

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- - APRIL 2, 2024- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:05 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 7:30 p.m.]

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(24-174) Proclamation Declaring April 2024 as Arab American Heritage Month.

Councilmember Herrera Spencer stated that she requested a copy of the proclamation and has not yet received it.

Mayor Ezzy Ashcraft stated the proclamation will be available after it is presented; noted proclamations are not always posted in advance.

Councilmember Herrera Spencer stated that she understands staff is to review proclamations before issuance.

The Acting City Manager stated there is no specific procedure that staff reviews proclamations.

Councilmember Herrera Spencer noted staff reviewed proclamations during her time as Mayor; stated the change in procedure should have been shared with Council.

Mayor Ezzy Ashcraft discussed the proclamation being requested ahead of the meeting.

Vice Mayor Daysog inquired whether the proclamation would address a permanent ceasefire in Gaza, to which Mayor Ezzy Ashcraft responded reading the proclamation will indicate the contents.

Mayor Ezzy Ashcraft read the proclamation.

Vice Mayor Daysog stated the proclamation is thoughtful; the reliance on President Biden's comments reflect the mainstream of America; the proclamation is fair; expressed concern over not being able to read the proclamation before the meeting.

Councilmember Herrera Spencer expressed concerns over interruptions; inquired whether staff read the proclamation prior to the reading, to which the Acting City Manager responded in the negative.

Expressed concern over the treatment of Councilmembers and the racist aspect of the proclamation; discussed the treatment of Latinas in the Council Chambers and community: Tod Hickman.

Councilmember Jensen read a quote from Samantha Power.

ORAL COMMUNICATIONS, NON-AGENDA

(24-175) Roan Byrne-Sarno, Alameda Friends and Families for a Ceasefire (AFF4C), discussed organizations that have called for ceasefire and related statistics; urged Council to pass a dedicated resolution for a permanent ceasefire.

(24-176) Sarah Hussein, AFF4C, discussed a fatal bombing effort from Israel; urged Council to speak out against injustice and corruption and call for a ceasefire; discussed people speaking out against atrocities committed against Palestinians and humanity.

(24-177) Eisa Trave, AFF4C, urged an immediate ceasefire be declared; expressed concerns over tax dollars being spent on bombing Palestine and government actions.

(24-178) Kristelle Manassian, Alameda, stated there is urgency to respond to the genocide; expressed support for the public comments; discussed her evacuation from Israeli bombardment in Lebanon; urged residents to hold governments accountable.

(24-179) Katie Peoples, AFF4C, stated a ceasefire is needed; expressed concern over tax dollars funding genocide; discussed food insecurity and bombing of the World Central Kitchen.

(24-180) Ramzi Alkana, AFF4C, expressed support for saying something about the genocide in Gaza; stated America is Israel's closest ally; America's closest ally is committing human rights crimes on a scale rarely seen; the matter is a local, human issue.

(24-181) Marcy Voyevod, AFF4C, discussed feeling unsafe and being verbally attacked at a previous Council meeting; stated that she participated in a walk for ceasefire.

(24-182) Sal Kohgadai, Alameda, stated that he is disappointed that other cities around Alameda have adopted a ceasefire resolution and Alameda is waiting; questioned why the City is waiting; urged Council to take action.

CONSENT CALENDAR

Councilmember Herrera Spencer requested that the Police annex [paragraph no. 24-195] and the Gold Bar lease [paragraph no. 24-190] be removed from the Consent Calendar for discussion.

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

Councilmember Herrera Spencer seconded the motion.

Under discussion, Vice Mayor Daysog recorded a no vote on the Faction lease [paragraph no. 24-187] and the Rent ordinance [paragraph no. 24-188].

On the call for the question, the motion carried by unanimous voice vote - 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(24-183) Mayor Ezzy Ashcraft suggested the Gold Bar lease be heard after the State of the City [paragraph no. 24-189].

Councilmember Jensen moved approval of hearing the lease after the State of the City.

Councilmember Vella seconded the motion.

Under discussion, Councilmember Herrera Spencer expressed support for the matter being heard as an agenda item.

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.

(*24-184) 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 March 5, 2024. Approved.

(*24-185) Ratified bills in the amount of \$5,491,308.43.

(*24-186) Recommendation to Authorize the City Manager to Execute an Agreement with Terraphase Engineering, Inc. for Marsh Crust Reconnaissance Sampling and Environmental Support Services for Alameda Point's Adaptive Reuse Areas Backbone Infrastructure for a Not-to-Exceed Amount of \$445,187. Accepted.

(24-187) Ordinance No. 3366, "Authorizing the City Manager to Execute a Second Lease Amendment with Faction Brewing Company LLC for Building 22, Suite 200, Located at 2501 Monarch Street at Alameda Point, for a Three-Month Rent Deferral and Subsequent Twelve-Month Deferred Rent Repayment Schedule." Adopted.

Since Vice Mayor Daysog recorded a no vote, the item carried by the following vote: Ayes: Councilmembers Herrera Spencer, Jensen, Vella and Mayor Ezzy Ashcraft – 4. Noes: Vice Mayor Daysog – 1.

(24-188) Ordinance No. 3367, "Amending the Alameda Municipal Code by Amending Article XV (Rent Control, Limitations on Evictions and Relocation Payments to Certain Displaced Tenants Ordinance [Rent Ordinance]) to Implement Senate Bill 567 (State Rent Control Laws) by Adopting a Written Finding That the Just Cause Provisions of the Rent Ordinance Are More Protective Than Civil Code Section 1946.2, Clarifying the City's Authority to Enforce State Rent Control Laws, and Rephrasing the Definition of Rental Units Creating Consistency with State Law." Adopted.

Since Vice Mayor Daysog recorded a no vote, the item carried by the following vote: Ayes: Councilmembers Herrera Spencer, Jensen, Vella and Mayor Ezzy Ashcraft – 4. Noes: Vice Mayor Daysog – 1.

CONTINUED AGENDA ITEMS

None.

REGULAR AGENDA ITEMS

(24-189) Mayor's State of the City Address.

Mayor Ezzy Ashcraft gave the State of the City Address.

Councilmember Herrera Spencer stated the State of the City Address was previously presented by the Chamber of Commerce at Penumbra; expressed support for the Chamber of Commerce hosting the event; noted the public is allowed to observe the State of the City free of charge.

Mayor Ezzy Ashcraft stated that she is required to present the State of the City Address at a regular City Council meeting.

CONSENT CALENDAR - ITEM REMOVED FOR DISCUSSION

(24-190) Ordinance No. 3368, "Authorizing the City Manager to Execute a Lease for a Portion of Building 22 with Gold Bar Spirits Company Inc., Located at 2505 Monarch Street, at Alameda Point, Alameda, California, for a Term of Six Years with One Extension Option for Five Additional Years." Adopted.

Expressed concerns over Spirits Alley, views, and procedure; concurred with correspondence submitted by Alameda Citizens Task Force (ACT); stated the matter has been contentious: Tod Hickman.

Expressed support for Gold Bar Spirits; stated the business will enhance economic vitality and workforce development: Madlen Saddik, Chamber of Commerce.

Urged Council to support new Alameda businesses; expressed support for the lease with Gold Bar Spirits: Joann Guitarte, Chamber of Commerce.

Councilmember Herrera Spencer presented photos; concurred with correspondence from ACT; expressed concern over matters placed on the Consent Calendar and which considered routine enough to place on the Consent Calendar; stated the current matter has serious issues; introduction of the ordinance proposed a nine-foot high barrel wall running 80-feet; there has not been a similar proposal at Alameda Point; there have been discussion about protecting; discussed view corridors between buildings; stated that she supports Gold Bar Spirits as a business; expressed concern over allowing at least six-feet of storage on the side of the building; stated businesses on Webster Street are not allowed to store anything desired; the change is significant; expressed concern over staff's response to Alameda Point businesses' representations; stated the proposed fencing would impact adjacent views; neighboring Natel has cleaned up its lease premises to allow an open view; expressed concern over allowing the proposed businesses to block the view and subsequently allowing Natel to block the view as well; stated that she hopes Gold Bar will continue to honor the precedent set at Alameda Point of being a good neighbor and not producing an unsightly side yard; discussed the removal of an eight-foot structure along the fence line.

Vice Mayor Daysog presented a photo; stated that he supports a height of six feet due to the photo depicting a view of the San Francisco skyline; the photo includes a white van with a height of seven feet, seven inches; the six foot height limit is an acceptable compromise; discussed proximity to the skyline and changing views; stated the vantage point is important to consider; he supports the amendment made at the previous meeting; six feet is the proper height to protect views of San Francisco.

Vice Mayor Daysog moved final passage of the ordinance.

Councilmember Vella seconded the motion.

Under discussion, Councilmember Herrera Spencer requested a friendly amendment to the motion to remove the excess height over six feet on the existing structure.

The amendment to the motion was not accepted.

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.

REGULAR AGENDA ITEMS (CONTINUED)

(24-191) Presentation by Alameda County on the Bay Area Affordable Housing Bond.

Michelle Starratt gave a Power Point presentation.

(24-192) Mayor Ezzy Ashcraft suggested allowing another 5 minutes for the presentation.

Councilmember Vella moved approval of adding 5 minutes to the presentation time.

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

Ms. Starratt completed the presentation.

Councilmember Herrera Spencer inquired whether the disbursement will be decided prior to a measure being placed on the ballot.

Ms. Starratt responded a plan is anticipated to be in place prior to a measure being placed on the ballot; stated the matter taken to the Alameda County Board of Supervisors for final adoption should include a disbursement plan.

In response to Councilmember Herrera Spencer's inquiry, Ms. Starratt stated the item is being placed on the ballot by the Metropolitan Transportation Commission and the Bay Area Housing Finance Agency; the matter is not being placed on the ballot by Alameda County; Alameda County is one of the few counties looking to push money down to each of its cities; decisions will be made at a local level versus regionally.

Councilmember Herrera Spencer inquired whether the disbursement plan will be provided to the voters prior to the election.

Ms. Starratt responded the adopted disbursement plan will be available; stated the plan will be adopted by the Board of Supervisors; there will be a public comment period; she is hopeful that each city will submit written comments.

Councilmember Herrera Spencer discussed a previous occurrence; stated the City of Oakland requested additional funding; she argued for the balance to be divided between cities that had not received funding based on population size; the Board of Supervisors agreed to the proposed split; it is important to understand the disbursement plan in advance; discussed hotel conversion to housing being a County decision that cannot be approved by the City Council; inquired whether the hotel conversion funding would need to be approved by the City Council.

Ms. Starratt responded the Home Key program is a State funded program; stated the State selects the project; every local government can submit a proposal; a proposal was submitted for a hotel conversion in Alameda; the State did not select the project.

Councilmember Herrera Spencer inquired whether the proposed funding could be used towards hotel conversions and whether the approval would come back to the City Council.

Ms. Starratt responded the City would have its own money and make decisions about how to spend the funding.

Councilmember Herrera Spencer inquired whether both commercial and residential property owners would pay the assessment.

Ms. Starratt responded all real property is assessed the fee, including commercial.

Councilmember Herrera Spencer inquired whether it would be a 30-year bond, to which Ms. Starratt responded the Bay Area Housing Finance Agency would be issuing the bond; stated the final bond amount and duration has not yet been set; the amounts will be set prior to a measure being placed on the ballot.

Councilmember Herrera Spencer inquired whether the funding would be spent in approximately 10 years, to which Ms. Starratt responded in the affirmative; stated it will take roughly nine years to spend the funds.

In response to Councilmember Herrera Spencer's inquiry related to bond duration and project timeline, Ms. Starratt stated Measure A1 is 20 years.

Councilmember Herrera Spencer discussed property owners paying back money for projects already spent.

Ms. Starratt stated the idea is to get the money spent as quickly as possible to ensure new projects are built, running, and have an impact on the community; taking 20 years to build a project would not allow for people to be housed.

Councilmember Herrera Spencer inquired whether another bond can be requested between the 20-year completion of payments on a prior bond.

Ms. Starratt responded in the affirmative; stated every bond is independent from others.

Councilmember Herrera Spencer expressed support for the responses provided; stated it is important to be direct with voters; inquired whether the term fixed income would be defined; stated some seniors on a fixed income receive pensions over \$100,000 per year; expressed support for designating low-income seniors on a fixed income.

Ms. Starratt stated there is no exemption for the proposed bond; there is the possibility for a local government to subsidize the payment for low-income seniors.

Councilmember Herrera Spencer expressed support for clarifying that exemptions are not an option and for adding frequently asked questions (FAQ).

Ms. Starratt stated the bond has not yet been placed on the ballot; once the final language is written, a FAQ will be completed.

Vice Mayor Daysog stated the matter is a nine-county effort; inquired whether each county will need to surpass a two-thirds vote threshold.

Ms. Starratt responded the bond is for the entire population of all nine counties; stated some counties may carry others; the vote has to pass by a two-thirds majority based of the entire nine county population.

In response to Vice Mayor Daysog's inquiry, Ms. Starratt stated the matter is a new jurisdiction and boundary; if the bond passes, properties will be taxed; all counties would be taxed and receive funding towards housing administration.

Councilmember Jensen expressed support for the presentation; stated the ballot measure would be advantageous for Alameda; all cities in Alameda County have approved their Regional Housing Needs Assessment (RHNA); Alameda has approved permits for less than 3% of its RHNA goal for the next six years and is behind; the economic climate is not attractive for developers to build affordable housing; the bond measure is appreciated and supported; the bond will make a difference and will allow Alameda to support the needs of all residents.

Mayor Ezzy Ashcraft stated that Council must be cautious of expending City resources on advocacy; inquired the percentage the measure needs to obtain in order to pass.

Ms. Starratt responded there is an effort to change the California Constitution to reduce the percentage needed to pass an infrastructure bond; stated an affordable housing bond falls under the definition of infrastructure; the proposal will be voted on in November 2024; school bonds required a two-thirds threshold to pass; stated the State Constitution was amended in the 1990s to drop the threshold to 50%; infrastructure needs are significant across California; housing is considered infrastructure; the amendment is attempting to reduce the voter threshold from 67% down to 55%; if the amendment passes in November, the bond would only require 55%; if the amendment does not pass, the bond would require 67% to pass.

(24-193) Public Hearing to Consider Amendments to the Community Development Block Grant Action Plans for Fiscal Years 2020-21 through 2022-23 to Fund American with Disabilities Act (ADA) Improvements, Alameda Food Bank Relocation and Infrastructure

Replacement at Bessie Coleman Court, and Authorize the City Manager to Negotiate and Execute Related Documents, Agreements and Modifications.

The Housing and Human Services Manager gave a Power Point presentation.

Councilmember Herrera Spencer stated that the Social Services Human Relations Board (SSHRB) approves the Community Development Block Grant (CDBG) and has a plan; inquired whether the SSHRB has approved the grant.

The Housing and Human Services Manager responded staff takes the public service activities and the proposed activities for the upcoming fiscal year to SSHRB; the proposed matter is related to the reallocation of unused funds for public improvements, which is not typically presented to the SSHRB.

Councilmember Herrera Spencer inquired whether there is a reason for the matter to not be presented to the SSHRB; stated SSHRB includes the community needs assessment plan; expressed concern over the matter not being approved by the SSHRB.

The Housing and Human Services Manager responded reprogramming happens once every three to five years; stated staff presented the needs statement to the Council, posted the request for proposals (RFP), and selected the proposal identified by the SSHRB; the current reallocation of funds is a financial decision to the public improvement bucket; the matter is not to allocate social services funds; staff plans to bring the allocation of social services funds to Council next month.

Councilmember Herrera Spencer inquired whether the matter would remove money from social services.

The Housing and Human Services Manager responded in the negative; stated social services are a maximum of 15% of CDBG funds.

Councilmember Herrera Spencer stated that she believes the matter should still go back to the SSHRB in order to confirm that the process is the best way to spend the funding.

Mayor Ezzy Ashcraft inquired whether the matter has ever been considered by the SSHRB, to which the Housing and Human Services Manager responded in the negative.

Mayor Ezzy Ashcraft stated the purpose of the SSHRB is to assess and report to the City Council the social service needs of the people of Alameda and to encourage the formation of private social welfare organizations to serve the unmet needs; changes to the Charter cannot be made from the dais.

Councilmember Herrera Spencer inquired whether there is a reason why the matter has not been taken to the SSHRB.

The Acting City Manager responded the physical improvements and related funds are not something that has traditionally been brought before the SSHRB; the SSHRB's focus is social services.

The Housing and Human Services Manager stated the CDBG buckets include public services capped at 15%; staff allocates funding to public improvements and residential rehabilitation, and

the remaining funds go toward administration; staff has not historically taken residential rehabilitation, administration, or public improvement funds to the SSHRB; the SSHRB is focused on the public service bucket.

Vice Mayor Daysog inquired how much of the funding is in census tracts that are lower income; stated that he would like the information if it is not available.

The Housing and Human Services Manager responded the census tracts had a majority or close to 50% low-income designation the past five years; stated housing has been built in the census tracts so the percentages have been dropping; currently, there are not census tracts that are low to moderate; any accessibility improvements and allowable expenses are performed by statute under CDBG to benefit persons with disabilities.

Vice Mayor Daysog stated the information is interesting; housing is being built in what used to be low-income census tracts gentrifying areas.

Mayor Ezzy Ashcraft expressed concern over displacement.

Councilmember Herrera Spencer inquired whether other funds are available for the three projects.

The Housing and Human Services Manager responded staff did not seek other funds; stated underwriting the project requires confirmation that the City is not layering funds unnecessarily.

Councilmember Herrera Spencer inquired whether only three projects were bid or if other projects were not funded.

The Housing and Human Services Manager responded in the negative; stated there are three capital improvement projects (CIP); staff would normally bring the matter as part of the larger process, however, Housing and Urban Development (HUD) has not announced funding for next year; contract might not be executed until September or October for some of the projects; staff is trying to prevent projects from being delayed by a future HUD funding obligation.

Councilmember Herrera Spencer inquired the percentage of funding for each project.

The Housing and Human Services Manager responded the Food Bank has asked for \$100,000, Public Works has asked for \$300,000, and Building Futures has asked for over \$700,000, which is one of the reasons staff is recommending funding from residential rehabilitation funds; stated a portion of the project could be funded with public improvement money.

Councilmember Herrera Spencer inquired whether the matter includes \$519,000; stated the previously listed projects equal over \$1 million; further inquired which projects are being funded.

The Housing and Human Services Manager responded two of the projects totaling \$400,000 would be funded out of CDBG; stated staff is not proposing to fund the Building Futures project at this time; Building Futures is not ready to use the funding and the other two projects are ready; almost \$700,000 of residential rehabilitation funds could be used to fund the Building Futures project.

Councilmember Jensen expressed support for the matter; discussed her experience working in

social and human services; stated the CDBG funds come to each city with a set amount; expressed support for the SSHRB review and for Alameda's standard for allocating capital versus social programming funding; stated use of the funding is important; the City does not want to return funding.

Councilmember Jensen moved approval of using the funds for the recommended programs and development.

Councilmember Vella seconded the motion.

Under discussion, Mayor Ezzy Ashcraft stated facility upkeep is important; deferred maintenance leads to problems; discussed accessibility improvements; stated it is difficult to argue against the improvements to the Food Bank; the project supports the Food Bank moving into a new facility.

On the call for the question, the motion carried by unanimous voice vote - 5.

Mayor Ezzy Ashcraft called a recess at 9:08 p.m. and reconvened the meeting at 9:27 p.m.

(24-194) Resolution No. 16144, "Adopting Regulations for Candidates for Elective Office Pertaining to Candidate Statements Submitted to the Voters at an Election and Rescinding Resolution No. 12795." Adopted; and

(24-194 A) Recommendation to Provide Direction on Election Reform Issues.

The City Clerk gave a Power Point presentation.

Mayor Ezzy Ashcraft inquired whether candidates with a past due balance from a prior [election] campaign would be required to pay the past statement in full.

The City Clerk responded the City does not send candidates to collections; stated the resolution followed the referral exactly to require candidates to pay upfront and does not include payment of any previous balance due; the resolution language could be amended to add the requirement for payment of the previously due balance.

Councilmember Herrera Spencer requested clarification of how many prior candidates have an outstanding balance.

The City Clerk stated one candidate from 2020 has a previous balance and is not paying, and another candidate from 2022 is currently paying on their balance due.

Mayor Ezzy Ashcraft inquired whether the balance has not been paid in full, to which the City Clerk responded in the affirmative.

In response to Councilmember Herrera Spencer's inquiry related to the candidate from 2020, the City Clerk stated the candidate has cutoff communication and has not paid.

Councilmember Herrera Spencer inquired whether the resolution could be modified to ensure

once a candidate has paid \$1,000, the City would forgive any further outstanding balance.

The City Clerk responded that she would need to check the balances due; stated candidates may have already paid \$1,000 to meet the threshold.

Councilmember Herrera Spencer inquired whether the resolution could be made effective retroactively in order to apply to the two candidates.

The Acting City Attorney responded the action would be a policy decision and Council could vote to approve the change.

In response to Vice Mayor Daysog's inquiry related to the Ranked Choice Voting (RCV) initiative signatures, the City Clerk stated the petitioners never indicated how many signatures were gathered; the minimum required threshold was about 7,500 signatures; signature gatherers typically go beyond the minimum.

Vice Mayor Daysog stated that he still owes \$1,700, but will pay his balance due; inquired whether he will be required to recuse himself from the discussion.

The City Clerk responded Vice Mayor Daysog may have to recuse should Council approve the payments to be retroactive.

The Acting City Attorney stated if Council approves applying the requirement retroactively, Vice Mayor Daysog would have to recuse himself from the discussion.

Vice Mayor Daysog inquired whether he will have to recuse himself from the entire discussion or just the topic of candidate statement payment; stated that he is amenable to the decision of the City Attorney's Office.

The Acting City Attorney responded Vice Mayor Daysog can participate in the general discussion of election reform; noted one vote on all matters will likely require recusal.

Mayor Ezzy Ashcraft stated that she intends to have individual votes on the recommendations being made; the approach provides a clearer record to follow post-meeting; expressed support for encapsulating discussions.

Expressed support for the staff recommendation of capping fees at \$1,000; discussed correspondence submitted on the matter; stated the change in amount will be important in lowering the economic barriers related to running for elected office; reducing the costs allows candidates to raise necessary funds on smaller donations; Allan Mann, League of Women Voters (LWV).

Mayor Ezzy Ashcraft stated that she would like to first discuss the resolution addressing the campaign statement fees.

Vice Mayor Daysog recused himself and left the dais.

The City Clerk stated section five of the resolution currently states: "any candidate with a balance due from a prior election is required to submit the full \$1,000 at the time of filing the statement;" Council could add: "along with the outstanding prior balance."

Mayor Ezzy Ashcraft stated that she paid the fee in-full; she does not support candidates carrying more weight than others and being offered a free pass; those running for office should be required to pay any past due balance, as well as submitting the full \$1,000 at the time of filing the statement; noted the change will mean the City picking up some of the cost; expressed concern over a prior candidate not being able to afford the candidate statement cost and not submitting a statement for the election; inquired whether any candidates were unable to submit statements.

The City Clerk responded not all candidates provided a statement for the previous election; two candidates did not submit for a prior election; stated the cost can be prohibitive; some candidates choose not to submit a statement.

Mayor Ezzy Ashcraft concurred with Speaker Mann; stated lowering the economic burden of running for office can help.

Councilmember Herrera Spencer expressed support for approving a change about previous payments; stated one prior candidate is financially unable to make the payment; many candidates do not recognize how much money will be required for candidate statements; candidates submit a \$100 deposit, which is put towards the roughly \$4,000 final bill; first-time candidates have not been able to anticipate the costs; expressed support for allowing candidates to continue to pay if desired, otherwise waive previous fees and let everyone come forth with a clean slate; expressed support for the policy and for comments provided by Speaker Mann; stated that she typically raises \$10,000 to \$15,000 per campaign and the \$4,000 statement is a significant chunk.

Mayor Ezzy Ashcraft inquired the kind of information provided by the City Clerk's office at the time of candidates filing for election.

The City Clerk responded the cost estimate is provided at the time of filing; stated candidates do know the estimate beforehand; when the estimate had previously been significantly lower than the actual costs, the City only charged candidates the estimate amount due to the significant difference in cost; noted estimates provided are typically within a couple hundred dollars of actual costs; stated candidates sign a document indicating that they will pay the full amount.

Mayor Ezzy Ashcraft inquired whether anybody who previously ran for office should only owe \$1,000, to which Councilmember Herrera Spencer responded in the affirmative.

Mayor Ezzy Ashcraft inquired whether the City should provide refunds to those who paid over \$1,000.

Councilmember Herrera Spencer responded that she was not intending to ask for refunds; stated that she does not know who would be interested in requesting a refund.

Mayor Ezzy Ashcraft stated Vice Mayor Daysog is not a first-time candidate and payments are being made towards his balance; she does not understand the retroactive provision.

Councilmember Herrera Spencer stated another candidate has stopped making payments; expressed support for providing relief to the candidate unable to pay.

Mayor Ezzy Ashcraft expressed support for approving a policy which applies across the board.

Councilmember Vella stated that she understands those who can no longer provide payment; expressed concern a retroactive provision allowing candidates not to pay and run again while being able to walk away from a debt; stated most people are able to come up with the funds one way or another; there is time to pay the balance; fundraising options are available.

Councilmember Jensen concurred with Councilmember Herrera Spencer's comments regarding a level playing field; stated candidates raise varied amounts of money; expressed concern over a retroactive provision; stated it is unfortunate a previous candidate did not try to fundraise and provide a candidate statement, however, once the cost is understood, the decision to not file a statement is made; decisions have been made by candidates in the past; there is the possibility that \$1,000 is still too high of a cost; expressed support for moving forward with establishing the \$1,000 cost without changing the resolution.

Mayor Ezzy Ashcraft inquired whether the approval would allow someone with a past due balance to drop the debt.

Councilmember Jensen responded in the negative; stated that she would prefer to establish the \$1,000 fee now and move forward as recommended by staff.

Councilmember Vella stated the approval would not have retroactivity; expressed support.

Mayor Ezzy Ashcraft inquired whether there is support for the proposed resolution.

Councilmember Jensen moved adoption of the resolution.

Councilmember Vella seconded the motion,

Under discussion, Councilmember Herrera Spencer requested clarification that the motion includes keeping the language in the resolution as-is, to which Councilmember Jensen responded in the affirmative.

Councilmember Herrera Spencer expressed support for the motion.

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

Upon Vice Mayor Daysog's return, Mayor Ezzy Ashcraft stated other topics have been recommended for Council; one relates to the size of Council, one regards RCV, and one is regarding district elections; Council can discuss each matter individually; there is need for more public outreach, forums, and understanding of the topics; expressed support for appointing a subcommittee of Council to study the issues, work with staff, and return to Council with a recommendation of next steps; there is a lot to unpack and the November election is coming up; placing a measure on the ballot requires advance notice.

Councilmember Jensen stated a Council subcommittee was formed in 2019; at least two public meetings were held with the LWV; discussed the related online poll not being scientific and outlined results, including 82% not in favor of district elections and 71% not in favor of RCV;

stated several topics were discussed including the topics currently listed; district elections, according to participants, were unfavorable; the pros and cons of district elections included divisiveness and insufficient resources; RCV was unfavorable as well; the RCV pros and cons included increased representation and a complicated process.

Vice Mayor Daysog stated increasing the size of the Council is not complicated; Alameda is a growing City; cities of the size of at least 90,000 people tend to have seven members councils; the increase in size reflects the fact that Alameda is growing and more members on the dais is positive for democracy; increasing the size is related to district elections; some people think Alameda is too small to have district elections; district elections with five Councilmembers would amount to one Councilmember per 21,000 residents assuming each district is apportioned equally; 21,000 residents is not too small for districts; discussed smaller cities not having district elections; stated that he is not convinced district elections would yield Councilmembers representing too small of a slice of Alameda, assuming Councilmembers are representing equal parts of Alameda; many cities are being pushed to district elections; there is something to be said in having district elections with Councilmembers responsible for certain geographic areas; he understands the concerns about districts not having sufficient candidates to run for election.

Mayor Ezzy Ashcraft stated that she sees district elections as a way to reduce the cost of running for office; each Councilmember has one vote and collaboration is still necessary; expressed concern over there being the potential for a lack of candidates within a district.

Councilmember Vella stated that she appreciates the previous subcommittee's work; the population continues to grow; the City is nearing a population amount which would necessitate moving to district elections; she would prefer to make time to have a community discussion about district elections; a number of different cities have district elections; the process is different in each city; San Leandro requires the elected official to reside in a specific geographic district, yet members are still elected citywide, which does nothing to actually reduce the barriers around costs of running for office; the approach creates different issues around representation; she is unsure whether the individual councilmembers being elected have to campaign citywide or within the district; the process undermines the purpose of having district elections; a lot of work and discussion is needed around the actual district mapping; substantial public inclusion is needed as well as an understanding of the timeline; discussed Fremont's move to district elections being complicated due to seated Councilmembers being moved in such a way that allows for representation across the City; expressed concerns over districts not being represented or doubled up unnecessarily; stated a move to district elections yields questions about timeline, public comment needed, whether the transition will occur while people are still in office, what the approach means, and whether the transition would occur as part of a primary or off-cycle election; the phasing will need to be decided upon as well as district mapping; the population is not solely taken into account; the amount of registered voters in a particular area is considered; many people have different ideas about where district lines should be drawn; new housing at Alameda Point will be developed and different distributions will likely occur; expressed support for beginning the early stages of district elections; stated the support does not mean a move to district elections in the fall, but the future move to district elections will begin by creating time and meaningful dialogue with public input; the amount of work will be substantial; expressed support for beginning to define what should be put forward and a calendar being developed to show timeline and process to ensure public engagement and opportunities for input occurs.

Councilmember Herrera Spencer stated district election letters are filed against cities that do not

have diverse Councils; requested clarification for confirmation of the process.

The City Clerk stated the letter is typically received indicating that lack of diversity is an issue or that populations are underrepresented.

Councilmember Herrera Spencer stated that she understands Alameda's population to be 45% white, 31% Asian, 7% African American, and 12% Hispanic; Council consists of 80% people of color which exceeds and is more diverse than the population at large; the composition is likely the reason the City has not received a demand letter; expressed concerns over changing; stated the current system is working; discussed Councilmember's ethnic backgrounds; stated Councilmembers are more diverse than the current population; she would be concerned over entertaining a demand letter that has not yet been received; entertaining the letter could backfire and the City could end up with a less diverse Council; Council is currently achieving the goal of districts; gerrymandering districts would likely not achieve the goal; she will not support moving towards district elections at this time; she does not support increasing the size of Council; Council currently has five at-large members; every Councilmember can be reached and reach out to others; expressed concern over a seven member Council and longer meetings; stated seven members speaking on agenda items would increase meeting times or yield less Council speaking time per member; a subcommittee was already established; a lot of work was conducted; she attended many meetings held by the LWV; the percentages are reasonable; there is a reason why a group of people were collecting signatures; Alameda is known for passing community driven propositions; the public and volunteers are used to signature collection; the public has not been interested in RCV, which was previously shown as 71% unfavorable; she would prefer to have Council provide input on topics to return to Council and which ones to leave; expressed concern over sending the matter back to another subcommittee.

Councilmember Vella stated Council is currently diverse; she is the first Filipina woman elected and was the first person to have a child while in office; she will be terming out at the end of the year; she could easily be replaced by someone who is not a person of color or diverse; steps should be taken to discuss the matter; a demand letter will inevitably be received; she will not be impacted by the demand, since she will no longer be on Council; the matter is not about gerrymandering; part of the process includes having a robust public process to discuss district boundary lines; the process for establishing district maps is long; the matter is an eventuality; Council can bury its head until a demand letter is received and address it at that point; expressed concern over waiting to act until required.

Mayor Ezzy Ashcraft concurred with Councilmember Vella on looking at district elections; stated Councilmember Herrera Spencer is correct in that Council is currently ethnically diverse; one argument for district elections is to ensure geographical representation; there is an orderly process, which is not gerrymandering; she would like to appoint a subcommittee of Councilmembers Jensen and Vella to study the issues on election reform, work with staff, and return to Council at a future date; the matters for the subcommittee to contemplate would not include increasing the amount of Councilmembers from five to seven and would include exploring district elections.

Councilmember Jensen stated exploring the topic is valid; Alameda has unique issues while being part of a County that is primarily district based; RCV is another matter to consider and has been raised by members of the public.

Mayor Ezzy Ashcraft inquired whether a majority of Council would like to proceed with reviewing

RCV.

Councilmember Vella responded that she is not particularly supportive of RCV; stated that she would proceed if Council wants the subcommittee look into the topic again.

Councilmember Jensen stated that she has previously not supported RCV; she would prefer a measure be placed on the ballot by community organization, rather than the City Council; placing it on the subcommittee agenda for review would be irrelevant due to lack of support.

Mayor Ezzy Ashcraft questioned the problem being solved with RCV; stated the City has managed to hold elections persuasively; there are added costs associated with RCV.

Vice Mayor Daysog stated that he will not support RCV due to the petitioners not gathering the required number of signatures, which indicates to Council that there might not be community support; the substance of RCV is not the reason for his lack of support; the residents have spoken and it would be improper for City Council to perform an end-around.

Councilmember Herrera Spencer stated the previous subcommittee survey had shown 71% are unfavorable about RCV.

Mayor Ezzy Ashcraft concurred with the comments provided by Vice Mayor Daysog indicating the lack of signatures gathered.

Councilmember Jensen expressed support for the subcommittee considering campaign financing; stated the topic is important and other local jurisdictions are establishing more robust campaign finance requirements, limits, and procedures.

Mayor Ezzy Ashcraft stated that she would support lowering the barriers to running for public office; the topic ties into the comments provided by Councilmember Jensen.

Councilmember Vella stated that she would like the process of district elections reviewed; the subcommittee should work with the City Clerk and potentially outline possibilities for a couple of public forums; expressed support for Council providing clear direction.

Councilmember Jensen inquired whether Council should specify that the subcommittee would work with the LWV.

Mayor Ezzy Ashcraft responded that she would prefer to start in-house; stated the subcommittee can decide in the future; requested clarification of the matters to be reviewed by the subcommittee.

The City Clerk stated the subcommittee of Councilmembers Jensen and Vella will review district elections, the associated timeline, and public process, work with the City Clerk and discuss district mapping, as well as addressing campaign finance and lowering barriers to running for office.

Councilmember Herrera Spencer requested clarification for the role of the LWV; stated the work being done has been done well by the LWV; she is unsure that the LWV would be involved at all.

Mayor Ezzy Ashcraft stated the decision will remain up to the subcommittee.

Vice Mayor Daysog expressed support for the recommendation for district elections; expressed concern over having four district Councilmembers and one at-large Mayor; stated the configuration would yield an instance where each of the district Councilmember would be wholly concerned with their respective districts; the change might make compromise difficult; he will review a larger Council with districts on his own.

Councilmember Jensen discussed correspondence regarding Alameda's uniqueness; stated more than 50% of Alameda households are renters; the topic is unique; renters may or may not be more transient than homeowners; expressed support for focusing on ways to ensure representation from renters is effective with no barriers to continued participation regardless of a housing change.

Councilmember Herrera Spencer stated the City has diversity in renters on Council; noted that she is a renter and former Councilmember Jim Oddie was also a renter.

Mayor Ezzy Ashcraft inquired whether a motion has been made, to which the City Clerk responded in the negative.

Councilmember Herrera Spencer stated Councilmember Vella had also been a renter.

Councilmember Jensen moved approval of the subcommittee of herself and Councilmember Vella to review the recommended topics as listed by the City Clerk.

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

CONSENT CALENDAR - ITEM REMOVED FOR DISCUSSION (CONTINUED)

(24-195) Resolution No. 16145, "Authorizing the City Manager to Execute a Three-Year Lease Agreement with The Research Park, Located at 2020 Challenger Drive, for a Police Station Annex." Adopted.

Councilmember Herrera Spencer stated that she pulled the matter from the Consent Calendar; Consent Calendar items are meant to be routine; the matter is for the first Police annex, which she does not consider routine; it is important to share information with the public and Council; she has heard from the public that there is desire for a Police annex; this is the first time the topic has been placed as an agenda item and it should be discussed.

The Police Chief stated staff is recommending Alameda Police Department (APD) enter into the agreement; the benefits of opening a Police annex or substation are operational; there is an opportunity to increase outreach and access to a different part of the Island on the West End of town; the goal is to have a smaller footprint facility; the annex would have a community resource unit, traffic teams, and investigations; there are many benefits to having a Police annex; APD is hoping to further support a core value of community policing.

Mayor Ezzy Ashcraft discussed a tour of the Police Chief's former district; stated the Police Chief formerly ran a substation several times larger than the entire APD; expressed support for the Police Chief's knowledge of substations.

Councilmember Jensen inquired how the decision to locate the annex had been determined.

The Police Chief responded the decision occurred organically; stated administration at the research park reached out to APD and offered office space; APD command staff toured the facility; the annex is in another part of town and is accessible to the community; the rent is being offered at \$100 per month.

Councilmember Jensen inquired whether any Officers or programs will be relocated to the site.

The Police Chief responded in the affirmative; stated the majority of the Bureau of Support Services (BSS) will be relocated; the BSS consists of the Traffic Unit, Community Resource Unit, and Investigations.

Councilmember Jensen inquired whether significant technology costs will be associated with the site.

The Police Chief responded that the Police Captain has performed a thorough analysis and worked with Information Technology (IT); stated relocating will not cause any extraordinary technological challenges.

Mayor Ezzy Ashcraft inquired whether the substation could be a prototype.

The Police Chief responded in the affirmative; stated the site is a great start; APD desires to be as accessible to the community as possible.

Councilmember Herrera Spencer stated the report did not include pictures; displayed photos of the proposed site; stated the location is in the same area as the business district and research park near the School District offices; she met with staff on-site to view the space; it is important for people to understand where the location will be; inquired whether any outreach was performed by staff to the West Alameda Business Association (WABA) or whether other facilities might be able to be offered to APD.

The Acting City Manager responded that she reached out to WABA; stated WABA supports having the APD annex at the proposed location; WABA supports having a Police annex on Webster Street if possible, however, property owner on Webster Street might not be able to provide the amount of space for a comparable cost; the proposal is a pilot program with a three year lease; other potential locations in other areas at comparable rates could be considered in the future.

Vice Mayor Daysog inquired whether the area for the space is slightly under 3,200 square feet of useable space, to which the Police Chief responded in the affirmative.

Expressed support for APD and the proposed lease; stated the matter should have been placed on the agenda as a Regular Item; urged a process be followed: Tod Hickman.

Mayor Ezzy Ashcraft inquired the monetary approval authority for the City Manager, to which the Acting City Manager responded up to \$75,000.

Mayor Ezzy Ashcraft inquired the annual cost for the lease, to which the Acting City Manager responded staff is estimating up to \$1,000 per month including utility costs which amounts to

roughly \$12,000 per year.

Mayor Ezzy Ashcraft inquired whether the three-year lease totaling \$36,000 is well within the City Manager's monetary approval authority, to which the Acting City Manager responded in the affirmative.

Mayor Ezzy Ashcraft stated the property is not City-owned.

The Acting City Attorney stated a resolution is required to be approved for the lease; the monetary amount is within the City Manager's authority; the resolution must be approved by Council.

Mayor Ezzy Ashcraft stated the City Manager will sometimes bring matters to Council which fall under her authority to remain as transparent as possible.

Councilmember Jensen stated that she appreciates the matter coming to Council for approval; expressed support for an increase to the City Manager's discretionary spending authority; stated \$75,000 is relatively low compared to other cities; the matter is moving some of APD's public service forces to a different site to serve the community.

Mayor Ezzy Ashcraft expressed support for the Police annex; stated the research park appreciates Police being on-site; there are many positives to the proposed annex: APD is moving from one central location, which it has outgrown to allow APD to perform additional duties; the basement of APD currently holds the BSS and Traffic Unit and the annex will allow the services not to be as cramped; the services work through the week and can interact with the public and hold community meetings; the basement space at APD will be freed up for training; APD is hiring new Officers requiring training; the annex is a win-win; expressed support for the Police going to the people to hold meetings; expressed support for the matter.

Councilmember Herrera Spencer stated that she spent time asking staff questions; the lease is a significant change for APD and separates units from the main building; discussed her experience quickly locating staff at APD's main building; stated correspondence attached to the report helped aid her support of the matter; the number of Officers are growing from a low number; stated 112 sworn Officers is the highest amount for Alameda; the City currently has 71 sworn Officers, which is a significantly smaller amount; there are costs involved with the annex; expressed concern over APD being split; stated that she is happy with the increase in Officers, however the increase in Officers is not close to the highest amount in the current building; APD had been able to serve the community at 112 sworn Officers in the main APD building; she believes there was lower crime with more Officers present.

Mayor Ezzy Ashcraft stated that she puts a lot of stock and credence into the Police Chief and Police Captain's recommendation; there have been many reports of crime in Alameda and the current matter is an attempt to address those reports.

Vice Mayor Daysog stated the lease is \$1,000 per month for a 3,200 square foot facility for a period of three years; the business deal is hard to beat and taxpayers should be proud that the annex is recommended for approval; discussed average commercial building square footage; stated 3,200 square feet is not small; expressed support for the site's proximity to Jean Sweeney Park; stated having an Officer presence near the park is positive; additional space is needed as APD ramps up its force; APD's main facility does seem to be cramped; expressed

support for the annex.

Vice Mayor Daysog moved approval of the staff recommendation and adoption of the resolution.

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

(24-196) Councilmember Vella moved approval of hearing Councilmember Herrera Spencer's Referral [paragraph no. 24-200] and ending by 11:30 p.m.

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

CITY MANAGER COMMUNICATIONS

(24-197) The Acting City Manager announced a traffic safety open house at the Alameda Free Library, an upcoming Fair Housing Workshop, and spring community Police academy sessions.

ORAL COMMUNICATIONS, NON-AGENDA

(24-198) Tod Hickman stated the Council has been functioning effectively in the last hour; discussed Spirits Alley tenants, views, structures, and challenges.

COUNCIL REFERRALS

(24-199) Consider Directing Staff to Start a Process to Modify the City Charter to Increase the City Council to Have Seven Members. (Vice Mayor Daysog)

The referral was addressed under the election reform discussion [paragraph no. 24-194 A].

(24-200) Consider Modifying the Use Permit to Allow the Sale of Beer and Wine at: Circle K 1716 Webster Street. (Councilmember Herrera Spencer)

Councilmember Herrera Spencer gave a brief presentation.

In response to Councilmember Herrera Spencer's inquiry about location, the Acting City Attorney stated that she does not have exact blocks; she understands the location is only a portion of Webster Street closer to the Naval base.

Councilmember Herrera Spencer concluded her presentation.

In response to Mayor Ezzy Ashcraft's inquiry related to spending, Councilmember Herrera Spencer stated the owner has spent funds on necessary remodeling.

Stated that he sympathizes with the business; expressed concerns over discrimination of Alameda's West End and archaic regulations and resolutions: Tod Hickman.

Councilmember Vella stated that she appreciates the funding put into the business; the matter was previously been voted down a few times; discussed a clerk killing a suspected shoplifter; stated there are a number of liquor stores within a short radius; she is not convinced the matter

will solve the problem; expressed concern over extending a liquor license at the location where an employee shot and killed someone at the location over a suspected theft.

Councilmember Jensen stated Council previously made a decision about Santos Market, which is a similar issue; Council has discussed and resolved the issue of the requirements for bars on Webster Street; expressed support for uniformity across Alameda and the referral; stated that she would like to receive more information from the City Manager and the Economic Development Department about the provisions and differences for Webster Street and any reasoning for maintaining.

Vice Mayor Daysog stated that he will support the Council Referral as part of his standard courtesy practice.

Mayor Ezzy Ashcraft stated that she does not support drinking and driving; selling alcohol in a place where people can jump into a car can lead to tragedy; discussed a survey of Webster Street indicating a high number of places which distribute alcohol to-go; stated if Council makes changes, the flood gates would open for others in the area to sell alcohol; inquired the history of the provisions and the reasoning; stated the previous Planning Board received a lot of push back from Webster Street merchants; discussed her prior opposition to the Safeway gas station wanting to sell beer and wine; stated that she will continue to oppose the matter; there are many places for people to buy liquor on Webster Street; she does not think adding liquor sales to places that also sell gas is prudent; expressed support for staff supplying Council with good responses to questions; inquired whether modifying the use permit would return to the Planning Department or to Council.

The Acting City Attorney responded direction to modify the use permit would likely be heard by the Planning Board; stated that she is not certain about the current use permit.

Mayor Ezzy Ashcraft expressed concern over modifying the use permit without any data; inquired the process if Council directs staff to review the matter.

The Acting City Attorney responded approving the referral would have staff return to Council with a report.

Councilmember Herrera Spencer encouraged members of the public to read the correspondence; read excerpts of the correspondence; provided background on the property owner; stated the store sales plummeted after the strict tobacco ban and the COVID-19 pandemic; the owner is facing challenges.

Councilmember Herrera Spencer moved approval of the Council Referral returning to Council for a full discussion.

Councilmember Jensen seconded the motion.

Under discussion, the City Clerk stated the direction is to have staff review the information and provide a report back to Council.

Councilmember Herrera Spencer inquired whether staff would then bring the proposed recommendations, to which the Acting City Manager responded in the affirmative; stated staff will bring information related to why provisions were put in place and maintained as well as

Police information and statistics.

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

COUNCIL COMMUNICATIONS

(24-201) Councilmember Herrera Spencer discussed visiting elected officials in China.

(24-202) Vice Mayor Daysog shared a photo of the International Chi Institute's 12th annual celebration at Alameda High School.

(24-203) Mayor Ezzy Ashcraft announced that she attended the League of California Cities Community Economic Development Policy Committee meeting, a meals on wheels delivery, a Youth and Career Fair at Encinal High School, a building sustainable communities conference, a women's history month celebration of women in public safety, and an East Bay Economic Development Alliance innovation awards ceremony.

ADJOURNMENT

(24-204) There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 11:16 p.m. in memory of Maggie Simpson Adams.

Respectfully submitted,

Lara Weisiger
City Clerk

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