

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
TUESDAY- -NOVEMBER 6, 2024- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:14 p.m. Vice Mayor Daysog led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Daysog, Jensen, Vella, and Mayor Ezzy Ashcraft – 4.  
Absent: Councilmember Herrera Spencer – 1.

AGENDA CHANGES

(24-604) The City Clerk announced that the referral related to the Port of Oakland [paragraph 24-61424] was withdrawn and would not be heard tonight.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(24-605) Proclamation Declaring November 2024 as Native American Heritage Month.

Mayor Ezzy Ashcraft read the proclamation.

Discussed the lack of Native American representation in City committees and commissions; stated Alameda is home to the Muwekma Ohlone tribe; urged the City to make an official apology for the destruction of the shell mounds in Alameda; suggested the City invite members of the Muwekma tribe to accept the proclamation next year: Gabriel Duncan, Alameda Native History Project.

ORAL COMMUNICATIONS, NON-AGENDA

(24-606) Tod Hickman discussed a recent event involving Councilmember Herrera Spencer; stated Bay Area news outlets are attempting to sell on others misery and are writing false titles; expressed concern about election interference and called for a federal investigation; urged the Police Chief to conduct a full investigation.

(24-607) Gabriel Duncan, Alameda Native History Project, discussed the acorn harvest; invited Council and staff to join in the process.

CONSENT CALENDAR

Vice Mayor Daysog requested the Housing Authority Cooperation Agreement [paragraph no. 24-615] be removed from the Consent Calendar for discussion.

Expressed concern about the Building 24 roof, the minutes, and Mayor Ezzy Ashcraft violating the Code of Conduct: Tod Hickman.

Councilmember Jensen made brief comments regarding the Boating and Waterways grant [paragraph no. 24-612] and the CALEA grant [paragraph no. 24-613]; expressed appreciation to staff for being proactive and getting grants for public safety and improvement of the estuary.

Councilmember Jensen moved approval of the Consent Calendar.

Councilmember Vella seconded the motion, which carried by unanimous voice vote - 4. [Absent: Councilmember Herrera Spencer – 1.] [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(\*24-608) Minutes of the Special and Regular City Council Meetings Held on October 1, 2024. Approved.

(\*24-609) Ratified bills in the amount of \$6,232,728.18.

(\*24-610) Recommendation to Authorize the City Manager to Execute a First Amendment to the Agreement with Courtney Waterproofing, Roofing, and Concrete Restoration for the Alameda Point Building 24 Roof Replacement Project to Add a Ten Percent Contingency of \$254,947 for a Total Amount Not-to-Exceed \$2,804,416. Accepted.

(\*24-611) 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.

(\*24-612) Resolution No. 16213, “Authorizing the City Manager to Negotiate and Execute a Grant Agreement Between the State of California Department of Parks and Recreation, Division of Boating and Waterways and the City of Alameda by and through the Alameda Police Department.” Adopted; and

(24-612A) Resolution No. 16214, “Amending the Fiscal Year 2024-2025 Police Grants Fund (Fund 221) Increasing Appropriations by \$100,000 for the Surrendered and Abandoned Vessel Exchange Grant.” Adopted.

(\*24-613) Resolution No. 16215, “Authorizing the City Manager to Negotiate and Execute a Grant Agreement Between the United States Department of Justice, Office of Community Oriented Policing Services and the City of Alameda by and through the Alameda Police Department to Accept \$224,497 in Grant Funds to Achieve Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) Accreditation.” Adopted; and

(24-613A) Resolution No. 16216, “Amending the Fiscal Year 2024-25 Police Grants Fund (Fund 221) Estimated Revenue and Expenditures Budget in the Amount of \$224,497 for the Supporting Law Enforcement Agencies in Seeking Accreditation Grant.” Adopted.

## CONTINUED AGENDA ITEMS

None.

## REGULAR AGENDA ITEM

(24-614) Recommendation to Accept an Update on the Port of Oakland's Final Environmental Impact Report for the Terminal Modification and Development Project at the Oakland Airport.

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

Mayor Ezzy Ashcraft commended staff for getting this done in a short period of time.

Councilmember Jensen inquired whether the Port of Oakland's position in the final Environmental Impact Report (EIR) is the addition of 16 gates will not increase takeoff or landings, to which the Planning, Building, and Transportation Director responded in the affirmative; stated according to the Port, the increase in flights is already projected under the status quo; growth of air travel is not a result of the terminal project.

Councilmember Jensen inquired if there is a limited number of gates for airplanes to be able to board and deplane, whether one would be constrained in the number of takeoffs and landings, to which the Planning, Building, and Transportation Director responded in the affirmative; stated the City has suggested that should be part of the analysis.

Councilmember Jensen inquired whether the final EIR states there will be additional traffic, even with no new gates, to which the Planning, Building, and Transportation Director responded in the affirmative.

Councilmember Jensen inquired whether the new gates and terminal configuration are expected to attract airlines and larger aircrafts.

The Planning, Building, and Transportation Director responded that he is unsure about expecting larger aircrafts, however, with more gates, one could accommodate more airplanes and therefore, more flights.

Vice Mayor Daysog stated other interested parties are working on this, such as the Bay Farm/Harbor Bay organization Citizens League for Airport Safety and Serenity (CLASS); he recently attended the Oakland Airport Noise Forum, where residents of the Oakland Hills expressed concern; inquired whether staff is working with these parties and, if not, how might the groups be brought in the loop in the coming weeks.

The Planning, Building, and Transportation Director responded staff has been working with other interested parties, specifically the CLASS.

The City Attorney stated staff has been in close contact with counsel for CLASS and have been collaborating with on comments and legal strategy, which will be shared with Council at the next closed session.

Councilmember Jensen inquired how the final EIR addresses the City's comments regarding the noise of potential additional aircraft and construction of the project.

The Planning, Building, and Transportation Director responded mitigation measures proposed did not directly address the issues; stated construction noise is limited to onsite construction noise.

Councilmember Jensen requested clarification about concerns regarding noise affecting Bay Farm Island residents and other areas adjacent to the airport not being addressed.

The Planning, Building, and Transportation Director responded concerns were addressed, however, they were described as not a direct result of the project.

Councilmember Jensen expressed concern about the relocation of several parking lots that would be part of the project, as well as parking lots that would be much closer to Alameda, specifically Bay Farm Island; inquired how the issue was addressed; inquired whether the potential for more trips through Alameda down Fernside Boulevard and High Street was addressed.

The Planning, Building, and Transportation Director responded under current California Environmental Quality Act (CEQA) traffic analysis metric, the metric being study is vehicle miles travelled (VMT) as opposed to the old metric, which was level of service and congestion; stated by placing parking closer to the City limits, one could argue trips from Alameda will be shorter and therefore, it is a reduction in VMT; the number of trips were also studied and it an increase of about 14 trips a day was disclosed, however, construction traffic could result in 70 trips or more.

Councilmember Jensen inquired if the EIR found southbound Interstate 880 driver would not necessarily exit on High Street to access the lots closer to Alameda, but would rather travel to 98<sup>th</sup> Street, to which the Planning, Building, and Transportation Director responded in the affirmative.

Mayor Ezzy Ashcraft read an excerpt regarding a taxiway from a letter the CLASS attorney drafted; inquired if staff could explain the relevance of Taxiway B.

The Planning, Building, and Transportation Director responded Taxiway B connects the North Field with the South Field; stated there is concern that during construction, if access from North Field to South Field is obstructed, more jets would take off from the North Field, impacting Bay Farm Island.

Mayor Ezzy Ashcraft inquired whether it will be Taxiway B or if it is still under negotiation.

The Planning, Building, and Transportation Director responded it is under negotiation; stated staff may share details during close session.

Stated this is a quality-of-life issue for those who live on Bay Farm; expressed appreciation to Council for getting involved and speaking for residents: Michael Robles-Wong, Alameda.

Discussed staff's CEQA knowledge; stated that he sympathizes with Bay Farm homeowners and is willing to help with their cause; expressed concern about the upcoming closed session meeting regarding this project: Tod Hickman.

Thanked Council for fighting the airport expansion; expressed concern about the air quality impacts on those living nearby: Alex Spehr, Alameda.

Stated that he does not believe the airport will invest millions and not increase departures; discussed a CLASS meeting he attended 20 years ago where the Director of the Airport at the time made a similar statement that ended up being untrue; urged Council not to trust the airport: Steven Jones, Alameda.

Councilmember Vella stated the CLASS letter outlines a number of her concerns and is a helpful document for Council and staff to review and reference; this impacts the overall health of all folks in Alameda, not only those on Bay Farm; inquired how the City will go about monitoring; stated if the City wants to make its case in the long run about health impacts, traffic, and noise, amongst others, staff should find a way to track and find a baseline; she finds it hard to believe the City will not see some sort of impact over time; expressed concern about the additional parking lot and the parking lot expansion; stated Council and staff will have to engage in mitigation efforts.

Vice Mayor Daysog stated a proper analysis must be done; allies are also needed, similar to when the City was dealing with airport expansion 20 years ago; allies can include entities in Berkeley and Oakland who are also concerned about the impacts of the expansion; if there is not an effective way to lessen the amount of jets coming out of the Oakland airport, impacts will come down on the City of Alameda.

Councilmember Jensen expressed agreement with the conclusions in the staff report; stated that she would like to prioritize mitigation of the projects' potentially significant transportation traffic impacts; the final EIR provides that by using electronic wayfinding and signage, traffic and trips through Alameda will be reduced, however she does not believe this to be possible; she agrees with the conclusion in the staff report that discusses mitigating noise impacts; she would hate to see the project discard the CLASS agreement; encouraged staff to ensure the Port responds to the impact of construction noise to adjacent communities.

Mayor Ezzy Ashcraft stated the Port and Alameda are partners and rely on each other; having an airport nearby is convenient; many businesses in the City rely on having an

airport to transport goods; the airport is against the City limits; the impact of aircrafts generating greenhouse gas emissions leads to climate change, sea level rise, and groundwater rise; the Port of Oakland is among 30 entities that are part of Oakland Alameda Adaptation Committee (OAAC) and are also impacted by sea level rise, therefore, everybody should be working together; it is more cost and time effective to get together with stakeholders, listen to concerns, and work on addressing them; the Port recently received a grant from the Environmental Protection Agency (EPA) for \$322 million under the Clean Ports Program; hopefully some of the funding will find its way to the airport; regarding Councilmember Vella's comment about having a baseline of the noise level, the Port asserted noise tracking devices detect all noise, whether it is from aircrafts or not; requested staff to address the matter.

The Planning, Building, and Transportation Director stated the Port's stance is that human perception of noise factors all noise sources; for staff, how the conclusions of the impacts translate to mitigation measures is most important; the current Mitigation Monitoring and Reporting Program (MMRP) does not address noise.

Councilmember Jensen stated Alameda and the Port of Oakland are, and should continue to be, partners; in her opinion, the Port did not demonstrate a commitment to working with Alameda to meet the needs of residents that live adjacent to the airport in responding to Alameda's concerns about the expansion project.

Mayor Ezzy Ashcraft concurred with the previous statement; stated the Port has not done so yet; she would like to assume the best.

#### CONSENT CALENDAR - ITEMS REMOVED FOR DISCUSSION

(24-615) Resolution No. 16217, "Authorizing the City Manager to Execute a Public Housing Cooperation Agreement with the Housing Authority of the City of Alameda, for a Term of 36 Months and up to 24 Months of Extensions for a Total Potential Term of 60 Months, for Independence Plaza Operations at No Cost to the City of Alameda, and to Administratively Extend the Term of the Agreement as Needed; and to Allow the Housing Authority to Secure Replacement Funding for Operations." Adopted.

The Assistant City Manager briefly provided background information.

Vice Mayor Daysog stated for housing projects, such as Independence Plaza, that are funded by project-based vouchers, 75% of the units must be very low-income, meaning an income no more than 30% of the median; inquired whether 40% of the 186 total units at Independence Plaza are for moderate income, 44% are for low-income, and 16% are for very low-income; inquired whether Council should adopt Independence Plaza as a project-based voucher site and the percentage of those with moderate and low incomes will not be removed.

The Assistant City Manager responded none of the residents will be evicted or moved out; stated the Section 9 requirements differ from the Section 8 project-based vouchers;

future project-based voucher holders at Independence Plaza would have to meet the 50% income limit rule.

Vice Mayor Daysog stated the upside of a project-based voucher program is that it may be used as a basis for financing; Independence Plaza is interested in modernizing; the rent stream from project-based vouchers can be used to help pay for that the improvements; Independence Plaza is a mixed income project; expressed concern about Independence Plaza continuing to be a project-based voucher funded program, since it will become 75% very low income and 25% will be something above that; stated that he understands there is a need for housing for very low income seniors; if the concern is having a stream of income to pay for modernization down the road, another stream of income other than project-based vouchers can be figured out; he will not supporting item.

The Assistant City Manager responded the 75% referenced is an overall requirement for new admissions into the Housing Authority's housing choice voucher and other programs; stated it does not apply specifically to this project or project-based vouchers, but rather the agency as a whole; it is constantly being monitored; there will still be a healthy mix; this is a great opportunity to ensure the facility remains for affordable senior housing.

Mayor Ezzy Ashcraft stated the fastest growing segment of the homeless population is seniors; she is gratified to know there will be opportunities for housing for very low-income seniors, as they are especially vulnerable.

Councilmember Jensen inquired if this item is not supported, what would be the alternative.

The Assistant City Manager responded if the City does not sign the cooperation agreement, funding will not be granted; stated the Housing Authority would need to find other funding; if the item is not supported, she assumes the facility would not be a senior-only anymore.

Councilmember Jensen stated not supporting the item would demonstrate a lack of partnership and support for the Housing Authority; expressed support for the item.

Councilmember Vella moved adoption of the resolution.

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

## CITY MANAGER COMMUNICATIONS

(24-616) The City Manager announced three months of successful water shuttle service and the launch of expanded service would be celebrated on November 9; stated staff

continues to make progress on Alameda Point construction and plans to open West Midway at the end of the month; reminded residents to shop local during the holiday season.

#### ORAL COMMUNICATIONS, NON-AGENDA

None.

#### COUNCIL REFERRALS

(24-617) Consider Directing Staff to Establish a City Council Committee with the Port of Oakland Commissioners. (Councilmember Jensen). Not heard.

(24-618) Consider Directing Staff to Implement Automated Cameras at Intersections Where a Right Turn On Red Light is Prohibited, as Authorized by California Vehicle Code 21453. (Councilmember Jensen)

Councilmember Jensen gave a brief presentation.

Stated this was common around cities in the East Bay several years ago and was used primarily to make revenue; urged Council to use caution as there is a lot of room for error, which may anger residents; many intersections in the City are confusing: Jay Garfinkle, Alameda.

Expressed support for the item: Alex Spehr, Alameda.

Mayor Ezzy Ashcraft stated this is an important issue; while attending the last Alameda County Transportation Commission (ACTC) meeting, the high injury corridors and networks across Alameda County were discussed; Vision Zero findings are a majority of injuries and deaths are brought about by speed; if cameras were to be installed, APD would designate someone to monitor the footage; suggested the scope be broadened to acknowledge speeding and running red lights; suggested this item be considered at the priority setting and mid-year cycle budget workshops after the new year when the new Council is seated.

Councilmember Jensen stated that she is fine moving the item to the new year; she agrees speeding is also an issue; unfortunately, in California, speed cameras are not allowed, except in five pilot cities; red light cameras, however, are legal; she agrees with BikeWalk Alameda who suggested the cameras be placed at the safe routes to school and intersections where there have been one or more vehicular collisions.

The City Manager stated staff is okay with having the matter be part of the strategic plan; she has asked APD to conduct targeted enforcement at the 3<sup>rd</sup> Street and Ralph Appezato Memorial Pkwy intersection; staff will not wait until the strategic plan workshop to step up enforcement.



Mayor Ezzy Ashcraft inquired about the City Engineer and whether changes have already been made to some of the intersections.

The City Manager responded staff will continue to do so in the meantime and attempt to address the matter.

Councilmember Jensen moved approval of providing direction for staff to return after the new year.

The City Manager requested clarification of the motion.

Councilmember Jensen stated that she intended the item to be independent; she understands resources must be used wisely and staff should prioritize effectively; she would prefer it return sooner rather than later.

Vice Mayor Daysog requested clarification about certain intersections; stated intersections with right turns prohibited at a red light are being discussed; to his recollection, there are only two intersections where this would be implemented.

The City Manager responded there are more than two intersections where a right turn on red is prohibited; requested clarification about whether this would return as a standalone item; stated staff will do research; it will be effective, however, what kind of monitoring and how the program would be maintained need to be addressed.

Councilmember Jensen stated that she would prefer the item return as an independent item with data from APD and input from the community; if necessary, and if the item would be more effectively implemented as part of the strategic planning, that is fine.

Mayor Ezzy Ashcraft inquired about expanding the cameras to red light runners.

Councilmember Jensen responded that is a big issue in Alameda; stated cameras do not have to be limited to the intersections with no turn on red; cameras should also be placed on Park Street and tickets should be given to people who turn left when they are not supposed to; she is in favor of any technology that would slow down drivers.

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(24-619) Vice Mayor Daysog moved approval of allowing 2 more minutes for each Councilmember.

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

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Councilmember Jensen stated that she would prefer the item not return as part of the strategic planning or a larger workshop, but rather have it return as a presentation from staff with recommendations.

Vice Mayor Daysog seconded the motion.

Under discussion, Councilmember Vella stated some of the roadways are Caltrans roads; suggested if the item return, roadways that are shared with Caltrans be considered; suggested receiving feedback in terms of the efficacy of the cameras, as there have been issues in the past; stated there is currently a schedule for road improvements and upgrades to lights at different intersections; direction to staff must be in terms of whether the schedule would be followed and how installations and costs would be impacted.

Councilmember Jensen concurred with suggestions made by Councilmember Vella; stated that she would like the item return so Council can ask questions, receive data, and make informed decisions.

Vice Mayor Daysog stated that he supports anything that will save lives and prevent injuries; he looks forward to staff returning with the item; suggested movable cameras to help with fiscal constraints.

Mayor Ezzy Ashcraft stated the idea is great; expressed frustration with drivers who run red lights and stop signs; stated that she does not think it is as simple as it sounds; she would like to ensure Council is working with Transportation staff on work being done to implement Vision Zero recommendations and improvements; this will take some legal analysis; she is unsure whether cameras can be moved around as suggested; inquired when the item could realistically brought back.

The City Manager responded the item may return in January, at the earliest, or in February.

On the call for the question, the motion carried by unanimous voice vote - 4. [Absent: Councilmember Herrera Spencer – 1.]

(24-620) Consider Adoption of Resolution To Admonish City Councilmember Trish Herrera Spencer for Behavior which Violates City Council Code of Conduct Section 3(b). Not adopted. (Mayor Ezzy Ashcraft and Councilmember Vella)

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(24-621) Mayor Ezzy Ashcraft suggested Council be provided extra time to speak.

Councilmember Jensen moved approval of allowing 5 minutes for each Councilmember.

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

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Mayor Ezzy Ashcraft and Councilmember Vella gave a brief presentation.

Councilmember Jensen stated the Code of Conduct was established prior to her being on Council; inquired how the Code of Conduct was used or implemented at that time.

Mayor Ezzy Ashcraft responded there was a Grand Jury report with a series of findings and recommendations; the Grand Jury believed the City to be deficient and not have certain mechanisms similar to other cities in place; stated the Code of Conduct came at the conclusion of the Grand Jury process; she convened a subcommittee to bring forward a draft.

Expressed concern about the timing of the referral, as it is in close proximity to the election; stated that he would not want to drag someone's name through the mud without all the facts; there could be a number of reasons why an event may have taken place that are not alcohol related; provided an example in which he suffered a medical emergency: Christopher Scott.

Stated that he believes Councilmember Herrera Spencer to have been the victim of a crime; he is suspicious about the event; he believes a crime has been committed; he does not believe the event was due to intoxication: Tod Hickman.

Stated this is a rush of judgement and there is a lack of evidence, such as a blood alcohol level test result; discussed quotes made by Long Beach Police Department (LBPD); she believes Councilmember Herrera Spencer was the victim of a crime; headlines were fabricated with lies; urged Council to not adopt the item: Margaret Hall, Alameda.

Stated there is no evidence to support the claims made regarding intoxication; the filing of the resolution happened prior to the release of video evidence; the timing of the referral seems targeted and with specific political purpose: Therese Hall, Alameda.

Expressed support for the referral; inquired about comments made by Vice Mayor Daysog during his interview with Kron 4; inquired what evidence there is that Councilmember Herrera Spencer was having a stroke and where the information came from: Kristi Black, Alameda.

Vice Mayor Daysog responded that he was speculating Councilmember Herrera Spencer was experiencing a medical situation.

Stated the conclusions reached by the referrers are not based on fact and serve to push their political agendas; urged Council to withdraw the item: Karen Miller, Alameda.

Stated the referral was made before there was any information available; news coverage came from people who have been against Councilmember Herrera Spencer for a long time; requested clarification about the number of votes the item must receive to pass; stated the timing was intended to impede Councilmember Herrera Spencer's campaign: Jay Garfinkle, Alameda.

Stated this is not a criminal proceeding; there is a transcript with LBPD and the nurses involved, in which they believed the Councilmember was intoxicated; this does not look good for Alameda: Robert Matevish, Alameda.

Mayor Ezzy Ashcraft stated although video footage was released later, the City had requested the report from LBPD, in which it was confirmed an intoxicated woman was picked up and taken to the emergency room.

Councilmember Vella stated several people contacted her regarding encountering Councilmember Herrera Spencer with comments that she had attended several events and had been drinking; there are several videos available; if Councilmember Herrera Spencer was the victim of a crime, there have been no police reports or any indications one has been filed; if a City employee, such as a Police Officer, Firefighter, or a department head, for example, were making such headlines, the event would be evaluated as well; a number of elected officials have seen Councilmember Herrera Spencer drinking at other events; expressed concern about potentially approving this behavior on taxpayer dollars; stated while attending events, Councilmembers are there to learn and represent their cities.

Mayor Ezzy Ashcraft stated after the report from the police, there were additional confirmations from the LBPD bodycam videos, as well as the Emergency Medical Technicians and the emergency room personnel; regarding the timing, this is the soonest Council meeting after the event took place; she would be happy to expand the resolution to include urging Councilmember Herrera Spencer to seek assistance for whatever issues, mental or substance, she may have; when the Code of Conduct was enacted, it was done so Councilmembers would hold themselves accountable; not doing so will send a message; Councilmembers are representatives of the City and are paid with taxpayer dollars.

Councilmember Jensen stated that she appreciates the fact that there is a Code of Conduct; as an individual with a seizure disorder, she has experienced a traumatic loss of consciousness in the past; expressed concern about her colleague's health; stated that she is hopeful Councilmember Herrera Spencer will receive the support she needs; she does not believe a censure by Council will do anything other than place blame that may or may not be warranted; Councilmember Herrera Spencer was not arrested, did not commit a crime and a determination cannot be made about whether she was inebriated, attacked, or suffering from a medical condition; she will not be supporting the resolution.

Mayor Ezzy Ashcraft stated medical professionals concluded Councilmember Herrera Spencer was intoxicated; stated this is not a motion for censure, but rather the lowest level of action Council can take.

Vice Mayor Daysog stated Council is asked to render judgement on a range of situations; it best they do so with evidence; the censure put before Council does not

appear to be substantiated for a situation as gravely put in the referral; mention was made of police and medical reports, however, they are not part of the public packet; he must weigh the information and evidence, or lack thereof, in front of him; encouraged residents to watch the video posted on the East Bay Times website on October 31, 2024; in many cities, public intoxication is a misdemeanor; LBPD did not make any motion in that direction; in the video, there is no reference to intoxication; he is not sure whether Councilmember Herrera Spencer was a victim of a crime, but rather she was having a medical situation; he will not be supporting the resolution due to a lack of evidence.

Councilmember Vella stated over an hour of footage has been sent to the City Clerk for her colleagues to watch; clarified this is not a motion for censure, but rather for an admonishment; she is happy to move the item to the next meeting or to show the video tonight.

Mayor Ezzy Ashcraft responded there is no need to watch the video; stated that she knew this would be a difficult motion to move forward, however, it was the right thing to do as the evidence points to public intoxication; she hopes Councilmember Herrera Spencer will recover and seek help.

#### COUNCIL COMMUNICATIONS

(24-622) Vice Mayor Daysog discussed an event he attended at Coast Guard Island celebrating the enlisted personnel of the quarter and civilian employee of the quarter.

(24-623) Councilmember Vella discussed attending a Pumpkin Patch event in Franklin Park; thanked Local 689 for setting up the event; stated that she attended the League of California Cities and her final League Board of Directors meeting.

(24-624) Mayor Ezzy Ashcraft discussed attending the League of California Cities Conference in Long Beach; stated that she attended a bike ride for the Cross Alameda Trail ribbon cutting.

#### ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 9:32 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  
WEDNESDAY- -NOVEMBER 6, 2024- -5:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:02 p.m.

Roll Call – Present: Councilmembers Daysog, Jensen, Vella and Mayor Ezzy Ashcraft – 4. [Note: Councilmember Vella arrived at 5:40 p.m.]

Absent: Councilmember Herrera Spencer – 1.

Consent Calendar

Councilmember Jensen moved approval of the Consent Calendar.

Vice Mayor Daysog seconded the motion, which carried by unanimous voice vote – 3. [Absent: Councilmembers Herrera Spencer and Vella – 2.] [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(\*24-598) Recommendation to Approve Jennifer Ott, City Manager, Abigail Thorne-Lyman, Base Reuse and Economic Development Director, Alesia Strauch, Base Reuse Manager, and Len Aslanian, Assistant City Attorney, as Real Property Negotiators for Building 360, Located at 1900 Skyhawk Street, Building 397, Located at 1690 Orion Street, Building 616, Located at 1750 Orion Street, and Pier 3, Located at 707 West Hornet Avenue, at Alameda Point in Alameda, California. (Astra Space, Inc). Accepted.

(\*24-599) Recommendation to Approve City Manager Jennifer Ott, Base Reuse and Economic Development Director Abigail Thorne-Lyman, Economic Development Division Manager Dwayne Dalman, Assistant City Attorney Len Aslanian, as Real Property Negotiators for a Portion of Building 22, Located at 2501 Monarch Street at Alameda Point (Faction Brewing Company, LLC). Accepted.

The meeting was adjourned to Closed Session to consider:

(24-600) Conference with Real Property Negotiators (Pursuant to Government Code Section 54956.8); Property: 1900 Skyhawk Street (Building 360); 1690 Orion Street (Building 397); 1750 Orion Street (Building 616); and 707 West Hornet Avenue (Pier 3), at Alameda Point in Alameda California; City Negotiators: City Manager Jennifer Ott, Base Reuse and Economic Development Director Abigail Thorne-Lyman, Base Reuse Manager Alesia Strauch, Assistant City Attorney Len Aslanian; Negotiating Parties: City of Alameda and Astra Space, Inc.; Under Negotiation: Price and terms

(24-601) Conference with Legal Counsel - Potential Litigation; Potential Initiation of Litigation Pursuant to Government Code Section 554956.9, Subsection (d)(4); Number of Cases: One (As Plaintiff - City Initiating Legal Action) Potential Defendant: Astra Space, Inc.

(24-602) Conference with Real Property Negotiators (Pursuant to Government Code Section 54956.8); Property: Bay 200, a portion of Building 22, located at 2501 Monarch Street at Alameda Point, Alameda CA 94501; City Negotiators: City Manager Jennifer Ott, Base Reuse and Economic Development Director Abigail Thorne-Lyman, Economic Development Division Manager Dwayne Dalman, Assistant City Attorney Len Aslanian; Negotiating Parties: City of Alameda and Faction Brewing Company, LLC; Under Negotiation: Price and terms of lease

(24-603) Conference with Legal Counsel – Existing Litigation; Significant exposure to pending litigation pursuant to subdivision (d)(1) of Government Code Section 54956.9; Cases: California Air Resources Board (CARB) Administrative Enforcement Action Against the City of Alameda/Alameda Municipal Power (as defendant); CARB Case Numbers: SF6-2023-005, SF6-2024-004

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding 1900 Skyhawk Street and other properties, staff provided information and Council provide direction with no vote taken, regarding Bay 200, staff provided information and Council provided direction by unanimous voice vote – 4 [Absent: Councilmember Herrera Spencer – 1]; and regarding Existing Litigation, staff provided information and Council provided direction by unanimous voice vote – 4 [Absent: Councilmember Herrera Spencer – 1].

### Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 7:04 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

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