

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- - JUNE 6, 2023- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:14 p.m. Councilmember Herrera Spencer led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Daysog, Herrera Spencer, Jensen, Vella, and Mayor Ezzy Ashcraft – 5. [Note: Councilmember Vella arrived at 7:21 p.m. and was present via teleconference from 5733-A Noni Street, Kapaa, HI 96746.]

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(23-329) Proclamation Declaring June 2023 as Lesbian, Gay, Bisexual, Transgender, Queer + Pride Month.

Mayor Ezzy Ashcraft read the proclamation.

(23-330) Proclamation Declaring June 19, 2023 as Juneteenth National Freedom Day.

Mayor Ezzy Ashcraft read the proclamation.

ORAL COMMUNICATIONS, NON-AGENDA

(23-331) Sam Moriana, American Legion Post 647, discussed conditions and needed repairs at the Veterans Memorial building and the potential for City revenue from leasing the space.

(23-332) Joe LoParo, Alameda Veterans Memorial Building Advisory Commission, discussed the D-Day operation, conditions of the building at 2203 Central Avenue and Resolution 12737; stated little maintenance has been done to the building.

(23-333) Susan Sperry, Alameda, discussed the City Attorney's Office; stated that she expects members of Council to be responsive to members of the public; expressed concern over bike lanes.

(23-334) Tod Hickman expressed support for statements from the Veterans and the proclamations; discussed batteries and bike lanes.

(23-335) Joshua Altieri, Housing Authority, provided an update on Housing Authority activities.

CONSENT CALENDAR

The City Clerk announced the public hearing on the Water Quality and Flood Protection Fee [paragraph no 23-337] and announced the City Manager would recuse herself from the Power Engineering agreement [paragraph no 23-336].

Expressed support for including South Shore in the Capital Improvement Project (CIP) moratorium; discussed the May 11th Council meeting and the CIP matter returning in the fall: Diane Appelbaum, South Shore Tenant Association.

Stated housing stability should be for all; tenants all over are being subjected to CIP trends; expressed support for Council including South Shore in the CIP moratorium; stated quality of life is being compromised while living in fear: Stacey Rodriguez, Alameda.

Discussed the May 11th Council meeting and Blackstone Corporation; stated South Shore Apartment costs have sky rocketed and vacancies are present; discussed housing insecurity: Eric Kozak, Alameda.

Expressed concerns over discussion items being placed on the Consent Calendar; stated each Council meeting should have five votes to approve the Consent Calendar and that he is suspicious over the items being placed on Consent: Tod Hickman.

Expressed support for the CIP moratorium; stated the matter provides time to consider the contradiction between rent control and CIP fees; discussed calculations for the \$300 fee increase and fee changes: Elizabeth Martinez, Alameda.

Stated there is strength in groups and when united: Doyle Saylor, Alameda Renters Coalition.

Stated approval of the CIP moratorium is a step towards protecting renters in Alameda; urged Council not to stop at the CIP matter since the moratorium will only protect a limited number of properties in Alameda: Toni Grimm, Alameda.

Questioned the noticing for the hearing on the Water Quality and Flood Protection Act: Carol Gottstein, Alameda.

Discussed living conditions at South Shore Apartments: Clarissa Gayton, Alameda.

The City Manager stated that she would recuse herself from the Power Engineering contract and left the dais.

(23-336) Recommendation to Authorize the Assistant City Manager to Execute an

Agreement with Power Engineering Construction Company in an Amount Not to Exceed \$294,184 for Replacement of Gate Stems and Operators at the Bayview Leveling Structure.

Councilmember Herrera Spencer moved approval of the staff recommendation.

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.

(23-337) Public Hearing to Consider Collecting the Water Quality and Flood Protection Fees on the Property Tax Bills; and

(23-337A) Resolution No. 16050, “Finding [No] Majority Protest and Approving the Continuation and Collection of the Existing 2019 Water Quality and Flood Protection Fee for Fiscal Year 2023-24.” Adopted.

The Public Works Program Specialist gave a brief presentation.

In response to the City Manager’s inquiry related to public noticing, the Program Specialist stated staff published the notice weeks in advance of the meeting in the Alameda Sun on May 17th and 25th.

Councilmember Herrera Spencer inquired the amount of days required for the type of public noticing.

The Program Specialist stated the public notice had been published in the Alameda Sun per the ordinance requirement.

The City Attorney inquired how many days in advance of the meeting the notice had been published.

The Program Specialist responded the notice needed to be published two weeks prior to the Council meeting.

Councilmember Herrera Spencer noted the matter had been noticed May 17th.

Mayor Ezzy Ashcraft noted exhibit two shows the publication for the matter; stated the exhibit indicates publication dates of May 15 and 22.

Councilmember Herrera Spencer stated that she would like to know specifically how many days’ notice is required for publication of the hearing.

The City Clerk stated the public notice was published on May 18th well in advance of the 14-day requirement; noted fourteen days prior to the current meeting would be May

23rd.

Councilmember Herrera Spencer stated the notice had been published two times.

The City Clerk stated the notice must be published at least fourteen days prior to the meeting the first time the notice is published; the second notice can occur after.

Councilmember Jensen moved approval of the staff recommendation.

Vice Mayor Daysog 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.

(23-338) Recommendation to Authorize a Price Adjustment of \$7,519 for a Previously Authorized Purchase of Three Hybrid Toyota RAV4s from Freeway Toyota for a Total Amount Not to Exceed \$101,741.

Councilmember Herrera Spencer requested clarification about the criteria used in the vehicle selection.

The Public Works Director stated the hybrid vehicles chosen were to accommodate and operate a higher clearance; the vehicles are not fully electric, but are a step in the right direction.

Mayor Ezzy Ashcraft expressed support for electric vehicles and approving the price adjustment.

Councilmember Herrera Spencer moved approval of the staff recommendation.

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.

(23-339) Ordinance No. 3341, "Impose a Temporary Moratorium on Submitting Capital Improvement Plan Applications for Properties with 25 or More Rental Units and for Such Properties and Directing the Rent Program Administrator to Suspend and Not Approve Any Such Applications Filed On or After July 12, 2022 and Reject All Such Applications Filed On or After April 27, 2023." Finally passed.

Councilmember Herrera Spencer stated that she will not be supporting the matter; more time should be spent on what money will be passed through and what South Shore is entitled to; she is interested in reducing the amount of pass throughs similar to other jurisdictions; expressed concern over the City reverting to the State ordinance and allowing fair return with no pass through.

Vice Mayor Daysog moved approval of the staff recommendation.

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

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

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

(*23-340) Minutes of the Special City Council Meeting Held on April 24, 2023; the Special City Council Meeting, Joint City Council and Successor Agency to the Community Improvement Commission Meeting and Regular City Council Meeting Held on May 2, 2023; and the Special City Council Meeting Held on May 4, 2023. Approved.

(*23-341) Ratified bills in the amount of \$5,696,271.45.

(*23-342) Recommendation to Authorize the City Manager to Execute All Necessary Documents with the San Francisco Estuary Partnership (SFEP) to Accept \$300,000 and with the National Fish and Wildlife Foundation (NFWF) to Accept \$540,000 in Grant Funding to Complete the Long-term Adaptation Plan; and an Agreement with Greenbelt Alliance for \$254,000 as Community Partners to Lead the Stakeholder Engagement Process for City-led Adaptation Projects. Accepted.

(*23-343) Recommendation to Authorize a Price Adjustment of \$7,519 for a Previously Authorized Purchase of Three Hybrid Toyota RAV4s from Freeway Toyota for a Total Amount Not to Exceed \$101,741. Accepted.

(*23-344) 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.

(*23-345) Recommendation to Authorize the City Manager to Negotiate and Execute a Five-Year Contract with Motorola to Purchase Communications Equipment for an Amount Not to Exceed \$2,179,067.70. Accepted; and

(*23-345A) Resolution No. 16051, "Amending the Operating Budget for Fiscal Year 2022-23 for the Upgrade of the Police Department's Emergency Communications System." Adopted.

(*23-346) Resolution No. 16052, "Authorizing the City Manager to Execute a Consent to Assignment and Assumption of Lease in Favor of Stephen and Norma Morris Family

Trust with Respect to the Lease of Real Property Between Stephen W. and Norma G. Morris, and the City of Alameda for the Tidelands Parcel Adjacent to the Uplands Parcel at 1354 Eastshore Drive, Alameda, CA.” Adopted.

(*23-347) Resolution No. 16053, “Requesting and Authorizing the County of Alameda to Levy a Tax on All Real and Personal Property in the City of Alameda as a Voter Approved Levy for the General Obligation Bonds Issued Pursuant to a General Election Held November 7, 2000 for the Alameda Library.” Adopted.

(*23-348) Resolution No. 16054, “Approving the Pavement Management Project Be Funded through the State of California’s Road Maintenance and Rehabilitation Account for Fiscal Year 2023-24.” Adopted.

(*23-349) Resolution No. 16055, “Approving Parcel Map No. 11349 to Subdivide a 4.12-Acre Property into Two Lots at Alameda Point Site A Block 10 (APN: 074-1378-001).” Adopted.

CONTINUED AGENDA ITEMS

None.

REGULAR AGENDA ITEMS

(23-350) Presentation by Assemblymember Mia Bonta: State Legislative Update.

Assemblymember Bonta gave a presentation.

(23-351) Mayor Ezzy Ashcraft recommended allowing 5 more minutes for the presentation.

Councilmember Jensen moved approval [of allowing 5 more minutes].

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

Assemblymember Bonta completed the presentation.

Expressed support for Assemblymember Bonta, Assembly Bill (AB) 1706, AB 846; discussed support for AB 1661: Zac Bowling, Alameda.

Councilmember Jensen inquired the status of AB 1661.

Assemblymember Bonta responded AB 1661 has been held up in appropriations; stated

that she will continue to work to forward the bill; the intent of the bill was to offer some streamlining efforts to be able to encourage Accessory Dwelling Unit (ADU) development; the bill would allow for direct metering for gas and electric on the main line; the bill is righteous and is important.

Councilmember Jensen expressed support for the work done in the previous year related Alameda Hospital seismic project; stated that she would like to continue to work to maintain the hospital for the community.

Mayor Ezzy Ashcraft inquired whether AB 1661 would become a two-year bill, to which Assemblymember Bonta responded there will be a re-introduction next year.

Councilmember Herrera Spencer expressed support for the presentation and work being performed in the community; inquired the status of AB 37.

Assemblymember Bonta responded AB 37 was born out of the increased incidents of threats and violence committed against both candidates and elected officials; stated it is an unfortunate bill to have in place and allows for candidates and elected officials to extend private security systems to their staff, who are often put in challenging situations, as well as family members; campaign funds can be utilized in a proactive way as opposed to having an incident happen resulting in permission being needed after the fact; the bill has moved through the Assembly floor and was voted on a couple weeks ago; the matter will move to the Senate policy committees.

Councilmember Herrera Spencer expressed support for the effort; stated it is not just elected officials and their families who have had to endure concerns for safety; the matter concerns those throughout the Bay Area; there has been an increase of 28% for all crimes in Alameda with a 40% increase in part one crimes over the past five years; the City Attorney's Office prosecutes crimes committed as much as possible; inquired whether there has been any discussion regarding available grants to support local City Attorney prosecution units, as well as Police Departments, in the Bay Area; stated Alameda has approved a significant financial incentive; inquired whether financial relief has been considered.

Assemblymember Bonta expressed support for the City being forward in attracting law enforcement; responded that she has supported several violence intervention and interruption programs; stated funding would be in the violence prevention grant.

Councilmember Herrera Spencer expressed support for specific information related to grant funding; stated that she would appreciate the information being shared with Councilmembers; inquired the status of AB 1186.

Assemblymember Bonta responded the bill has passed through the Assembly floor and will be awaiting Senate policy committees shortly; stated the bill addresses the broken youth restitution system and the ability for youths to have meaningful accountability if unable to pay needed restitution to victims; victims typically do not receive restitution

from youths; the bill will ensure victims have direct support from the victims' compensation fund; restitution payments are a financial burden that usually live with youths into adulthood and keep them from being able to have good credit, housing, and often hinders the ability to find a good job.

(23-352) Recommendation to Accept the Social Service Human Relations Board (SSHRB) Work Plan for Fiscal Year 2023-24.

The Development Manager and Gerald Bryant, SSHRB, gave a Power Point presentation.

Councilmember Herrera Spencer stated the third point on page two related to human relations/Alamedans Together Against Hate (ATAH) indicates a possible change to the subcommittee name to reflect something more affirmative or positive; inquired whether the subcommittee being referred to is ATAH.

The Development Manager responded in the affirmative; stated the change would be to indicate something the City wants to promote, instead of what the City is against.

Councilmember Herrera Spencer expressed support for the change; stated the positive approach is great.

Councilmember Jensen discussed working with the SSHRB to support students during her time on the School Board; stated the work plan and needs assessment involved students; expressed support for Vice Mayor Daysog's work with ATAH and anti-bias work being continued by the SSHRB; stated hate and bias incidents are continuing in Alameda; expressed support for the work plan; stated a change can be made with the information being gathered.

Vice Mayor Daysog expressed support for the work being done by the SSHRB; stated the Board is following in the footsteps of prior members.

Councilmember Vella expressed support for the report and work plan.

Mayor Ezzy Ashcraft concurred with Councilmembers; stated that she enjoys the proposal to have the SSHRB interact with or monitor the road map to ending homelessness; noted the SSHRB tackles many of the urgent issues currently affecting Alameda.

Vice Mayor Daysog moved approval of recommendation.

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.

(23-353) Introduction of Ordinance Authorizing the City Manager to Execute a Fourth

Amendment to the Lease with Williams-Sonoma, Inc., a Delaware Corporation, Acting for and on Behalf of Williams-Sonoma Stores, Inc., a California Corporation, for Building 169, Suite 102, Located 1680 Viking Street, Alameda, CA, Extending the Term of the Lease for an Additional 12 Months with No Extension Option. Introduced.

The Community Development Director gave a Power Point presentation.

Councilmember Herrera Spencer stated the tenant has been great and Alameda; many people do not know the tenant has space at Alameda Point; she is saddened the tenant will eventually be leaving; the last date for the tenant is April 30, 2024; urged all to visit the business; expressed support for the additional lease time.

Councilmember Herrera Spencer moved approval of the item [introduction of the ordinance].

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.

CITY MANAGER COMMUNICATIONS

(23-354) The City Manager announced the initiation of bargaining with the International Association of Firefighters (IAFF); stated staff is seeking feedback on the City's draft vision and priorities and draft strategic plan; announced sign-ups for the Fourth of July parade, the 55th annual sand castle and sculpture contest, and a virtual meeting related to Grand Street safety improvements; congratulated graduates.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(23-355) Mayor's Nominations for Appointments to the Housing Authority Board of Commissioners, Planning Board and Public Art Commission.

Mayor Ezzy Ashcraft nominated Carly Grob for reappointment to the Housing Authority Board of Commissioners and Hanson Hom and Teresa Ruiz for reappointment to the Planning Board.

(23-356) Minutes of the School Board/City Council Subcommittee Meeting Held on February 16, 2023 Approved by the Subcommittee on May 16, 2023. (Vice Mayor

Daysog/Councilmember Jensen)

(23-357) Vice Mayor Daysog expressed support for the Alameda survey; noted the minutes are attached from the School Board/City Council Subcommittee meeting; discussed attending the Bay Area Walk for Hearing event and the City Council/Alameda County Transit [Interagency] Liaison Committee (ILC) meeting.

(23-358) Councilmember Jensen discussed the minutes of the School Board/City Council Subcommittee meeting, the ILC meeting, a Stopwaste meeting, the Alameda Point Collaborative farm-to-table luncheon, the Grand Street public meeting, and a Rotary Club update; congratulated Lily Johnson on her appointment to the Air Force academy in Colorado Springs, Camille Dawson on her appointment to the Naval Academy and Bryan Wu on being a starter for the Seattle Mariners.

(23-359) Councilmember Vella made an announcement about attending the Alameda County Healthy Homes meeting; discussed home testing and training; congratulated participants and athletes in Alameda Little League.

(23-360) Councilmember Herrera Spencer congratulated graduates; discussed attending an Asian and Pacific Islander Arts and Culture Festival for Forward Alameda, the 10-year anniversary for Studio 23, the Alameda Community Sailing open house, and East Bay Municipal Utility District's 100-year anniversary; urged all to attend meetings put on by the Alameda Chamber or Hospital; discussed attending the Friends of Alameda Animal Shelter community meeting, a Memorial Day event, and the Antique Faire; announced upcoming events for the skate park and the Alameda Architectural Preservation Society.

(23-361) Mayor Ezzy Ashcraft discussed attending the Kiwanis Club award ceremony; announced a sister delegation Yeongdong, Korea event; discussed a luncheon meeting with the East Bay division of the League of California Cities, the farm-to-table luncheon at Ploughshares Nursery, a Memorial Day event, and a Conference of Mayors event in Columbus, Ohio.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 9:12 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -JUNE 6, 2023- -5:15 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:48 p.m.

Roll Call – Present: Councilmembers Daysog, Herrera Spencer, Jensen, Vella and Mayor Ezzy Ashcraft – 5. [Note: Councilmember Vella arrived at 6:08 p.m. and was present via teleconference from 5733-A Noni Street, Kapaa, HI 96746.]

Absent: None.

The meeting was adjourned to Closed Session to consider

(23-327) Conference with Legal Counsel – Existing Litigation (Pursuant to Government Code Section 54956.9(a); Case Name: City of Alameda v. Sheehan; Court: Superior Court of the County of Alameda; Case Number: 22CV009959

(23-328) Conference with Legal Counsel – Existing Litigation (Pursuant to Government Code Section 54956.9(a); Case Name: City of Alameda v. Garcia Sinclair; Court: Superior Court of the County of Alameda; Case Number: 22CV009963

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding Sheehan and Garcia Sinclair, staff provided information and Council provided direction by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: No; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Noes: 1.

Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 6:57 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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