

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL
TUESDAY- -MAY 19, 2020- -7:01 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:12 p.m.

ROLL CALL - Present: Councilmember Daysog, Knox White, Oddie, Vella and Mayor Ezzy Ashcraft – 5. [Note: The meeting was conducted via Zoom]

Absent: None.

AGENDA ITEMS

(20-337) Recommendation to Authorize the City Manager to Negotiate and Execute a \$310,000 Agreement with Creative Build, Inc. to Operate a Day Center and Safe Parking Program for Individuals Experiencing Homelessness Funded through the Homeless Emergency Aid Program.

The Community Development Analyst gave a brief presentation.

Vice Mayor Knox White moved approval of the staff recommendation.

Councilmember Oddie seconded the motion.

Under discussion, Councilmember Daysog stated that he is not convinced the parking program is a good use of funds.

Mayor Ezzy Ashcraft stated Council is modeling what will be done after the successful models of other cities; safe parking will have a registration process, be supervised, and have resources available.

On the call for the question, the motion carried by the following roll call vote: Councilmembers Daysog: Abstain; Knox White: Aye; Oddie: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4; Abstentions: 1.

(20-338) Recommendation to Create an Alameda Strong Community Relief Fund to Provide Grants or Other Types of Relief to Small Businesses, Non-profits and Residential Renters that have been Negatively Financially Impacted by the COVID-19 Pandemic.

The Economic Development Manager gave a presentation.

Mayor Ezzy Ashcraft inquired whether the 13% fee listed in the staff report is a typo, to which the Economic Development Manager responded in the negative.

The Economic Development Manager concluded the presentation.

Councilmember Oddie inquired whether the applicant will be the tenant for the rent portion of the item; whether there is no other obligation for the tenant to pay rent for the particular dollar amount.

The Economic Development Manager responded in the affirmative; stated tenants may currently be two months in arrears; the grant will only pay up to one month.

Councilmember Oddie inquired whether a tenant will still owe \$500 should they receive \$2,500 but the cost of rent is \$3,000, to which the Economic Development Manager responded in the affirmative.

Councilmember Oddie inquired whether a discussion was had related to publicly traded companies being excluded from the Strong Community Relief Grant.

The Economic Development Manager responded the current item clarifies points made from Council, Downtown Alameda Business Association (DABA) and West Alameda Business Association (WABA) regarding amounts; stated staff will exclude publicly traded companies.

Councilmember Oddie inquired whether someone would be eligible for multiple grants, to which the Economic Development Manager responded in the negative.

Mayor Ezzy Ashcraft inquired the reason franchisee holders would be excluded from the program.

Councilmember Vella inquired whether a sole proprietor would be eligible for the same amount as a business with 25 to 50 employees, to which the Economic Development Manager responded in the affirmative.

In response to Councilmember Vella's inquiry, the Economic Development Manager stated instances of families with children assisting the business will take a draw versus paying each member individually.

Councilmember Vella inquired the basis for the \$2,500 amount for residential tenants.

The Economic Development Manager responded the amount is based on average rent in Alameda.

Councilmember Vella inquired whether or not the amount is based on the number of tenants living on a given property.

The Economic Development Manager responded the amount is up to \$2,500.

In response to Councilmember Vella's inquiry, the Economic Development Manager stated if rent is \$1,300, the award will only be \$1,300.

Councilmember Vella inquired whether landlords will be able to apply for the small business grant as well as being paid via rent relief.

The Economic Development Manager responded landlords will not be paid through rent relief unless a tenant within their building is qualified; noted the relief is only for residential rent; stated landlords are not listed as a qualifier even though they have a business license.

Vice Mayor Knox White inquired the process for including sole proprietors working out of their home with a 50% income loss.

The Economic Development Manager responded sole proprietors working out of their home typically are not able to continue working with no source of income; stated there is little difference between sole proprietors and those working out of their home, which causes no reason for exclusion; noted Council requested staff to return with a higher amount and many people have requested 50% loss.

Mayor Ezzy Ashcraft stated a home based business does not have the overhead of a commercial business; there are federal programs which may be applied for related to mortgage assistance; inquired whether the Community Relief Fund will be used for mortgage assistance.

The Economic Development Manager responded the fund includes operating costs and is for their business.

Mayor Ezzy Ashcraft inquired how the City will leverage its resources.

The Economic Development Manager responded staff is spending a lot of time and not using consultants to help with program development.

Mayor Ezzy Ashcraft inquired whether Working Solutions is the only available choice to administer the fund.

The Economic Development Manager responded that she has tried to find other similar firms; stated the report timeline had a quick turnaround.

Mayor Ezzy Ashcraft inquired how non-profits are represented.

The Economic Development Manager responded non-profits were not included.

Councilmember Daysog inquired whether entire household income data will be used for payments, or will the data be provided solely from the leaseholder; inquired how the City can account for household income.

The Community Development Director responded an upcoming staff report will discuss how Community Development Block Grant Programs (CDBG) funds will be incorporated; stated staff will contract with Building Futures to run the program; Building Futures ran a similar program before; staff will return with the response to properly defining a household.

Councilmember Oddie inquired whether the CDBG funds will be subject to the 13 to 15% administrative charge.

The Community Development Director responded Council has independently approved the small business/COVID-19 grant relief program; stated staff will be bringing a rent relief program; the two programs in combination add up to a \$1.2 million funding commitment by the City; the community can then help match or exceed the funding.

Councilmember Oddie inquired whether a landlord, who is also a property management firm, would be eligible for funding.

The Economic Development Manager responded a property management firm would be eligible for funding.

Expressed support for creation of funds to assist the community to raise needed money for residents and businesses, and splitting the funds to allow potential donors to donate to a residential fund and a separate business/non-profit fund; stated confidential information should not be made public: Ron Mooney, Alameda.

Stated his business as a massage therapist has been affected by COVID-19; inquired whether he can return to work in a chiropractor office: Felix Diaz, Alameda.

Mayor Ezzy Ashcraft noted the website for the Alameda County Public Health Department (acphd.org) has updated information about which businesses are open.

Councilmember Daysog stated that he appreciates that the staff report includes Community Development Block Grant (CDBG) funds.

Vice Mayor Knox White inquired how quickly the community fund can be setup.

The Economic Development Manager responded staff hopes to have the program setup by the end of the week.

Vice Mayor Knox White stated that he would like more information related to separate funds; separate funds should be the result of conversations with the business community; expressed concern about sole proprietors receiving funding; stated that he would like to ensure the proposal is providing a solution and continuing the viability and strength of community business districts; expressed concern about the shift towards making loss of money a threshold; stated some businesses will receive the \$7,500 and never return due to loss of too much money; some businesses have struggled and only

lost 20%; the funding opportunity could be a lifeline that allows the business to continue; a lot of work has gone into the program; the 13 to 15% administrative cost is not unheard of and is standard for managing funds; expressed support for implementing the program and begin to receive donations from the community.

Mayor Ezzy Ashcraft stated there is a fiscal duty to explore more than one option for administering funds; 13 to 15% for administrative costs might be standard; questioned how much administration the project requires.

Councilmember Oddie stated the administrative fee is large; noted the rates could be lowered to help all businesses, tenants and non-profits; stated landlords are business people; another \$300,000 should be added to the grant program; the fund is about investing and can be the difference between going out of business and surviving; the businesses generate sales tax and pay workers; many home based businesses have recurring expenses not related to their mortgage; people working out of their home are unable to perform their job; expressed support for including assistance for sole proprietorships, and awarding more grants out of the original \$600,000; noted many proprietors have been left out of programs.

Councilmember Vella inquired whether an Alameda business could apply to administer the project; stated the process should not cause an unnecessary delay; expressed support for increasing the residential portion; expressed concern about families paying more in rent; stated that she would consider increasing the amount of residential funding up to \$3,000 or \$3,500 based off of a single month's rent; some people have substantially lower rent; expressed support for helping businesses get back to work; stated child care businesses will need to completely change operations, which may impact their ability to operate without assistance; expressed support for lowering the award amount for sole proprietors; stated the intent of the grant is to help as many people as possible; expressed concern about giving a lot of money to one individual; stated an individuals' overhead is substantially less than a business which employs a number of people; noted proprietors are also included in the pandemic unemployment assistance and can recoup funds; expressed support for capping the number of proprietors able to receive funding, sole proprietors receiving up to half of the grant award, and only so many awards being given to sole proprietors for the first wave of funding; inquired whether there is a difference in cost for administering one fund or two separate funds; noted GoFundMe campaigns have received push back from business associations; expressed concern about separating funds; stated it is easier to have one fund be administered.

Mayor Ezzy Ashcraft stated the model of other cities keeping the funds separate should be followed; separate funds respects the donor; expressed support for negotiating the administrative fee, and allowing donors to have a say where money is placed; stated that she has difficulty with the in-home sole proprietor; there is a difference between being home-based sole proprietor and a sole proprietor that is not home-based; Council is trying to help the business districts, including non-profits, and should give thought to how many applications will be received; expressed support for increasing the rent award

amount, which helps both the tenant and landlord, and shifting the percentage of the fund amounts; expressed support for 50% going towards small businesses, 25% towards renters and 25% towards non-profits; stated many non-profits serve the community in many ways; expressed concern about transferring applicants from the grant program into the Alameda Strong program; stated the impression of giving a head start may be inferred; inquired whether Council should consider a minimum time that a business has been established.

The Community Development Director stated staff has provided recommendations for percentage breakdowns with input from the business community; the percentages will not be needed should the funding be separated.

(20-339) Councilmember Vella moved approval of adding 2 minutes speaking time for all Councilmembers.

Vice Mayor Knox White seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Abstain; Knox White: Aye; Oddie: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

The Economic Development Manager stated staff has not recommended applications be transferred to the new fund; staff has recommended a GoFundMe be setup ahead of time.

Mayor Ezzy Ashcraft expressed concern about losing donors without the option to delegate; stated a solution needs to be found.

Councilmember Vella expressed support for two funds; inquired whether non-profits will be included in the fund with residential or small businesses.

The Community Development Director responded non-profits will have their own fund at 20%.

Councilmember Vella stated there will be three funds.

Mayor Ezzy Ashcraft stated small businesses have huge needs; it is possible donors might provide funding generally and not specify a fund.

Councilmember Vella inquired whether a general \$100 donation would be distributed based off the percentage breakdown, to which the Economic Development Manager responded in the affirmative.

Mayor Ezzy Ashcraft inquired whether a non-general donation could be delegated to a different percentage breakdown, to which the Economic Development Manager responded in the affirmative.

Councilmember Vella inquired whether it is possible to move the money in the instance one fund is substantially over-funded while another fund is under-funded.

The City Attorney responded there is flexibility with how Council provides direction to set up funds; stated staff will execute Council's wishes with the maximum flexibility possible.

The Community Development Director stated once the option is provided and selected by a donor, switching the funds is not ideal.

The City Attorney stated should Council wish to provide the flexibility, the option must be advertised early-on.

Mayor Ezzy Ashcraft inquired whether the shifted funds could come from donors providing general funding, to which the City Attorney responded in the affirmative.

Vice Mayor Knox White expressed support for separate funds; stated that he was surprised by one fund being used for three different designations; people are more likely to contribute to things that are clear; funding a mix of different things is a less successful pitch; there can be a designation on the submittal form to indicate donors may provide funding to all three funds; a number of non-profits were successful in getting Paycheck Protection Program (PPP) funds.

Mayor Ezzy Ashcraft inquired whether there is a criteria for non-profits which have applied for PPP funds.

Vice Mayor Knox White responded in the negative; stated there is a criteria that non-profits had to have applied for the funding in the previous round.

Mayor Ezzy Ashcraft inquired whether the criteria should be considered when looking at income and losses.

The Economic Development Manager responded staff had not considered the criteria for the last round, but it can be considered this round.

Councilmember Oddie expressed concern about one fund receiving nothing; stated rent payments will go toward property owners; tenant funds will be used to pay rent; expressed concern about a complicated process for splitting funds and the complicated process becoming costly; stated that he is unsure.

Mayor Ezzy Ashcraft stated the item should progress forward and is not terribly complicated; other charity organizations perform these types of actions on a regular basis; people are generous; restaurants are providing assistance even at a loss; people want to donate to the fund.

Councilmember Oddie inquired whether there is support to awarding more grant money.

Mayor Ezzy Ashcraft questioned whether Council could wait until the budget hearing to decide and whether the decision is needed to move the Alameda Strong item forward.

Councilmember Oddie noted the item is not on the agenda for the budget; stated the awardees will be announced by the end of the week; expressed concern about a delay in getting money into the hands of businesses.

The City Manager stated staff has provided options: 1) the item can be continued to follow the budget meeting scheduled for tomorrow; 2) staff can return on June 2 to discuss adding money to the Alameda Strong fund.

Councilmember Oddie inquired whether it is possible to continue the discussion of augmenting the grant fund to the May 20th budget meeting, while moving forward with the Alameda Strong Community Relief Fund.

The City Attorney responded Council may continue the agenda item; stated Council may provide direction at this meeting, but still continue the entire item to the May 20th budget meeting.

Mayor Ezzy Ashcraft stated that she would like to find a way to move forward on the Alameda Strong Community Relief Fund.

Vice Mayor Knox White stated Council may provide direction tonight to move forward with the community fund and delay the action on funding relief until the May 20th budget meeting; the formal vote would occur May 20th.

The City Attorney stated staff recommends not bifurcating the item into smaller pieces to continue the item; Council may take votes on the item at this meeting, but allow the option to reverse at the May 20th budget meeting.

Councilmember Vella expressed support for taking up the conversation about potentially putting more money into the grant program with the budget discussion, and launching the project; stated the City can give money later, but would focus on getting others to contribute now, which might reduce the need for more funds from the General Fund; expressed concern about a complex administration process; stated that she will defer to staff about the number of funds; noted the option of one fund being earmarked by donors is a way to create less administrative complications; questioned whether different non-profits will only give to related entities; stated there is value to non-profits having their own fund; expressed support for an Alameda Business with experience in administering any public funds being considered to provide assistance.

The Community Development Director stated staff is able to continue moving the project forward and incorporate any decision regarding funding provided at the May 20th budget meeting.

Mayor Ezzy Ashcraft expressed support for moving the item forward at the current meeting.

Councilmember Oddie expressed support for moving the item forward; stated that he would like the option to consider additional funding at the May 20th budget meeting; inquired whether it is possible to continue the discussion.

The City Attorney stated the recommendation is to make a substantive motion at this meeting, followed by a motion to continue the item along with the special meeting until the conclusion of the May 20th budget meeting at a time certain; the special meeting will be called after the budget meeting.

Councilmember Oddie inquired whether Council is permitted to approve portions of the item or bifurcate; stated Council may approve the Alameda Strong portion and defer the discussion about additional funding to the May 20th budget meeting.

Vice Mayor Knox White stated Council has been given the direction to vote on how to move forward with Alameda Strong and continue the item for future discussion at the May 20th budget meeting.

Councilmember Oddie moved approval of providing direction to vote on how to move forward with Alameda Strong, and continue the item for future discussion at the May 20th budget meeting with a recommendation for multiple funds.

Vice Mayor Knox White seconded the motion, with the following amendment: include restricting grantees which have previously received Paycheck Protection Program (PPP) funds to ensure the City is funding those that were previously unsuccessful with grant applications.

Mayor Ezzy Ashcraft inquired whether Council is providing staff the leeway to decide.

Vice Mayor Knox White responded in the negative; stated the direction is being provided to restrict.

Councilmember Oddie moved approval of providing direction to vote on how to move forward with Alameda Strong and continue the item for future discussion at the May 20th budget meeting with a recommendation for multiple funds.

Vice Mayor Knox White seconded the motion, with the following amendment: include restricting grantees which have previously received Paycheck Protection Program (PPP) funds to ensure the City is funding those that were previously unsuccessful with grant applications.

Mayor Ezzy Ashcraft inquired whether Council is providing staff the leeway to decide.

Vice Mayor Knox White responded in the negative; stated the direction is being provided to restrict.

Councilmember Oddie inquired whether the restriction is directed toward businesses that previously received \$7,500, to which the Vice Mayor responded in the negative and stated PPP funds.

Councilmember Oddie accepted the amendment to the motion; inquired whether staff is administering the program.

Mayor Ezzy Ashcraft responded staff would administer the program once the payments are made, but the list of applicants and recipients will be administered by a firm; noted PPP starts as a loan that needs to be repaid unless 100% of workforce is retained for a certain period of time; inquired whether receipt of PPP funds would be a negative criteria.

Vice Mayor Knox White responded in the negative; stated applicants that have received PPP will not qualify for funds; expressed support for expanding the number of businesses and non-profits in Alameda that receive support versus allowing some businesses to receive double support and others zero support; requested clarification of Councilmember Oddie's intention of the topic related to sole-proprietors and in-home provider issue.

Councilmember Oddie expressed support for keeping sole-proprietors and in-home providers as staff recommends.

Councilmember Vella requested a friendly amendment to the motion to limit sole-proprietors to 50% of the grant amount.

Mayor Ezzy Ashcraft inquired whether the amendment includes the distinction between sole-proprietors and in-home providers.

Councilmember Vella responded that she would like clarification on the distinction; stated the limitation will allow more awards to be provided; expressed support for providing direction to staff to limit the number of awards provided.

Councilmember Oddie inquired whether the request is reasonable for staff; accepted the friendly amendment to the motion.

The Community Development Director responded staff is able to execute the request; stated Council previously provided direction not to be the first resort for funding; policy direction is helpful for staff; the restrictions for sole proprietors at a reduced formula is possible.

Councilmember Vella requested a friendly amendment to the motion to include increasing the residential rent relief to \$3,500 at the one month cap; inquired whether the PPP is limited to larger non-profits.

Councilmember Oddie accepted the friendly amendment to the motion; inquired whether Vice Mayor Knox White accepts the amendment.

Vice Mayor Knox White responded in the affirmative.

Mayor Ezzy Ashcraft inquired whether enough information has been provided for the residential portion.

The Community Development Director responded staff will state: "one month's rent, not to exceed \$3,500."

On the call for the question, the motion carried by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

Councilmember Oddie moved approval of continuing the discussion on whether or not to accept staff's recommendation to not provide additional funding for the grant program until after the budget meeting.

Vice Mayor Knox White seconded the motion with the following amendment: to continue the item to the May 20th budget meeting.

The City Clerk stated a time-specific is needed.

Vice Mayor Knox White stated 7:00 p.m.

Councilmember Oddie accepted the amendment to the motion.

On the call for the question, the motion passed by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

(20-340) Recommendation to Authorize the City Manager to Offer Commercial Tenants in City-Owned Properties a Loan Conversion and Forgiveness Assistance Program in Response to the COVID-19 Pandemic.

The Assistant Community Development Director gave a brief presentation.

Vice Mayor Knox White stated a program will be setup with benchmarks and criteria; inquired the timeline for the 50% loan.

The Assistant Community Development Director responded staff is looking for Council to provide benchmarks; stated staff would like to begin the program as soon as possible; noted the deferral program ends in June; stated staff will begin negotiations, and provide budget updates in the first quarter of the new fiscal year.

In response to Mayor Ezzy Ashcraft's inquiry, the Assistant Community Development Director stated cross defaulted means should a tenant default on a promissory note, it is also a default on the lease.

Mayor Ezzy Ashcraft inquired whether a tenant defaulting on the promissory note must repay the loan, to which the Assistant Community Development Director responded the City has the option to evict.

Questioned whether sole proprietor businesses will be included in the fund: Jonathan Belkalifa's wife, Alameda.

Public comment read into the record:

Expressed support for a loan forgiveness program; urged Council to discuss the program further: Jim Strehlow, Alameda.

Mayor Ezzy Ashcraft stated flexibility is important; expressed support for individualized assistance; stated each business has different needs.

Councilmember Daysog stated that he received correspondence from the owner of Rock Wall Winery; expressed support for using job retention and catalyst businesses as benchmarks; stated that he does not support subletting; noted many subleases are for container cargos.

Councilmember Oddie inquired when the item will return to Council.

Mayor Ezzy Ashcraft responded Vice Mayor Knox White inquired about the timeline; stated staff must work quickly due to deferrals ending in June.

The Assistant Community Development Director stated the goal is not to bring the item back; staff would like to implement the program and provide a report back to Council in the fall.

Councilmember Oddie expressed support for converting deferred rent into a promissory note; expressed concern about not having a cap; stated a tenant could request a deferral for up to 18 months; staff could determine whether the deferral could be converted into 50% forgiveness and 50% into a grant or 100% forgiveness; expressed concern about providing a blank check; stated that he likes the concept of a promissory note with an extended due date.

Mayor Ezzy Ashcraft stated that she would like a reasonable period of time for repayment.

Councilmember Vella expressed support for allowing promissory notes; stated that she would like to further understand financials before COVID-19; expressed concern about a business stating they will be effectively shut down without rent forgiveness; stated that she would like to know the status of the businesses; full-time employee retention must be considered; expressed support for information related to full-time employees receiving benefits, capping the time at three months, the item returning to Council for discussion about any extended time needs, and understanding which businesses continued to operate in some form during the shelter-in-place; stated the program is a last resort, not a bail-out; the City has a limited budget and Council should be cognizant of fiscal decisions; that she would like to have “catalyst business” defined; expressed support for understanding the potential sales tax to be brought in by businesses and whether the business model will change under the new continued restrictions; stated the promissory note option helps protect the City.

The City Manager inquired whether Councilmember Vella intends the three month cap to be an additional three months from the original deferral, for a total of six months, to which Councilmember Vella responded in the affirmative.

The City Manager stated the item was brought to Council May 19th, in part, to allow for the item to be brought back June 2nd in the event more discussion was needed.

Mayor Ezzy Ashcraft stated that she does not want to rush items that are not well thought out; inquired whether Council can provide detailed direction to staff.

The Assistant Community Development Director stated tenants are required to provide an extensive list of expense information in order to qualify for the program; tenants will also need to provide a resiliency plan; staff recommends tenants with more than 30 employees and a demonstrated 30% loss be eligible for the program.

The Community Development Director stated Council may consider authorizing an amount of loan conversion for staff to negotiate, as well as authorizing a set number of tenants for a set number of months; then, staff can apply the criteria contained in the staff report combined with direction provided.

Mayor Ezzy Ashcraft stated that she is unsure how Council will consider the particular amount of assistance.

Vice Mayor Knox White stated employees are experiencing loss of wages and jobs; businesses are seeing significant reductions; everyone is struggling and taking cuts during this time; Council can show leadership; the City receives about \$1 million in rent each month; expressed support for using the threshold of those that cannot legally use their buildings due to the health order. the length of time for the loan program to be based on how long the business was impacted by the public health order, plus one

month, and 50% rent conversion to grants for businesses showing they retained 75% of jobs over a one-year period; stated that he is struggling with the idea that the goal is to charge people for land and buildings which are unable to be used or occupied; not every business will be able to qualify for the program; Council can provide direction and information related to the deferral program; some businesses will open in the next 2 to 6 weeks; Council should not be involved with every program decision; expressed concern about the criteria reflecting Council selecting businesses which are important or generating the most money; business communities are made of different sizes and all are important; Council should help solve the problem and provide support.

Councilmember Oddie expressed support for Vice Mayor Knox White's comments; stated the City should be more lenient with businesses which have been shut down; the cap should be three months; the payments can be extended out; the cap should be \$300,000; the program should be fair to all.

Councilmember Daysog expressed support for extending the cap beyond three months; stated recovery may not happen until the end of 2021; stated should shelter in place orders be lifted soon, demand will still be tepid; the timeline can be between 3 to 18 months.

Mayor Ezzy Ashcraft inquired whether the original cap of three months could be considered and revisited if needed; stated recovery might happen sooner than anticipated; Council does not currently know the magnitude and duration of the issue, but can come up with a reasonable solution which can be revisited if needed.

Councilmember Daysog expressed support for Mayor Ezzy Ashcraft's comments.

Councilmember Vella stated that she would like clarification or a suggestion of an overall cap; expressed support for the item returning if the cap is met; noted portions of businesses could be shut down, while other portions function; expressed support for looking at each businesses' resiliency plan; inquired how the total number of qualifying employees was calculated.

The Assistant Community Development Director responded staff looked at other landlord programs; stated a few tenants have multiple locations; some tenants have multiple buildings.

Councilmember Vella stated that she would lower the employee cap to 25 or more.

Mayor Ezzy Ashcraft inquired whether a cap on the amount of rent has been decided.

Councilmember Oddie expressed concern about the amount being abated versus deferred; expressed support for the cap to be \$300,000; then, a report should be brought to Council; stated more can be done if needed in three months; inquired whether any tenants with under 25 employees which may qualify for the program.

The Assistant Community Development Director responded there are smaller businesses outside of Alameda Point; stated 25 employees is a reach for many tenants.

Councilmember Oddie stated the 25 employee threshold could be just for rent forgiveness or conversion; expressed support for assisting as many tenants as possible.

The Assistant Community Development Director stated not many landlords are offering rent abatement; the City is setting the pace by providing abatement; requested clarification on the threshold for allowing rent abatement.

Mayor Ezzy Ashcraft stated the City should not do something just because it can; Council should be prudent in helping people through difficult times and should be judicious with the criteria of who qualifies for rent abatement; expressed support for long deferral programs and allowing payments to be paid at the back-end of the lease; stated the criteria needs to be applied in a way that keeps areas viable; expressed support for a program which relies heavily on deferral; stated the time can be lengthened; abatement should only be allowed under specialized circumstances.

Vice Mayor Knox White expressed support for rent abatement; stated Council needs to show leadership and encourage others to do so; inquired whether the 90-day deferral and the 90-day loan conversion becomes a six month loan conversion program; whether tenants still have to pay the 90-day deferral.

The Assistant Community Development Director responded everything is mixed in together; stated after six months, the tenant has proven that they have overcome and met some of the set benchmarks; staff will offer a 50% abatement and the tenant will be subject to the original deferral program.

The City Manager stated the original three months will be combined with an additional three months; should a tenant not abate for three months, another month could be added at some point; noted all six months could be wrapped into a loan.

The Assistant Community Development Director expressed support for the length of the program being based on the length of time the building was unusable, plus one month; for having either three months or \$300,000 being the cap, allowing Council to designate whichever is greater or lower; stated the options allow guidelines for administering the program.

Vice Mayor Knox White expressed concern about the \$300,000 cap; stated the cap will be reached at 2 to 3 companies; expressed concern about approving the first seven businesses that apply, hitting the cap and needing to request more funding.

Mayor Ezzy Ashcraft inquired whether or not staff will be contemplating tenants on a first come first served basis; expressed support for an application period and process with scoring criteria.

The Assistant Community Development Director responded the cap was considered at \$300,000 per tenant; stated a few tenants pay \$50,000 per month; the program is not based on a first come first served basis; each agreement will need to be negotiated; the criteria is strict and the City can offer deferrals, not abatement, in the event a tenant does not fully qualify; the applications will be looked at closely.

Mayor Ezzy Ashcraft stated the leases have high monthly rents.

Councilmember Oddie expressed concern about offering a blank check to every tenant with a cap of \$300,000; outlined monthly lease rents for various tenants.

Mayor Ezzy Ashcraft inquired whether a capped amount for a certain category could be applied for small, medium and large businesses; whether Council can provide direction on the parameters.

Councilmember Oddie stated rent should be abated for those locked out and shut down for the first three months; the second three months should be as generous as possible with deferrals and loan conversion; expressed support for staff returning to Council when the \$300,000 cap in proposed abatements is reached.

Mayor Ezzy Ashcraft inquired whether the proposed abatements are per tenant.

Councilmember Oddie responded in total.

The City Manager stated the \$300,000 cap is for all abatements; staff will take Council comments and return with 2 to 3 choices in June to allow a good program to move forward.

Councilmember Vella stated that she would like to understand the implications to planned Capital Improvement Projects (CIP) at Alameda Point and other properties; there is a cost associated; there are few businesses which have been truly locked out; expressed support for using the budget analysis to determine which items are delayed; there have been complaints related to infrastructure; investment should be in certain infrastructure.

Councilmember Daysog stated one way to not provide a “blank check” to tenants would be to provide benchmarks; creating a threshold will help; expressed support for catalyst businesses being included, which calculates businesses generating foot traffic or positive collateral effects.

Mayor Ezzy Ashcraft inquired whether comments should be submitted to allow staff to return in June.

Councilmember Oddie responded that he can wait until June.

Mayor Ezzy Ashcraft expressed support for ensuring the City is helping those in need and not delaying the process.

Councilmember Oddie moved approval of giving staff the authority to provide [tenants] a deferral of any three months and up to an additional three months deferral per tenant which will be converted into a promissory note; staff will return for further Council discussion related to potential abatement without a cap.

Mayor Ezzy Ashcraft expressed support for the motion.

Vice Mayor Knox White inquired whether the motion includes staff returning in June with the proposed criteria for potential conversion to 50% grant for discussion.

Councilmember Oddie responded June or July.

Vice Mayor Knox White seconded the motion.

Under discussion, Vice Mayor Knox White stated people need certainties; expressed support for the criteria to be provided sooner rather than later.

Mayor Ezzy Ashcraft inquired whether the item will return in June or after a few months.

Vice Mayor Knox White responded June or July.

The City Manager requested the motion be re-stated.

The City Clerk stated the motion is to give staff authority to provide any three month deferral and up to an additional three months deferral per tenant which will be converted into a promissory note; staff will return for further Council discussion related to potential abatement without a cap with a discussion to return regarding potential conversion to 50% grant.

Councilmember Oddie stated that he is also supportive of 100% due to complete lockdown.

Mayor Ezzy Ashcraft stated the parameters can be left open since the item will return.

The City Manager inquired whether the motion includes abatement while closed down, plus three month with an additional three months.

Councilmember Oddie stated abatement has been deferred; the April, May and June deferral has the option to be taken in any three months if the deferral has not been taken in April, May or June; Council authorizes the City Manager to grant additional deferrals on a case-by-case basis of up to an additional three months if requested, which will be converted into a promissory note; the discussion on abatement or 50% conversion into grants will be discussed in June or July.

The Assistant Community Development Director inquired whether staff will have flexibility in the repayment terms; noted some repayment terms might exceed lease terms.

Councilmember Oddie responded that he is open to having flexible repayment terms.

Mayor Ezzy Ashcraft stated terms may be individualized to particular business's needs; staff will have the best knowledge of the needs and can negotiate; expressed support for staff having flexibility.

Vice Mayor Knox White expressed concern about picking companies that are thought of as good.

Councilmember Oddie stated the use of the lease term will assist the repayment terms.

On the call for the question, the motion passed by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

(20-341) Vice Mayor Knox White inquired whether a motion can be made to ensure all items will be heard.

Mayor Ezzy Ashcraft responded that she could support a motion that any item which has public speakers will be heard; noted some items on the regular agenda need to move forward; stated that she is unsure the entire agenda will be heard.

Mayor Ezzy Ashcraft recessed the special meeting at 10:02 p.m. and reconvened the meeting 10:20 p.m.

(20-342) Recommendation to Endorse Implementation of Temporary Street Reconfigurations to Provide Space for Social Distancing in Response to the COVID-19 Emergency.

Councilmember Oddie inquired whether the recusal requires members to be out of the [Zoom] picture.

The City Attorney responded that his recommendation would be to have Councilmembers Daysog and Oddie step "off the dais" or off camera for the entirety of public comment.

The City Engineer gave a brief presentation on commercial and business districts.

Councilmembers Daysog and Oddie recused themselves and left the meeting.

The City Engineer gave a brief presentation on residential slow streets program.

Vice Mayor Knox White inquired whether the goal is to place signage at every intersection as the project moves forward.

The City Engineer responded staff had the ability to install nine signs at the beginning of the project, and seven were installed the first day; a work order has been created for maintenance staff to create additional "Road Closed to Through Traffic" and additional "Pedestrian Warning" signs; 20 total installations are available and 14 are deployed; should staff move forward to phase two, staff will be able to deploy the rest by early next week; the intention is to place signage at primary intersections and additional intersections could be backfilled as the program progresses.

Vice Mayor Knox White inquired whether a determination has been made during the pilot regarding safety being higher or lower with signage.

The City Engineer responded early feedback stated there was insufficient signage to provide at intermediate cross streets; stated the project was deployed May 11th with additional barricades and signage to begin blocking off through traffic to certain streets; additional signage could be added however staff is limited by the ability to create signage and the duration of the program.

Councilmember Vella expressed concern for issues on through streets; inquired whether there have been reports of near misses or other traffic safety issues since implementation.

The Senior Transportation Coordinator responded that some survey responses have yielded reports of speeding and concerns; stated that she does not recall reports of near misses or reported collisions during the program.

The City Clerk stated public comment will take Council past the 11:00 p.m. limit; noted Council may call back recused Councilmembers Daysog and Oddie for a vote to extend the meeting time past 11:00 p.m.; stated Councilmembers Daysog and Oddie may then re-recuse themselves and allow public comment to be heard and read into the record; outlined the remaining items on the agenda.

Mayor Ezzy Ashcraft stated that she would like to get to the regular agenda items; inquired whether certain items should be heard or if Council should proceed to a time-specific.

(20-343) Councilmember Oddie moved approval of hearing the remaining items on the regular agenda without a time-limit; stated that he does not know the amount of public comment on remaining items.

Mayor Ezzy Ashcraft stated that she would like to complete the current item and move to the regular meeting agenda including the consent calendar and regular agenda items.

Vice Mayor Knox White seconded the motion.

Under discussion, Vice Mayor Knox White expressed support for hearing the entire regular meeting agenda.

Mayor Ezzy Ashcraft stated that she is not willing to go past midnight; requested a friendly amendment to hear the balance of the agenda and finish by midnight.

Councilmember Daysog expressed support for hearing the agenda and finishing the meeting by midnight; stated there have been previous issues about late meetings; questioned whether the public is served by Council making decisions at 12:15 a.m.

Councilmember Oddie stated that he will do his best to speak briefly.

Mayor Ezzy Ashcraft stated that she will not support a motion unless the meeting ends at midnight.

Councilmember Daysog expressed support.

Councilmember Oddie stated Council speaking time should be cut from 9 to 3 minutes.

Mayor Ezzy Ashcraft stated the current item requires more than 3 minutes.

Vice Mayor Knox White expressed support for the motion amendment with the commitment to complete the West Midway Project team selection item [paragraph no. 20-334] on the regular agenda; stated should the time reach midnight and team selection item is not complete, the expectation is to complete the item.

Councilmember Vella noted the Council Referral was cut off during a previous Council Communication; stated the item is timely; expressed concern about further delaying the item; stated the item should be short.

Councilmember Oddie made a substitute motion to approve hearing all items, speaking quickly, finishing by midnight and any items not finished will be continued to tomorrow's 7:00 p.m. meeting continuation.

Vice Mayor Knox White seconded the motion.

The City Clerk requested clarification that the meeting will end regardless of item discussion by midnight.

Mayor Ezzy Ashcraft responded in the affirmative.

Councilmember Oddie stated unless there is a vote to overrule.

On the call for the question, the motion carried by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

Councilmembers Daysog and Oddie recused themselves and left the meeting.

Expressed support for commercial slow streets that support social distancing; urged all forms of alternate transportation be treated equally; stated proper treatment of AC Transit busses are measured by three goals: safety, accessibility and operational performance; urged Council to pay particular attention to bus stops and temporarily install bus bulbs or boarding islands: Robert delRosario, AC Transit.

Public comment read into record:

Discussed her experience with transportation in Alameda; expressed concern about the slow streets plan; stated implementation will be based on community response; urged safer streets for Alameda; stated public transit is essential to reducing the carbon footprint: Ingrid Ballmann, Alameda.

Urged Council to support slow streets; stated the pilot program is limited in a number of ways; expressed support for implementing strategies which allow small businesses to open without endangering the health of customers or staff: Cyndy Johnson, Alameda.

Stated Alameda could be ranked with the best European pedestrian plazas; urged people to be prioritized; discussed visuals: Pat Potter, Bike Walk Alameda.

Expressed support for the existing slow streets; urged Council to expand the slow streets project and re-configure street space in business districts to allow safe and separated bike infrastructure on Park Street and Webster Street: Denyse Trepanier, Alameda.

Expressed support for closing some streets to allow restaurants to use sidewalk space or lanes for outdoor seating; noted restaurant business is episodic; urged outdoor dining as a safer option; urged Council to find creative ways to allow restaurants and stores to open: Olaf Faaland, Alameda.

Stated temporary street reconfigurations involve reusing traffic lanes and parking spaces; discussed removing parking spaces on Central Avenue and Webster Street;

stated Webster Street does not have a parking structure; urged the City to plan for a Webster Street parking structure or solution; expressed concern about partially closing of Versailles Avenue without advance public discussion: Jim Strehlow, Alameda.

The Senior Transportation Coordinator stated a recent report showed a child on a bike almost hit by a speeding car at Pacific Avenue and Schiller Street; the intersection is without a barricade; a barricade is be requested at the intersection.

Vice Mayor Knox White stated that he appreciates the network map included in the staff report; noted the map shows developing the program into the business portion; slower streets are safer than what exists; noted a pedestrian was hit earlier in the day at a properly designed intersection of Constitution Way and Buena Vista Avenue; stated current streets are not hospitable to those walking and bicycling; expressed support for the program, and prioritizing signage at every intersection; stated it is not a shelter in place program, it is a social distancing program; the program is going to be needed at least through the end of 2020.

Councilmember Vella expressed support for more signage and barricades, especially where near misses have occurred; stated the design should be as safe as possible; expressed concern about limited information being provided and learning about programs after-the-fact; signage and barricades are critical at pass-through traffic areas; the program is related to social distancing and many people will be working and learning from home until the end of the year; the program should be continued until at least the end of 2020.

Mayor Ezzy Ashcraft expressed support for the program; stated that she regrets the lack of notification to residents; the program was brought by a series of unfortunate incidents; the program should be expanded over time under the Active Transportation Plan to allow for community input; discussed walking through town; stated residents support slowing streets; people are still sheltering in place; Council must remain aware of staff time; noted East Bay Regional Park (EBRPD) Board Member Ellen Corbett is urging cities to close streets allowing people more space to spread out and properly allow social distancing.

Vice Mayor Knox White moved approval of endorsing temporary street reconfiguration for social distancing in response to the COVID-19 emergency, with clarification that this is during social distancing, not just shelter in place orders, and endorsement of moving forward in the spirit of Ms. Corbett's request of expanding the program on a temporary basis working through the Active Transportation Program in order to address it on a more permanent basis in the future.

Councilmember Vella seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Absent; Knox White: Aye; Oddie: Absent; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 3; Absent: 2.

Councilmembers Daysog and Oddie returned.

Councilmember Oddie stated Council should go big on the item; noted other cities are providing the program; residents will go somewhere else should Alameda not participate; expressed support for closing Park Street from Buena Vista Avenue to San Jose Avenue every Friday and Saturday night and Webster Street from Buena Vista Avenue to Central Avenue; stated that he supports closing parking lots across the City where restaurants are near, such as South Shore and Alameda Landing; stated California Alcohol and Beverage Control (ABC) released an updated regulation allowing restaurants and bars to serve customers on sidewalks, parking lots, and streets; Alameda should not miss out on the program; expressed concern about eating next to vehicle exhaust.

Councilmember Daysog stated residents are enthusiastic about the program; expressed support for the program; stated the program will help many businesses in commercial areas; expressed support for closing side streets such as Alameda Avenue between Park Street and Oak Street and Webb Avenue between Everett Street and Park Street.

Councilmember Vella stated there are several street fairs scheduled during the summer on both Park Street and Webster Street; noted the events will not happen with regulations in place; expressed support for some form of special event street closure opportunity with closed off street sections for several days to allow for outdoor dining and safe foot traffic; stated there are opportunities in July or August; safe and clean bike parking and corrals will be needed; outdoor parking lots should be considered for Webster Street to allow business use.

Vice Mayor Knox White the program should be implemented as fast as possible.

Mayor Ezzy Ashcraft expressed support for the program; expressed concern about closing Park Street and Webster Street on Friday and Saturday due to bus routes; stated those who rely on public transit need to be considered; the City can work with transit partners to see what can be done related to rerouting; expressed support for highlighting restaurants with an event and moving the item forward to become a permanent feature.

Vice Mayor Knox White moved approval of endorsing the plan with direction to staff to look for opportunities to close streets in order to support business districts.

Councilmember Daysog seconded the motion.

Under discussion, Councilmember Oddie stated that he would propose an evening closure to portions of Park Street and Webster Street on Friday and Saturday; expressed concern about having enough space to have proper social distancing; outlined other cities providing similar programs.

On the call for the question, the motion passed by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 11:35 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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