

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -JULY 18, 2023- -5:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:04 p.m.

Roll Call – Present: Councilmembers Daysog, Herrera Spencer, Jensen, Vella and Mayor Ezzy Ashcraft – 5. [Note: Councilmember Vella arrived at 5:05 p.m. and Vice Mayor Daysog arrived at 5:33 p.m.]

Absent: None.

The meeting was adjourned to Closed Session to consider

(23-429) Conference with Legal Counsel – Worker's Compensation Claim (Pursuant to Government Code Section 54956.95; Claimant: Employee – Fire Department, City of Alameda; Claims: 2095500007, 2295500154, 1695500080, 1695500022; Agency Claimed Against: City of Alameda

(23-430) Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Sec. 54956.9(a); Case Name: Kaneshiro v. City of Alameda; Court: Superior Court of the County of Alameda Case No. 22CV012572

Councilmember Vella recused herself and left the meeting

(23-431) Conference with Real Property Negotiators (Pursuant to Government Code Section 54956.8); Property: Building 39, Located at 950 West Tower Avenue, Alameda, Point, Alameda, CA; City Negotiators: City Manager Jennifer Ott, Interim Base Reuse and Economic Development Director Andrew Thomas, Assistant City Attorney Len Aslanian, and Broker John McManus; Negotiating Parties: City of Alameda and Pyka, Inc.; Under Negotiation: Price and Terms of Lease

(23-432) Conference with Legal Counsel – Potential Litigation; Potential Initiation of Litigation Pursuant to Government Code Section 54956.9, Subsection (d)(4); Number of Cases: One (As Plaintiff – City Initiating Legal Action); Potential Defendant(s): Wrightspeed, Inc., dba REVO Powertrains

(23-433) Conference with Labor Negotiators (Government Code Section 54957.6); City Negotiators: Jennifer Ott, City Manager, Jessica Romeo, Human Resources Director, Edward Kreisberg, Outside Counsel, and Doug McManaway, Deputy City Attorney; Employee Organizations: International Association of Firefighters (IAFF); Under Negotiation: Salaries, Employee Benefits and Terms of Employment

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding Worker's Compensation Claim, the case involves four worker's compensation claims filed by a former employee of the Fire Department;

applicant suffered multiple injuries, including those to his ankles and left Achilles tendon, as a result of his work duties; he retired April 24, 2022; the Council authorized the City Attorney to settle all four pending worker's compensation claims in an amount not to exceed \$125,000.00 by the following voice vote: Ayes: Councilmembers Herrera Spencer, Jensen, Vella and Mayor Ezzy Ashcraft – 4; [Absent: Vice Mayor Daysog – 1]; regarding Existing Litigation, the case involves litigation filed by Dawn Kaneshiro against the City and Eve Abrahams and David Shutt; the complaint alleges that the City, Ms. Abrahams and Mr. Shutt are liable for the injuries that the plaintiff sustained after she fell on the public sidewalk outside of the home owned by Ms. Abrahams and Mr. Shutt; Council authorized to the City Attorney to enter into a settlement with the plaintiff to fully resolve this case with the respect to the City and have the City pay \$92,500 to the plaintiff by the following voice vote: Ayes: Councilmembers Herrera Spencer, Jensen, and Mayor Ezzy Ashcraft – 3; [Absent: Councilmembers Daysog and Vella – 2]; regarding Real Property and Potential Litigation, staff provided information and Council provided direction by the following voice vote: Ayes: Councilmembers Daysog, Jensen, Vella and Mayor Ezzy Ashcraft – 4; Noes: Councilmember Herrera Spencer – 1; and regarding Labor, staff provided information with no vote taken.

Adjournment

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

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- - JULY 18, 2023- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:08 p.m. and led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Daysog, Herrera Spencer, Jensen, Vella, and Mayor Ezzy Ashcraft – 5.

Absent: None.

AGENDA CHANGES

(23-434) Mayor Ezzy Ashcraft suggested the RESHAP [paragraph no. 23-460] and West Midway [paragraph no. 23-461] items be heard together and staff be given 20 minutes for presentation.

Councilmember Vella moved approval of the Mayor's suggestion.

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

The City Clerk announced that the Friends of the Alameda Animal Shelter item [paragraph no. 23-453] would not be heard and would return later.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(23-135) The City Manager introduced the new Recreation and Parks Director.

The Recreation and Parks Director made brief comments.

ORAL COMMUNICATIONS, NON-AGENDA

(23-436) Brian Kennedy, Alameda, expressed concern over sanctuary cities.

(23-437) Robert Bezek, Legion Post 647, discussed Veterans' Building uses.

(23-438) Don Keleher, Legion Post 647, discussed former activities in the Veterans' Building; stated that he would like the building restored.

(23-439) Jay Garfinkle, Alameda, discussed a prior Council action regarding parklets; urged Park and Webster Streets be returned to prior configurations.

(23-440) Juvetta Walker, Alameda, discussed her experience and housing issues while living at the Alameda Point Collaborative (APC).

(23-441) Anonymous speaker, Alameda, expressed concern over Speaker Walker's eviction notice, and case.

(23-442) Tod Hickman discussed Council teleconference meetings; expressed support for hybrid meeting participation and for Veteran issues; urged Council to provide necessary building updates.

(23-443) Telephone Caller, Alameda, discussed South Shore Apartment complex.

CONSENT CALENDAR

Expressed concern over the speaking time limit and matters on the Consent Calendar; stated that he is disappointed in the process for pulled Consent items; urged Council to re-visit the concept; discussed Consent Calendar votes: Tod Hickman.

Councilmember Herrera Spencer stated that she would like to pull the Griffin Structures agreement [paragraph no. 23-462], the Wittman Enterprises agreement [paragraph no. 23-463] and the Imperial Maintenance agreement [paragraph no. 23-464]; and recorded a no vote on the Village of Love agreement for the day center [paragraph no. 23-458] and Village of Love agreement for homeless outreach [paragraph no. 23-459].

Mayor Ezzy Ashcraft suggested the three pulled items be heard after the Regular Items.

Councilmember Herrera Spencer stated that she would also pull the two Village of Love agreements and final passage of the ordinance [paragraph no. 23-465].

Councilmember Vella moved approval of hearing the pulled items after Regular Items, with Council hearing the Village of Love agreements first.

Councilmember Jensen seconded the motion.

Under discussion, Vice Mayor Daysog stated current and future changes to the agenda should have been conducted under Agenda Changes; expressed support for the motion.

Mayor Ezzy Ashcraft concurred with Vice Mayor Daysog; stated that the volume of pulled items spurred the decision to change the order.

Councilmember Jensen stated that she would have preferred to have the Consent Calendar items heard as listed on the agenda; expressed support for the volume of pulled items being heard at the end of the agenda.

Councilmember Herrera Spencer stated fourteen items were placed on Consent; she initially only pulled three items; she would like discussion on additional matters since pulled items are being moved to the end of the agenda.

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.

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

Vice Mayor Daysog seconded the motion, which carried by unanimous voice vote - 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*23-444) Minutes of the Special City Council Meeting, the Special Joint City Council and Successor Agency to the Community Improvement Commission Meeting and Regular City Council Meeting Held on June 20, 2023. Approved.

(*23-445) Ratified bills in the amount of \$5,960,174.78.

(*23-446) Recommendation to Authorize Updates to the Existing Alameda Police Department Policy Manual to Conform to Best Practices and to Ratify Policies that Have Been Updated Pursuant to Legal Updates, Significant Liability Issues, and Imminent Safety. Accepted.

(*23-447) Recommendation to Authorize the City Manager to Execute a Five-Year Agreement with National Plant Services, Inc. for Storm Drain Cleaning, Assessment, and Trenchless Repairs in an Amount Not-to-Exceed \$1,650,000. Accepted.

(*23-448) Recommendation to Authorize the City Manager to Execute a Five-Year Agreement with SCS Engineers to Continue Implementation of a Zero Waste Strategy for a Targeted Technical Assistance Program for Commercial Businesses and Multi-Family Properties to Reduce the Amount of Garbage Sent to Landfills in an Amount Not-to-Exceed \$1,623,263. Accepted.

(*23-449) Recommendation to Authorize the City Manager to Execute a Five-Year Agreement with Blue Flame Crew West, LLC for the Operation and Maintenance of Alameda Doolittle Landfill in an Amount Not-to-Exceed \$765,110. Accepted.

(*23-450) Recommendation to Authorize the City Manager to Execute a Second Amendment to the Agreement with Innovative Interfaces, Inc. to Provide the Software System and Database Used by the Alameda Free Library for Services Including, but Not Limited to, Materials Acquisition, Online Public Access Catalog, Patron Circulation and Accounts, Materials Cataloging and Processing, System Administration, Reporting, and Interlibrary Loans for Five Additional Years in the Amount of \$358,350.17 for a Total Agreement Compensation Not-to-Exceed \$880,968.17. Accepted.

(*23-451) Recommendation to Authorize the City Manager to Execute an Agreement with W. Bradley Electric, LLC. for the Ralph Appezato Memorial Parkway Intersection

Modifications Project, No. P.W. 03-23-06, in an Amount Not-to-Exceed \$905,987, Including Contingency; and

(*23-451A) Resolution No. 16075, "Amending the Fiscal Year 2023-24 Capital Budget by Reducing Revenue and Expenditure Appropriations in Capital Improvement Project C61000 (Street Safety) by \$375,000, and Increasing Revenue and Expenditure Appropriations for Capital Improvement Project C13000 (Traffic Signals and Systems) by \$375,000." Adopted.

CONTINUED AGENDA ITEMS

None.

REGULAR AGENDA ITEMS

(23-452) Resolution No. 16076, "Appointing Andrew Dewey as a Member of the Golf Commission." Adopted;

(23-452A) Resolution No. 16077, "Appointing Lynn Jones as a Member of the Golf Commission." Adopted;

(23-452B) Resolution No. 16078, "Appointing Kathryn Beehler as a Member of the Commission on Persons with Disabilities." Adopted;

(23-452C) Resolution No. 16079, "Appointing Kathleen Bonsmith as a Member of the Commission on Persons with Disabilities." Adopted;

(23-452D) Resolution No. 16080, "Reappointing Peter Platzgummer as a Member of the Public Art Commission." Adopted;

(23-452E) Resolution No. 16081, "Reappointing Liz Rush as a Member of the Public Art Commission." Adopted;

(23-452F) Resolution No. 16082, "Appointing Kareem Burney as a Member of the Recreation and Parks Commission." Adopted;

(23-452G) Resolution No. 16083, "Appointing Wesley Radez as a Member of the Recreation and Parks Commission. Adopted;

(23-452H) Resolution No. 16084, "Appointing Drew Swartz as a Member of the Recreation and Parks Commission." Adopted;

(23-452I) Resolution No. 16085, "Appointing Drew Dara-Abrams as a Member of the Transportation Commission." Adopted; and

(23-452J) Resolution No. 16086, "Appointing Scott Weitze as a Member of the Transportation Commission." Adopted.

Councilmember Vella moved adoption of the resolutions.

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

5.

The City Clerk administered the Oath of Office and Mr. Burney, Mr. Swartz, Ms. Jones, Mr. Dewey, Ms. Rush, Mr. Dara-Abrams, Ms. Bonsmith, and Mr. Platzgummer made brief comments.

(23-453) Recommendation to Authorize the City Manager to Execute an Amendment to the Agreement with the Friends of the Alameda Animal Shelter for Animal Shelter Operations to Clarify Payment Schedule for a Total 10-Year Compensation Not-to-Exceed \$11,574,639. Withdrawn.

(23-454) Summary Title: Approval of an Updated Design for the Grand Street Safety Improvement Project (Project) from Shore Line Drive to Clement Avenue; and Allocation of Funds for Design and Construction of the Project from Shore Line Drive to Encinal Avenue

Recommendation to Approve an Updated Design for the Grand Street Safety Improvement Project for a Continuous Two-Way Bikeway from Shore Line Drive to Clement Avenue and to Invalidate and Set Aside All Prior Decisions Regarding the Grand Street Safety Improvement Project Concept and Plan Previously Addressed at City Council Meetings on October 4, 2022, October 18, 2022 and November 1, 2022; and

(23-454A) Resolution No. 16087, "Amending the Fiscal Year 2023-24 Operating and Capital Budget (Various Funds) for a Total Increase Not-to-Exceed \$4,675,000, Including Appropriating \$2,000,000 from General Fund (Fund 100) Residual Fund Balance, for a Total Allocation of \$7,110,000 in Funds for Design and Construction of the Project from Shore Line Drive to Encinal Avenue." Adopted.

The Interim Base Reuse and Economic Development Director, David Parisi, Parisi Transportation Consulting and the City Manager gave a Power Point presentation.

(23-455) Mayor Ezzy Ashcraft suggested allowing 5 more minutes for the presentation.

Councilmember Jensen moved approval.

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

Mr. Parisi and the City Manager continued the Power Point presentation.

(23-456) Mayor Ezzy Ashcraft suggested allowing 3 more minutes for the presentation.

Vice Mayor Daysog moved approval [of allowing 3 more minutes].

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

The City Manager completed the presentation.

In response to Councilmember Herrera Spencer's inquiry regarding injury accidents, the City Manager provided data.

Councilmember Herrera Spencer inquired about moderate injury accidents, to which the City Manager stated staff did not have time to compile the data after the request was made today.

Councilmember Herrera Spencer inquired about injuries disproportionately affecting youth and elders, the City Manager stated the percentages provided are based on data.

Councilmember Spencer inquired whether the raw data is available, to which the City Manager responded the raw data is not included in the staff report.

In response to Councilmember Herrera Spencer's inquiry about the intersection qualifying as high injury, the City Manager stated severe, fatal and moderate accidents are included; there have been severe and fatal crashes; other jurisdictions have also labeled the corridor high injury.

Councilmember Herrera Spencer inquired whether severe or fatal accidents have occurred at the intersection of Shoreline and Otis Drives since improvements were made, to which the City Manager responded in the negative.

Councilmember Herrera Spencer inquired whether staff still thinks it is a high injury corridor, to which the City Manager responded in the affirmative.

Councilmember Herrera Spencer inquired whether staff has supporting data.

The City Manager responded staff has data up to 2018; stated the finding has been made by other jurisdictions; the corridor will also serve as a north-south connector between the Cross Alameda Trail at Clement Avenue and the two-way track on Shoreline Drive, which provides great connections for recreation and Wood School; staff relies on a lot of different information, not one piece of data; there are many reasons to recommend the continuous bikeway.

Councilmember Herrera Spencer discussed Class 2 bike lanes on other streets near schools; inquired why Class 2 bike lanes are not sufficient.

The City Manager respond a north-south connection is being created; the proposal is customized based on opportunities and constraints.

Mr. Parisi outlined types of bike lanes; stated a low stress network is being created.

Councilmember Herrera Spencer inquired whether 8-foot disabled parking would be on both sides of the street, to which Mr. Parisi responded in the affirmative; stated curbs can be slightly moved as the project is designed.

In response to Councilmember Herrera Spencer's inquiries about riding side by side, Mr. Parisi discussed directional travel.

In response to Councilmember Herrera Spencer's inquiry regarding motorized bikes using the bike lane, Mr. Parisi stated it depends on the bike and speed range.

Councilmember Herrera Spencer inquired whether bicycles can ride on the sidewalk, cycle track, and the street, to which Mr. Parisi responded there is not going to be much incentive for bicycles to ride on the sidewalk.

In response to Mayor Ezzy Ashcraft's inquiry why Mr. Parisi thinks people would choose to ride in the cycle track, Mr. Parisi responded the cycle track is wider and riders would not be completing with pedestrians, which would allow riders to travel faster without interruption.

Councilmember Herrera Spencer inquired why the October 4, 2022 decision was not discussed in the staff report.

The Interim Base Reuse and Economic Development Director responded the decision was replaced a month later, which was the final Council decision; the staff report focuses on how the current recommendation differs from the final decision approved by Council.

In response to Vice Mayor Daysog's inquiry about disabled parking, Mr. Parisi stated there is flexibility about where disabled parking spaces can be provided.

Expressed support for Alternative 1 or 2; stated some neighbors prefer Alternative 1 because it continues the two-way bike lane in front of Wood Middle School; stated having bikes travel in the same direction as traffic is more intuitive; both alternatives are better than the previous plan; further enhancements and enforcement could make the street even safer; his family supports Alternative 2: John Brennan, Alameda.

Discussed project delays; stated people expected improvements before the next school year; although the delay is disappointing, the plan is good and should be implemented as quickly as possible; funding is important; discussed two-way bike lanes and intersections; urged approval of the staff recommendation: Denyse Trepanier, BikeWalk Alameda.

Stated that she supports the original plan approved last October; discussed protected bike lanes on busier streets; stated bikes should be directed to parallel streets with less

traffic; expressed concern about project costs; stated the proposed options are preferred over chicanes: Karen Miller, Alameda.

Urged Council to support the staff recommendations for the two-way cycle track and funding to ensure the project is built as quickly as possible, particularly Segment B to get people across lagoons; discussed climate change, greenhouse gas emissions and the Vision Zero Plan: Cyndy Johnsen, BikeWalk Alameda.

Stated that she likes Alternative 2 a bit better than Alternative 1; expressed support for funding: Alex Spehr.

Expressed support for the project; discussed a demand letter filed regarding her mother's untimely death; stated that she is advocating for safety improvements at the intersection of Grand Street and Shoreline Drive; discussed the Vision Zero Plan: Jennifer Chan, Alameda.

Discussed vehicular injuries and his experience at the intersection of Grand Street and Shoreline Drive; urged the City to do more than just a high visibility crosswalk; suggested doing an engineering study of the intersection; urged Council to improve the safety of the intersection: Daren Chan.

Expressed support for Alternative 1; stated Alternative 3 would be great if the City had unlimited funding; stated the proposal is a good compromise; urged funding also be approved: Zac Bowling, Alameda.

Stated data does not support the whole corridor being high injury; discussed her request for a residential disabled parking zone in front of her house; discussed disabled parking; stated that she would like to see how disabled parking can be done on the east side of the street; the matter should have been vetted by the Commission on Persons with Disabilities; expressed support for Alternative 2: Carol Gottstein, Alameda.

In response to Councilmember Herrera Spencer's inquiry about funding from the General Fund, the City Manager responded \$2 million would come from the General Fund.

In response to Councilmember Herrera Spencer's further inquiry, the City Manager responded a funding breakdown was not done for every alternative.

In response to Councilmember Herrera Spencer's inquiry, the City Manager stated \$7.7 million is still unfunded at this point; staff is recommending seeking grants.

Councilmember Jensen inquired whether a single cycle track on both sides of the street would improve disabled parking, the Base Reuse and Economic Development Director stated cars would park up against landscaping and have to cross landscaping to get to the sidewalk; the two-way cycle track would have a 2-foot buffer, which could be modified if someone requests improved access; narrow bike lanes could be blocked by

a wheelchair.

The City Manager stated a rendering can be created and posted on the website; the matter can also be taken to the Commission on Persons with Disabilities for comments on design; only the concept is being approved tonight.

Councilmember Jensen stated that she is concerned about equity; having 2 lanes on one side of the street is inequitable because only some houses would have a bike lane in front of their house and others would not; the effort is to make the City safer; inquired whether there have been improvements after fatalities.

The Interim Base Reuse and Economic Development Director responded in the affirmative; discussed safety.

Councilmember Jensen stated that she strongly believes the proposal will improve safety; she supports the staff recommendation; inquired whether the two-way bike lane is similar to Shoreline Drive.

The Interim Base Reuse and Economic Development Director responded the big difference is this would be raised and would be same height as the landscape and sidewalk.

Councilmember Jensen stated data regarding improved safety on Shoreline Drive should be shared on the webpage; expressed support for rapid flash beacons at San Antonio and San Jose Avenues; requested a flashing beacon also be added at Shoreline Drive and Grand Street.

Vice Mayor Daysog stated that he always wanted a project that has community buy in; Alternatives 1 and 2 have support; he is elated to see community and neighborhood buy in; discussed having a north-south connection; stated that he is happy the City landed on raised, protected bike lanes; staff will work with residents to address concerns about disability access along the corridor; asked staff to work with Dr. Gottstein; expressed support for Alternative 1; stated staff can look for grant funding after the policy decision is made to connect to the Cross Alameda Trail.

In response to Councilmember Herrera Spencer's inquiry regarding fatalities, the City Manager outline fatalities between 2009 and 2018.

In response to Councilmember Herrera Spencer's inquiry about one of the fatalities, Mayor Ezzy Ashcraft said she was a witness; discussed the incident.

Councilmember Herrera Spencer expressed concern about the way data is being used; inquired whether the record could be made clear that one of the fatalities was a health issue.

The City Manager stated staff plans on updating the high injury corridor maps as part of

the Vision Zero update.

Councilmember Herrera Spencer inquired whether the update can also include the great improvements the City has made to the intersections where severe and fatal injuries occurred; stated people should know the City has spent millions on improvements.

The City Manager responded in the affirmative.

Councilmember Herrera Spencer stated that she does think the data supports that the street is a high injury corridor; the City has modified the intersections; pedestrian improvements approved October 4, 2022 are necessary; traffic needs to slow down; she thinks a cycle track next to a sidewalk is untested and dangerous and the improvements will make it less safe; expressed concern about riders being side by side; stated the City is better leaving the roadway as is; improvements have been made; information should be updated.

Councilmember Vella stated time is of the essence; she supports the staff recommendation and Alternative 1; she does not want to wait for data or another incident to occur before the City takes action; people should not have to connect to cross town trails in an unsafe manner; she hopes the City continues to work towards all of the Vision Zero goals; she looks forward to making a motion in support of Alternative 1.

Mayor Ezzy Ashcraft stated the chicanes were not a perfect solution, but she did not want the perfect to be the enemy of the good; something needed to be done to improve Grand Street; discussed the project being revisited once the new City Manager was hired; stated it resulted in a little bit of a delay, but getting the job right is worth it; discussed people riding bikes and reducing greenhouse gas emissions; stated safe infrastructure is needed; discussed pushing to have the corridor connect to the Cross Alameda Trail, which is now being done; stated houses with the cycle track in front of their house will have a greater buffer from automobiles; she would like Council to direct staff to implement flashing beacons at the intersection of Shoreline Drive and Grand Street; stated that she is in favor of Alternative 1 and the funding request.

Councilmember Herrera Spencer stated the City has received multiple request for flashing beacons, which are studied by Engineers; she does not agree with a Councilmember making such a decision.

Councilmember Vella stated that she is happy to make that motion [moved approval of Alternative 1, adoption of the resolution and direction to staff to implement flashing beacons at Shoreline Drive and Grand Street] and would also like a report back from staff relative to the funding request, in terms of timeline for implementation and where the funds will come from.

Councilmember Jensen seconded the motion.

Under discussion, Councilmember Jensen thanked the Mayor for supporting her suggestion for flashing lights, which is a very important improvement for Shoreline Drive.

On the call for the question, the motion carried by unanimous the following voice vote: Ayes: Councilmember Daysog, Jensen, Vella and Mayor Ezzy Ashcraft – 4. Noes: Councilmember Herrera Spencer – 1.

Mayor Ezzy Ashcraft called a recess at 9:04 p.m. and reconvened the meeting at 9:15 p.m.

(23-457) Mayor Ezzy Ashcraft stated there are speakers on the Village of Love pulled consent items; suggested they be able to speak.

Councilmember Herrera Spencer inquired whether public comment would be reopened for all of the consent calendar.

The City Attorney responded any opened item would be considered and speakers can submit slips.

Mayor Ezzy Ashcraft stated the public comment portion allows speakers the chance to address the entire Consent Calendar.

The City Attorney stated the action is dependent on the motion made; a motion could be made to open public comment for one item or the entire Consent Calendar.

Mayor Ezzy Ashcraft suggested the Village of Love items be opened to allow for public comment.

Councilmember Herrera Spencer requested clarification that comments for Consent Calendar are made at once at the beginning and public speakers should have spoken during the Consent Calendar; stated her pulling the item does not reopen public comment on the Consent Calendar; expressed support for allowing public comment on all pulled Consent Calendar items; stated the meeting should not be interrupted.

The City Clerk stated Council would need to take a vote to suspend the Rules of Order.

Councilmember Vella stated Council has suspended the Rules in the past for similar incidents.

Councilmember Vella moved approval of suspending the rules and allowing public comment to be reopened for the Village of Love matters.

Councilmember Jensen second the motion.

Under discussion, Vice Mayor Daysog stated the public comment period has been exhausted and comments on the related items can be shared as a phone call or email message; expressed support for Council keeping to the schedule.

Councilmember Vella questioned whether Council is able to receive communications on matters during the meeting, to which Vice Mayor Daysog stated comments can be provided after the fact.

Councilmember Vella expressed concern for the public comment not being heard prior to Council deliberation and voting.

Mayor Ezzy Ashcraft expressed support for Council putting themselves in the shoes of others that might be at their first Council meeting.

Vice Mayor Daysog stated the situation is unfortunate; expressed concern over allowing the change for one instance versus every instance; stated Council needs to move on.

Mayor Ezzy Ashcraft stated sometimes there are exceptional cases; commenters are being served by the Village of Love (VOL) and Dignity Village who have life changing experiences to share and did not understand the procedure; implored Council to have tolerance and be welcoming.

Vice Mayor Daysog stated the context is noted, but Council must continue and the public comment period has been exhausted.

Councilmember Vella inquired whether it is possible to move the VOL matters to be presently heard under Regular Agenda Items.

The City Clerk responded Council could move approval of the matters being heard and addressed as Regular Agenda items, which would require three affirmative votes.

Councilmember Vella made a substitute motion to approve hearing the VOL matters as Regular Agenda items next.

Councilmember Jensen seconded the motion.

Under discussion, Councilmember Herrera Spencer stated it is unfortunate that Council does not provide the same for everyone at meetings; expressed concern over special and different treatment; stated many people have serious concerns and speak on important matters; pulling matters from the Consent Calendar should be treated as Regular Agenda items as previous.

The City Clerk inquired whether the two matters are being combined and heard together, to which Councilmember Vella responded in the affirmative.

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

(23-458) Recommendation to Authorize the City Manager to Execute Documents, Agreements and Modifications with The Village of Love Foundation to Operate the Day Center and Safe Sheltering Program for Two Years from September 1, 2023 to August 31, 2025 for Up to \$2,176,096 with Funding from Homeless Housing Assistance and Prevention (HHAP) Program and General Fund.

The matter was heard concurrent with the Village of Love Agreement for homeless outreach team services [paragraph no. 23-465].

The Assistant City Manager stated that she is available to answer questions.

Stated the program helps get Veterans and people off the streets; the program guides people in the right direction according to needs; everyone deserves a roof over their head: Daniel Ibarra.

Stated that he is a success story; discussed his experience with Christ Episcopal Church and VOL; stated that he is no longer homeless and has his own apartment; VOL helps those in need: William Watson III.

Stated VOL started in Oakland and he has followed them from Oakland to Alameda; housing, jobs, and mental health assistance is needed; VOL has always been there for people in need and working with Mr. Harrison has personally provided hands on assistance: Eric Adams.

Stated that her experience working with VOL has been a gift; Mr. Harrison is a great mentor who helps all employees: Roxanne Attaway.

Stated that she has first-hand experience understanding the challenges being faced by unhoused Alamedans with complex, chronic, mental illness; VOL is providing amazing work and support for the Alameda community; expressed support: Karen Zeltzar, Alameda Family Services.

Expressed support for VOL; discussed the expansion of the warming shelter at Christ Episcopal Church with VOL staffing and the day program; urged Council approval: John Brennan, Alameda.

Expressed support for the programs; stated that he does not support the process which allowed him to speak; expressed concern over timing for public comments; urged a process be followed: Tod Hickman, Alameda.

Stated the amount of housing being provided to those in need is inadequate; urged Council to support the proposals; stated supporting the matters is an act of support for Veterans: Myrna Bernadel-Huey, Buena Vista United Methodist Church.

Discussed the “Dine and Connect” program; stated VOL has served and guided so many within the community; expressed support for the continuing the work being provided by VOL and for expanding the team e: Patricia Nagle, Alameda.

Vice Mayor Daysog moved approval of the staff recommendations.

Councilmember Vella seconded the motion.

Under discussion, Councilmember Herrera Spencer requested clarification about staff oversight of the program; stated that she has received complaints and concerns about operations; inquired whether there will be oversight; discussed concerns related to the VOL background, education and website.

The Assistant City Manager responded staff will perform site visits with follow-ups to ensure best practices are being followed; stated staff performs unannounced drop-in visits for the homeless outreach team.

Councilmember Herrera Spencer requested clarification about the funding breakdown.

The Assistant City Manager stated the funding is for operation and maintenance of the day center, emergency shelter housing, and overnight shelter, as well as the adjacent safe parking; the funds are going towards staffing and ongoing operations.

Councilmember Herrera Spencer inquired whether staff keeps track of how many people park in the parking lot, to which the Assistant City Manager responded in the affirmative.

Councilmember Herrera Spencer further inquired whether there are empty spaces in the parking lot.

The Assistant City Manager responded there are empty spaces at times; stated the homeless outreach team is working to perform outreach to those parking outside of the lot; staff is constantly encouraging people to use the safe parking lot; there is a process of building trust so that people are interested and willing to come use services; staff cannot forcibly make people use the safe parking.

Vice Mayor Daysog stated that his concern relates to meeting process and not the substance of the agenda matter; expressed support for the motion.

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

(23-459) Recommendation to Authorize the City Manager to Execute a One-Year Agreement from October 1, 2023 to September 30, 2024 with The Village of Love Foundation to Provide Homeless Outreach Team Services for Alameda's Homeless Population in an Amount Not-to-Exceed \$296,415; and

(23-459A) Resolution No. 16088, "Amending the Fiscal Year 2023-24 General Fund Budget to Appropriate an Additional \$131,415 from General Fund Residual Fund Balance to the Homelessness Program." Adopted.

The matter was addressed concurrent with the Village of Love agreement to operate the day center [paragraph no. 23-458].

(23-460) Summary Title: Approval of Development Agreements with MidPen Housing and the Collaborating Partners for the RESHAP Project Consisting of 309 Permanent Supportive Housing Units on a New 8-Acre Campus at Alameda Point, Including Declaring the Property Exempt Surplus Land

Public Hearing to Consider Resolution No.16089 "Declaring the Rebuilding Existing Supportive Housing at Alameda Point (RESHAP) Property and the Adjacent West Midway Property Located at the Corner of West Midway Avenue and Pan Am Way at Alameda Point to Be Exempt Surplus Land under the Surplus Land Act." Adopted;

(23-460A) Introduction of Ordinance Authorizing the City Manager to Execute a Disposition and Development Agreement (DDA) between the City of Alameda and the Collaborating Partners and MidPen Housing Corporation for the Development of the RESHAP Property in Substantial Conformance with Exhibit 2. Introduced; and

(23-460B) Introduction of Ordinance Authorizing the City Manager to Execute a Development Agreement (DA) between the City of Alameda and the Collaborating Partners and MidPen Housing Corporation for the Development of the RESHAP Property in Substantial Conformance with Exhibit 3. Introduced.

Under Agenda Changes, the City Council approved hearing the item concurrent with the West Midway matter [paragraph no. 23-461].

The Interim Base Reuse and Economic Development Director, Doug Biggs, Alameda Point Collaborative (APC), Abby Goldware Potluri, MidPen, and Sean Whiskeman, Catellus, gave a Power Point presentation.

In response to Councilmember Jensen's request for clarification about what the Planning Board has done, the Interim Base Reuse and Economic Development Director stated the Planning Board plays an important role; prior to agreements coming before Council, staff reviews site planning; all details are included in the development plan; the Planning Board then works through and approves the plan so it can be taken to Council; the Planning Board holds study sessions and public hearings and reviews the California Environmental Quality Act (CEQA) findings for such projects.

Councilmember Jensen stated there have been many public hearings and study

sessions for this project.

Vice Mayor Daysog expressed support for the project details; stated that he is looking forward to hearing public comment.

Councilmember Herrera Spencer inquired how many children will be living in the supportive housing.

Mr. Biggs responded approximately 200 children; stated the project will add 90 units, of which, 36 units will be focused on families; he cannot confirm how large the families will be, but there will be an increase; discussed youth pathway designs.

Councilmember Herrera Spencer inquired whether other partner's house children.

Mr. Biggs responded in the affirmative; stated Operation Dignity and Building Futures house children; APC is the primary program provider and kids from all agencies are able to attend after-school programs; the development will add a new program.

Councilmember Herrera Spencer inquired whether the 236 children includes all partner organizations, to which Mr. Biggs responded in the affirmative.

In response to Councilmember Herrera Spencer's further inquiry related to cars, Mr. Biggs stated the percentage of cars is very low and historically has been around 30 percent across the entire development.

Councilmember Herrera Spencer stated the supportive housing initially had been placed close to Main Street and is now farther away, closer to Pan Am Way and breweries; the development plan language has remained the same; inquired what new outreach has occurred since 2017 related to changing the location.

The Interim Base Reuse and Economic Development Director responded MidPen and RESHAP have presented the work to respective residents; community workshops have been conducted and term sheet public hearings were held before Council; the idea of moving the location is due to changes that have occurred since 2017 related to infrastructure along Pan Am Way; a workshop with the Planning Board addressed the move; staff came to Council in July 2022 with the term sheet that included the move.

Councilmember Herrera Spencer questioned whether the community would like to be farther from the schools and closer to Almanac Brewery.

The Interim Base Reuse and Economic Development Director stated the approach is not related to the area being closer to Almanac Brewery; the move is closer to infrastructure in order to build the project sooner and less costly; the City put in infrastructure along Pan Am Way; moving the project results in the RESHAP project being built quicker, reducing the amount of infrastructure needed, and puts RESHAP residents closer to the heart of Alameda Point and community services.

Councilmember Herrera Spencer stated that she requested the distance children will travel to schools in advance of the meeting; the new location will have West Tower go through to Main Street, but will not continue at the other side of Bayport; inquired how students will get to Ruby Bridges and Encinal High School and how long the journey will take.

The Interim Base Reuse and Economic Development Director stated the locations are approximately 1,000 feet apart which is roughly a three minute walk; both locations are on West Midway Avenue; West Midway Avenue runs across Main Street to become Willie Stargell Avenue; both options run along West Midway Avenue; Encinal High School students would walk along Main Street roughly 8,000 feet, which is a roughly 20 minute walk; the benefits of moving the campus 1,000 to the west is worth the additional walking time to schools.

Councilmember Herrera Spencer inquired whether staff can describe another project where the City has used Base Reuse funds in a similar manner as opposed to infrastructure that would be used by anyone at Alameda Point.

The Interim Base Reuse and Economic Development Director responded the money the City is a loan and comes from Base Reuse funds; stated the funds are for City public infrastructure; there is a desire for private developers to fund the infrastructure for the City, however, the City is fronting the funding so the project can begin immediately; once the market rate project is started, the money will be repaid to the Base Reuse fund; the infrastructure at Alameda Point is being built with Base Reuse funds; the approach allows the infrastructure to be built immediately.

Councilmember Herrera Spencer inquired when the City has provided a loan from the Base Reuse fund to a developer for housing.

The City Manager responded the City has not done the exact transaction being proposed; the approach is similar to Site A and relates to land value; the City is fronting the money to begin faster; discussed \$10 million for the Site A ferry terminal being similar; stated fronting the money detangles the start of the Catellus project from RESHAP and the City will control the timing due to loaning the money; the City is leveraging its land value to build infrastructure for the supportive housing project.

Mayor Ezzy Ashcraft inquired whether repayment of the loan would include interest, to which the Interim Base Reuse and Economic Development Director responded in the affirmative; stated the City will collect interest; repayment of the loan includes interest and prime plus one; the developer is not only building infrastructure for RESHAP; the project includes building a portion of West Midway, public streets, the sewer system, and utilities; RESHAP is building everything on the land.

Councilmember Herrera Spencer questioned whether the \$10 million for the ferry terminal put up by the developer is the same as the City putting up \$9.5 million for this

project.

The City Manager stated before the City decided to front the money as a loan, Catellus was going to have to build the infrastructure for RESHAP as a payment in exchange for the land being used for the market rate development; the approach is similar to the Site A ferry terminal, however, the two projects are linked in the proposed case; the connection would allow RESHAP and MidPen to go out for funding as soon as possible; expressed concern over waiting for Catellus to start the project; stated the money being provided as a loan allows the City to better control the project timing.

Councilmember Herrera Spencer inquired what guarantee the City has that the funding will be repaid.

The Interim Base Reuse and Economic Development Director responded a financial guarantee is built into the agreements similar to other loans with a private entity.

Councilmember Herrera Spencer stated the proposed loan is not like other loans obtained from a bank; the money comes from the City; inquired what guarantee is present and what happens if the market rate housing is not built.

The Interim Base Reuse and Economic Development Director responded the developer would be in default; if housing is not built for ten years, the developer would not remain the project partner, but infrastructure would already have been built; a financial guarantee is present to get the loan repaid.

In response to Councilmember Herrera Spencer's inquiry related to the guarantee, the City Manager stated the guarantee is a financial guarantee.

Councilmember Herrera Spencer inquired whether the guarantee is personal or provided by the developers.

The City Manager responded the financial guarantee is backed by the developer; stated if the developer defaults on the project, the City can call upon the guarantee to have the loan repaid.

Karen Tiedemann, Goldfarb & Lipmann, stated the DDA requirements include that the developers provide a payment guarantee from the parent corporations; if the developer does not pay, the City would be able to collect on the payment guarantee; the document is a typical financial instrument used to secure a loan.

Expressed support for the project; urged Council to vote in favor; stated the current residents deserve to move on from decrepit living spaces: Doyle Saylor, Renewed Hope.

Expressed appreciation for Council supporting the project and for the Project Labor Agreement (PLA); stated the project is complicated; he has met with developers; both

sides showed tremendous flexibility in the term sheets: Andreas Cluver, Alameda County Building and Construction Trades Council.

Expressed concern over the project for the middle class and people of Alameda and the repayment of funds; stated high numbers of affordable housing prices out the middle class; discussed Base Reuse funds being risked; stated the matter is a sham: Tod Hickman.

Discussed the City's Housing Element; stated the units for the project need to be approved; the project and team are phenomenal; urged Council approval: Matt Regan, Bay Area Council.

Expressed support for the project; stated a community needs assessment was recently presented to Council, which discussed homelessness and shelter being a primary concern; the project addresses housing insecurity and homelessness in Alameda and ensures access to housing options; urged Council approval: Samantha Green, Alameda.

Expressed support for the development project; stated the project is overdue; discussed the approval of the Housing Element; stated affordable housing is crucial for businesses, employers and employees in Alameda; the project will create more job opportunities; urged Council approval: Madlen Saddik, Chamber of Commerce.

Expressed support for the project; stated the project moving forward is great; the project is important for the Housing Element; approving the units is morally necessary: Zac Bowling, East Bay Yes In My Backyard.

Expressed support for the project; stated the project exemplifies Brookfield, Catellus and MidPen's dedication to helping the City meet its housing needs; the project will have a range of housing and will be a huge benefit: Vince Sugrue, Sheet Metal Workers Local 104.

Stated those being served are long time Alameda residents; the housing will meet needs; the project is a long time coming; expressed support for City staff and development partners: Liz Varela, Building Futures.

Urged Council to fact check the assertions made in comments submitted and within the staff summary; discussed increased density and impacts; stated the project site should be safe and secure for traumatized people trying to heal; there appears to be a rush on the project; the proposed project is not acceptable: Shelby Sheehan, Alameda.

Expressed support for the project; stated the housing crisis is a moral failing; the project provides hope; urged Council approval: Jenice Anderson, Alameda.

Urged Council to support and approve the project; stated the project has been in the works for many years; the partners are qualified and perform great work; the housing is

needed and will help the City meet its Housing Element goals and provide additional green space: Sophia DeWitt, Renewed Hope and East Bay Housing Organizations.

Expressed support for the project and the relocation; stated the relocation will be less disruptive to Veteran residents and will allow the project to move forward quickly; the project has been waiting 20 years and better, affordable, housing is needed: Marguerite Bachand, Operation Dignity.

Expressed support for City staff's diligence on the project; stated the project and votes are consistent with values of the community and Council: Randy Rentschler, APC.

Expressed support for the project and the continued development of the Alameda Point community; discussed Alameda Point amenities and the over 2,000 mixed income units; stated the project is important and moving forward will ensure the future of the Waterfront District: Jessica Murphy, Alameda Point Partners.

Councilmember Vella stated there have been many comments on the project over the years and she has been voting in favor of the matter since being first elected to Council; members of APC have been waiting for updates and new housing; the current vote is important; impeding the project's progress does substantial harm; the associated funds are going towards infrastructure and reinvesting in Alameda Point; the project is critical in that it builds housing; she looks forward to making a motion to approve the project.

Vice Mayor Daysog expressed support for the correspondence submitted on the matter; stated the amount of affordable housing in the project is needed not only for the area, but for the East Bay; the project is part of the path to ensuring the West End does not get dragged down by Alameda Point; discussed project delays due to market concerns and infrastructure funding; stated the City is stepping up by investing Base Reuse funds into infrastructure improvements; the City makes these investments while understanding the risk and reward; discussed early phases of Alameda Point development with Catellus loaning the City funding; stated the proposed project is a similar situation and Council does not take investing Base Reuse funding into infrastructure lightly; Councilmembers have weighed their decisions carefully; the project is a positive for all of Alameda, but especially the West End; Alameda is served by having modern, new housing; the project is something to be proud of; expressed support for the project.

Councilmember Jensen stated Alameda is a unique place; Alameda Point is one of the greatest resources the City has; the City has been looking at ways to make use of the resource for the past 20 years; the progress being made is exciting and is due to partnerships; discussed the partnership between Brookfield, Catellus, and the providers of social services to residents of Alameda Point; stated that she cannot see the RESHAP project being completed without the partnerships; everyone is working together to utilize resource and ensure the project meets the needs of everyone; residents will live at a higher quality of life once the project is completed; expressed support for the project; stated the project will change the lives of people in Alameda; stated the community worked towards ensuring Alameda is able to move forward with

housing plans and utilize resources in the best way possible; any hesitation has been erased by hearing comments provided by Speaker Cluver and understanding the project will be positive for working families; stated the project will be a model for other projects throughout the State.

Councilmember Herrera Spencer discussed work completed on plans from 2017; stated the plans showed supportive housing closer to schools and resources as opposed to the proposed change; stated the change has only been validated by indicating that the housing can be built sooner; the goal is worthy, however, there is concern over appropriateness of placing supportive housing next to breweries; expressed concern over the model being used by other cities; discussed students and siblings walking long distances to school; stated Ruby Bridges is surrounded by market rate housing; having market rate housing closer to Main Street, schools and grocery stores pushes the supportive housing farther away from resources; the market rate housing will be near other project's market rate housing; expressed support for support services provided by APC; stated the distance from APC to schools is currently too far; the proposed project was an opportunity to shorten the distance and allow families to be more a part of school communities; many families do not have access to cars and attending events at night is limited; discussed support for comments provided by Speaker Sheehan; questioned whether the changed project design meets the needs of the General Plan; stated the City used to require developers to tether project's affordable housing without being able to build market rate units until affordable housing units were built; Site A had been the first time housing was not tethered; the proposed project is the first instance of the City loaning funds to finance supportive housing in the hope that the market rate units will be sold and the City will be repaid; she will not be supporting the matter.

Mayor Ezzy Ashcraft stated that she is proud of the City for coming so far; expressed support for City staff, collaborating partners and the proposed plan; discussed the urban farm-to-table lunch at APC; stated that she is excited about the project location and understands the need for the change; project developments must remain flexible to changing conditions; the new location is not far from Firebrand Bakery. which has in part been successful due to the owner providing employment to people with high employment barriers; Firebrand Bakery could be a place for residents within supportive housing to find employment; expressed support for comments provided by Councilmember Jensen indicating the project could be a model to other cities; other cities should find ways to meet important housing goals; she is looking forward to the wall raising ceremony.

Councilmember Vella stated a challenge to surrounding cities is being created to match Alameda in achieving an approved Housing Element as well as building units with the support from labor using a PLA.

Councilmember Vella moved adoption of the resolution approving the Surplus Land Act.

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

Councilmember Vella moved approval of the CEQA findings.

Councilmember Jensen seconded the motion, which carried by the following voice vote:
Ayes: Councilmembers Daysog, Jensen, Vella and Mayor Ezzy Ashcraft – 4. Noes:
Councilmember Herrera Spencer – 1.

Councilmember Vella moved approval of RESHAP DDA and DA [introduction of ordinances], the West Midway DDA and DA [introduction of the ordinances], adoption of the West Midway budget resolution and approval of the West Midway ENA extension.

Vice Mayor Daysog seconded the motion, which carried by the following voice vote:
Ayes: Councilmembers Daysog, Jensen, Vella and Mayor Ezzy Ashcraft – 4. Noes:
Councilmember Herrera Spencer – 1.

(23-461) Summary Title: Approval of Development Agreements with BC West Midway LLC for the West Midway Project Consisting of Development of 478 Housing Units on Approximately 26 Acres of Land Located between West Tower Avenue, West Midway Avenue, Main Street and Pan Am Way at Alameda Point

Public Hearing to Consider Introduction of Ordinance Authorizing the City Manager to Execute a Disposition and Development Agreement in Substantial Conformance with Exhibit 2 between the City of Alameda and BC West Midway LLC. Introduced;

(23-461A) Introduction of Ordinance Authorizing the City Manager to Execute a Development Agreement in Substantial Conformance with Exhibit 3 Between the City of Alameda and BC West Midway LLC;

(23-461B) Resolution No. 16090 “Amending the Fiscal Year 2023-2025 Budget to Appropriate and Allocate \$9.5 Million from Fund 290 (Alameda Point Fund) for a Loan to Construct Infrastructure and Site Preparation for the RESHAP Project to Be Repaid at a Later Date with the Construction of the Adjacent Market Rate Housing Projects.” Adopted; and

(23-461C) Recommendation to Authorize the City Manager to Execute to a Sixth Amendment to the Exclusive Negotiating Agreement between the City of Alameda and Brookfield Bay Area Development Holdings LLC and Catellus Development Corporation for the West Midway Project until such Date that the Disposition and Development Agreement becomes Effective on October 6, 2023.

Under Agenda Changes, the City Council approved hearing the item concurrent with the RESHAP matter [paragraph no. 23-460].

CONSENT CALENDAR PULLED ITEMS

(23-462) Recommendation to Authorize the City Manager to Execute an Agreement with Griffin Structures, Inc. in the Amount Not-to-Exceed \$1,077,000, Including a 5% Contingency, for Project Management of the City Aquatic Center, Estimated to Cost \$30 Million and Located on the West Side of Sweeney Park.

Councilmember Herrera Spencer inquired why the matter is not returning to Council in September with the pertinent information; expressed concern over hiring a project manager without knowing construction details.

The Assistant City Manager responded Council discussed 30-meter versus 50-meter pools; stated staff will bring information to Council with financing based on the specific Council direction; hiring a project manager will help staff with decisions and costs; when the matter returns with financing, the size decision will not be final; the project team will be helping City staff perform another round of community input; a variety of options will return to Council and be voted on prior to final design.

In response to Councilmember Herrera Spencer's inquiry, the Assistant City Manager stated as part of the \$30 million, staff originally brought other components to Jean Sweeney Park, such as infrastructure and grading; staff will be looking at the cost of everything and will return to Council for final direction.

Councilmember Herrera Spencer inquired whether staff recommends hiring a firm to be able to decide between the 30- versus 50-meter pool.

The Assistant City Manager responded the size is one component; stated staff is requesting contract authorization due to the project size, scope and cost; the project management team is well versed in aquatic centers; the City has not built an aquatic center; the firm is incredibly well versed in design/build, which the City has only done once before for the theatre project; the aquatic center is a new process for staff; the firm will provide a lot of cost savings and efficiency due to experience.

Councilmember Herrera Spencer inquired whether the contract amount would be pro rata if the vote to approve the aquatic center does not pass by a majority of Council.

The Assistant City Manager responded in the affirmative; stated the contract is based on time and materials.

Councilmember Vella moved approval of the staff recommendation.

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

(23-463) Recommendation to Authorize the City Manager to Negotiate and Execute a Two-Year Agreement with Wittman Enterprises, LLC, Substantially in the Same Form as Attached, for Ambulance and Alarm Billing in an Amount Not-to-Exceed \$400,000 with the Option of Three One-Year Extensions for a Total Not-to-Exceed Amount of \$1,000,000 for a Total of Five Years.

Councilmember Herrera Spencer requested clarification about who the contract is with and what it is for; stated that she receives many complaints related to ambulance costs.

The Fire Chief responded the contract is with Wittman Enterprises; stated the contract provides billing for ambulance and false alarm services; the City has been utilizing the provider for the last five years; the proposed agreement is a two-year contract with three one-year extensions.

Councilmember Herrera Spencer inquired who sets the rates for ambulance services.

The Fire Chief responded rates are set as part of the Master Fee schedule; stated the Master Fee schedule comes before Council annually and includes the associated ambulance fees; the numbers proposed come from the County and the Board of Supervisors; the local Emergency Medical Services (EMS) agency uses a formula to come up with private ambulance billing within the county; Alameda has a contract with the County for ambulance services.

In response to Councilmember Herrera Spencer's inquiry related to the cost of the contract, the Fire Chief stated the billing is at 3.99% for EMS fees; billing takes 3.99% off the revenue gathered; the revenue generated for false alarm fees is 8%.

Councilmember Herrera Spencer stated the contract is \$1.4 million total; inquired whether the total cost gets passed down to the customer or whether the City funds the cost.

The Fire Chief responded the City funds the contract cost; stated the department has funding in the budget set aside to pay contract expenses.

Councilmember Vella stated Council is not currently voting on the billing fees and is voting to approve a contract for services; at times, Council has not approved cost increases; the contract allows the City to perform cost recovery for the work performed by the Fire Department.

The City Manager stated the Master Fee schedule will be coming to Council in September.

Councilmember Vella moved approval of the staff recommendation.

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

(23-464) Recommendation to Authorize the City Manager to Execute a Five-Year Agreement with Imperial Maintenance Services for Janitorial Services for Forty-Two City Building Facilities in a Total Agreement Amount Not-to-Exceed \$3,412,818.

Councilmember Herrera Spencer stated the City hires a company for janitorial services; inquired the benefits and pay for people performing the janitorial work.

The Facilities Manager responded that he is not aware of the benefits, however, the wages meet prevailing wage standards.

Councilmember Herrera Spencer inquired why the City does not perform the work in-house to ensure the wages and benefits are provided; expressed concern over the City contracting with the lowest bidder.

The Facilities Manager responded the contract is not with the lowest bidder; stated the provider came in at number three; the two lowest bidders did not provide adequate information or references to demonstrate the ability to perform the necessary services performing the tasks in-house has been researched and there is no record of the City ever doing so; the work has been contracted out since the 1990s; currently, there is not available staff or infrastructure to perform the work in-house.

The City Manager stated estimates indicate 15 additional full-time staff members would be needed to perform the work.

The Facilities Manager stated the estimate is rough based on the current staffing support received.

The City Manager stated the provider is registered with the Department of Investor Relations and pays prevailing wage.

Councilmember Herrera Spencer inquired whether prevailing wage is minimum wage.

The City Manager responded in the negative; stated the City's minimum wage is roughly \$16.52 per hour and prevailing wage being paid is \$17.60, which is above minimum wage.

In response to Councilmember Herrera Spencer's inquiry about benefits, the City Manager stated staff does not have the information.

Councilmember Herrera Spencer stated the School District has Custodians; she would prefer to look at hiring employees since the hourly rate is only part of the pay received; expressed concern over the potential lack of benefits and adequate total pay; stated having in-house custodial staff would provide information on rate of pay and benefits; she will not support the matter.

Councilmember Jensen moved approval of the staff recommendation.

Councilmember Vella seconded the motion.

Under discussion, Councilmember Vella stated the City can request information during Requests for Proposals, including reports on workplace injuries, history of complaints and related topics; a provision can be included about companies being signatories with unions.

Mayor Ezzy Ashcraft stated the City budget is likely to contract in the future and Council should consider the PERS obligations when hiring staff; expressed support for ensuring workers are adequately compensated.

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.

(23-465) Ordinance No. 3344, “Amending the Zoning Map for the Approximately 6.73-Acre Property at 250 Singleton Avenue (APN 74-905-9-7) to Remove the G Overlay, Special Government Combining District Designation, as Recommended by the Planning Board.” Finally passed.

Councilmember Herrera Spencer requested clarification that the action being taken is required so that the School District can build housing, to which the City Manager responded in the affirmative.

Vice Mayor Daysog moved approval of the staff recommendation.

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

CITY MANAGER COMMUNICATIONS

(23-466) The City Manager announced the Council break in August; discussed Assemblymember Mia Bonta advocacy for Alameda in Sacramento related to City programs; announced paving on Encinal Avenue between Broadway and Sherman Street is complete and the upcoming Art and Wine Fair.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(23-467) Councilmember Herrera Spencer discussed Police reports occurring since the last Council meeting.

(23-468) Mayor’s Nomination for Appointment Civil Service Board and Public Utilities Board.

Mayor Ezzy Ashcraft nominated Jordan Frank and Tracy Cote to the Civil Service Board, and Ryan Bird to the Public Utilities Board.

ADJOURNMENT

(23-469) There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 11:41 p.m. in memory of Don Sherratt.

Respectfully submitted,

Lara Weisiger
City Clerk

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