASHCRAFT** | city of Alameda

PUBLISHED: April 14, 2021 at 5:00 a.m. | UPDATED: April 14, 2021 at 5:16 a.m.



Rumors have recently surfaced that suggest nefarious dealings outside the public eye to reduce the size of Jean Sweeney Open Space Park. What's going on? The short answer: Nothing nefarious. City staff are carrying out the City Council's September 2018 direction to acquire additional land bordering Sweeney park by initiating eminent domain proceedings against the land owner, Union Pacific Railroad.

On Sept. 4, 2018, the council voted unanimously (Trish Herrera Spencer, Frank Matarrese, Malia Vella, Jim Oddie and me) to pursue an eminent domain action that, if successful, would let the city buy 2.8 of 4.52 acres the Union Pacific owns along Sweeney Park's southern border. The remaining 1.72 acres weren't included in the eminent domain action because they were zoned residential, making the purchase price cost-prohibitive. The staff report is available online at [bayareane.ws/3shE8RK](https://bayareane.ws/3shE8RK).

The eminent domain litigation against Union Pacific is still ongoing. I can't take you inside closed sessions in which discussions are confidential or speculate regarding potential outcomes of the litigation, but I can tell you how we got to this point.

In December 2018, the first phase of the 25-acre Sweeney park, extending from Sherman Street to Constitution Way, opened to the public. Nearly a third of the park was complete, including the eastern side, the Cross Alameda Trail running through the park, a playground, picnic pavilion, gazebo, open grass area, parking and lighting. Before it was ever a park, though, Sweeney was the railroad yard of the Alameda Belt Line railroad.

In 1918, 100 years before Sweeney park opened, the city of Alameda built a 1.2-mile municipal belt line railroad that ran along Clement Avenue from Pearl Street to Grand Street to serve the newly developing industrial zone on Alameda's north shore, along the Oakland Estuary. Later, this line was extended to Sherman Street to serve the Del Monte warehouse and the Alaska Packers Association.

In 1924, the city sold its railroad to Western Pacific Railroad and the Atchison, Topeka and Santa Fe Railway. In 1925, the two railroad companies incorporated the Alameda Belt Line to take over the Clement Avenue track. In 1926, they acquired the entire belt line property and by the end of 1928 had built it out with 5.6 more miles of track and the railroad yard that eventually became Sweeney park.

Subsequent mergers followed the Alameda Belt Line's acquisition by Western Pacific and the Santa Fe Railway, but ultimately the Belt Line was jointly owned by the Burlington Northern & Santa Fe Railway (the Atchison, Topeka and Santa Fe Railway's successor) and Union Pacific and continued to serve Alameda's north shore for 70 years until closing in 1998.

Sweeney park might never have become a park were it not for the dedication and persistence of Alameda resident Jean Sweeney who, in 1998, discovered the original 1924 contract between the city of Alameda and the Alameda Belt Line. The contract gave the city the right to buy the Belt Line

railroad and any extensions back from the Belt Line at the original purchase price, a fraction of its 1998 value.



Sweeney's discovery, combined with skillful legal work by then-City Attorney Carol Korade and outside counsel, resulted in a 2009 appellate court victory that required the Alameda Belt Line to sell the property back to the city for the 1924 purchase price (plus improvements) for a total of \$966,207. It is important to note that the appellate court's ruling did not include the land Union Pacific currently owns along the park's southern border, including the 2.8 acres of property that are the subject of the city's current eminent domain litigation against Union Pacific.

The City Council voted to name the park after Sweeney, who passed away in 2011. In 2013 and 2014, more than 2,000 residents participated in the Sweeney park community design and master plan process. The master plan design was created pro bono by architect and former Planning Board member Kristoffer Koster. City staff applied for grant funding and sought donations, ultimately securing \$4.2 million of non-city dollars, which funded 60% of the total park development cost.

This year, city staff applied for additional funding from California's Department of Parks and Recreation to fund the western portion of the park, the Urban Agricultural phase that will include a community garden, demonstration gardens, an outdoor classroom, seed and tool lending library, pedestrian trails, a restroom and parking. The final, middle phase of the park will feature a ball picnic areas and a bicycle skills loop

what the council voted to do in September 2018 — seeking to expand Sweeney park by acquiring more land from Union Pacific. We've learned during the pandemic how important our parks and open space are for our physical and mental well-being, and Sweeney park promises to be another jewel in Alameda's extensive park system.

*Marilyn Ezzy Ashcraft is the mayor of Alameda.*

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