

of animals going to the shelter; it is important to look at modernizing the animal shelter; Alameda needs a sustainable plan for how the animal shelter can meet the expectations and needs of the community and the animals.

[Refer to the Referral below [paragraph no. 16-501] for the motion.

### COUNCIL REFERRAL

(16-501) Consider Directing Staff to Renegotiate the Terms of the Friends of the Alameda Animal Shelter (FAAS) Lease and Relocate/Modernize the Shelter Facility, including Addressing Funding. (Mayor Spencer)

Refer to above FAAS Annual Progress Report [paragraph no. 16-500] for public comments and discussion.

Mayor Spencer moved approval of accepting the referral and having staff come back with a presentation.

Councilmember Daysog read the referral; stated he would change the referral to read "...consider directing staff to renegotiate the terms of the lease with FAAS commensurate with the business model and values now in place..."

Mayor Spencer accepted the friendly amendment.

Vice Mayor Matarrese stated direction needs to be given to guide what is already happening; negotiations are already on going; he wants a line by line presentation and a third party to inform staff which line item goes directly to the release rate and which are peripheral; Council cannot make decisions until the budget is explored.

Councilmember Oddie stated that he is not comfortable with the wording of the referral; he would like more information; he would like to look at the budget line items and know what Council is being asked to do; he would like to know the options for a replacement shelter.

Councilmember Daysog stated, by necessity, the City needs a prescriptive referral; suggested the following changes to the referral "...consider directing staff to renegotiate the terms of a lease with FAAS commensurate with the business model and values now in place, including reporting on relocating/modernizing the shelter facility and addressing funding with due diligence review of expenses and revenues..."; the City cannot begin to negotiate in February if the Shelter might close in March.

Mayor Spencer accepted the friendly amendment.

Councilmember Daysog seconded the motion.

The Acting City Manager stated if the caveat in the friendly amendment is to negotiate

in the current standard, the question is if the City can afford the standard.

Councilmember Daysog stated that the City has to enter into the negotiations with a certain value.

The Acting City Manager stated that setting the bar that high ties the City's hands.

Mayor Spencer stated that she does want to set the bar high; she made a motion and accepted the friendly amendment.

On the call for the question, the motion FAILED by the following voice vote: Ayes: Councilmember Daysog and Mayor Spencer – 2. Noes: Councilmember Ezzy Ashcraft, Councilmember Oddie and Vice Mayor Matarrese – 3.

Vice Mayor Matarrese moved approval of directing staff to renegotiate the terms of the FAAS lease, including: 1) the City's allocation and support of FAAS, 2) the requirement to have a third party expert provide the evaluation as suggested by both FAAS and the City to review the line items and to identify the target to which the City is going to hit, 3) an analysis of the relocation and modernization of the animal shelter and option for alternative funding sources, including, but not limited to, the items listed on the staff report, the development fee and other user fees.

Councilmember Oddie seconded the motion.

Under discussion, Councilmember Ezzy Ashcraft inquired if the motion includes the idea of expanding the animal shelter to bring in more revenue, to which Vice Mayor Matarrese responded in the affirmative.

Mayor Spencer inquired about the level of care is.

Vice Mayor Matarrese responded the motion is to have the independent consultant identify the standard which the City is targeting.

Mayor Spencer inquired if that is a lower level standard of care, and if the City is going to bring in someone from the outside to determine Alameda's standard.

Vice Mayor Matarrese responded in the negative; stated the consultant would advise the City of the standard.

Mayor Spencer stated the standard varies from shelter to shelter.

Vice Mayor Matarrese stated variation is not a standard, that is an output; a standard is a target rate for a good shelter; a standard is a target for people to measure performance against and determine which line items goes to keeping the level of service and how the City can stay above the standard; the budget is projected to get smaller and smaller.

Mayor Spencer inquired what would be the acceptable standard of care.

Vice Mayor Matarrese responded after the standard and cost are received, then the City can have a discussion; on the Annual Report there is no standard and he does not have a reference or information about the standard.

Councilmember Ezzy Ashcraft stated that she does not want to support anything that would support a lower kill rate; inquired if the target is a financial target; stated she does not want to change the live release rate; cuts could be made in other areas.

Councilmember Oddie stated there is a certain service level at the animal shelter; there could be a different service level and cost for that service level.

Vice Mayor Matarrese stated the starting point should be to maintain and improve the current level of service, but be ready to deal with costs.

Councilmember Daysog stated said idea is the same as the original motion: to aim high and make adjustments if there is a contingency plan.

Councilmember Ezzy Ashcraft stated the motion is giving staff more latitude to address relocation or modernizing the facility.

Councilmember Daysog stated as part of the negotiations staff should be prepared to ask about the follow up steps.

At the request of Council, the City Clerk repeated the motion.

Vice Mayor Matarrese stated a standard has not been identified, only the performance; Council needs to know the cost to maintain the performance if it is above the standard or to bring the standard up if it is below the standard.

Mayor Spencer stated the motion is similar to the previous motion.

Vice Mayor Matarrese responded he added having a third party consultant.

Mayor Spencer responded that the addition of the consultant could have been a friendly amendment.

Councilmember Oddie called for the question.

On the call for the question, the motion carried by the following voice vote: Ayes: Councilmember Ezzy Ashcraft, Councilmember Oddie and Vice Mayor Matarrese – 3. Noes: Councilmember Daysog and Mayor Spencer – 2.

At the request of Council, the City Clerk repeated the motion.