

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -MARCH 19, 2024- -5:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:05 p.m.

Roll Call – Present: Councilmembers Daysog, Herrera Spencer, Jensen, Vella and Mayor Ezzy Ashcraft – 5. [Note: Councilmember Herrera Spencer was present via teleconference from InterContinental Wuxi Taihu New Town, 118 Qingyan Road, Binhu District Wuxi 21400 Mainland China.]

Absent: Councilmember Vella.

Consent Calendar

(24-140) Recommendation to Approve Jennifer Ott, City Manager, Abigail Thorne-Lyman, Base Reuse and Economic Development Director, Alesia Strauch, Base Reuse Manager, Len Aslanian, Assistant City Attorney, and Andrew Schmieder, Senior Director, Cushman & Wakefield, as Real Property Negotiators for 1701 Monarch Street, Building 29, 1951 Monarch Street, Building 25, and 2301 Monarch Street, Building 24, at Alameda Point. Accepted.

Vice Mayor Daysog moved approval of the Consent Calendar.

Councilmember Jensen seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Daysog, Herrera Spencer, Jensen, Vella and Mayor Ezzy Ashcraft – 5. [Items so enacted or adopted are indicating by an asterisk preceding the paragraph number.]

The meeting was adjourned to Closed Session to consider:

(24-141) Conference with Legal Counsel – Existing Litigation Pursuant to Government Code § 54956.9(a); Case Name: Ann Lauber v City of Alameda, et al.; Court: Superior Court of the County of Alameda; Case Numbers: 22CV011588

(24-142) Conference with Real Property Negotiators – Pursuant to Government Code Section 54956.8); Property: 1701 Monarch Street, Building 29, 1951 Monarch Street, Building 25, and 2301 Monarch Street, Building 24; City Negotiators: City Manager Jennifer Ott, Base Reuse and Economic Development Director Abigail Thorne-Lyman, Base Reuse Manager Alesia Strauch, Cushman and Wakefield Senior Director Andrew Schmieder, and Assistant City Attorney Len Aslanian; Negotiating Parties: City of Alameda and Alameda Point Beverage Group dba BRIX Beverage (Building 25), La Costa Pacifica (Building 25), St. George Spirits (Building 25), Dashe Cellars (Building 25), Dreyfuss Capital Partners, LLC (Building 29), and Lava Mae (Building 29); Under Negotiation: Price and Terms of Leases and Licenses

Following the Closed Session, the meeting was reconvened, and the City Clerk announced that regarding Existing Litigation, staff provided information and Council provided direction by the following roll call vote: Vice Mayor Daysog: Aye, Councilmember Herrera Spencer: Aye, Jensen: Aye, Vella: Absent, and Mayor Ezzy Ashcraft: No; Ayes: 3. Noes: 1. Absent: 1, and regarding Real Property, staff provided information and Council provided direction with no vote taken.

Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 6:51 p.m.

Respectfully submitted,

Irma Glidden
Assistant City Clerk

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- - MARCH 19, 2024- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:07 p.m. and Vice Mayor Daysog led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Daysog, Herrera Spencer, Jensen, Vella, and Mayor Ezzy Ashcraft – 5. [Note: Councilmember Vella arrived at 7:25 p.m. and was present via teleconference from Residence Inn Marriott Arlington Rosslyn, 1651 N. Oak Street, VA 22209 and Councilmember Herrera Spencer was present via teleconference from InterContinental Wuxi Taihu New Town, 118 Qingyan Road, Binhu District Wuxi 21400 Mainland China.]

Absent: None.

AGENDA CHANGES

(24-143) Mayor Ezzy Ashcraft stated that she would like to hear the Appointment Resolution [paragraph no. 24-144] next.

Councilmember Jensen moved approval of hearing the item next.

Vice Mayor Daysog seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Jensen: Aye;; and Mayor Ezzy Ashcraft: Aye. Ayes: 4.

(24-144) Resolution No. 16142 “Appointing Thelma Decoy to the Housing Authority Board of Commissioners.”

Councilmember Jensen moved approval of the appointment.

Vice Mayor Daysog seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Jensen: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4.

Ms. Decoy made brief comments.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

None.

ORAL COMMUNICATIONS, NON-AGENDA

(24-145) Michael Yoshi, AFF4C, Alameda, urged Council to call for a ceasefire in Gaza and the West Bank.

(24-146) Ramzi Elkawa, Alameda, urged Council to call for a ceasefire, as it is a moral duty for everyone.

(24-147) Shelby Sheehan, Alameda, stated that the sole purpose of the California Environmental Quality Act (CEQA) is to ensure public participation in the environmental and regulatory process, which she feels the city is being deprived of; spoke about the Alameda Municipal Codes, amongst others.

(24-148) Katie Peoples, AFF4C, Alameda, urged Council to call for a ceasefire in Gaza.

(24-149) Sophia Ritchie, AFF4C, Alameda, urged Council to call for a ceasefire in Gaza.

(24-150) Dina Omar, AFF4C, Alameda, stated that the moral clarity regarding the situation in Gaza should not be up to debate and Council should use their authority to do what they can.

(24-151) Lean DeLeon, AFF4C, Alameda, stated that Alameda residents must use all their efforts to make sure Council is aware about the situation in Gaza and takes a stance.

(24-152) Roan Byrne-Sarno, AFF4C, Alameda, stated that many youths in Alameda are in support of a ceasefire; urged Council to call for a ceasefire in Gaza.

CONSENT CALENDAR

Councilmember Herrera Spencer requested the CircleUp Agreement [paragraph no. 24-164] and the Gold Bar Lease [paragraph no. 24-165] be removed from the Consent Calendar for discussion.

(24-153) Shelby Sheehan, Alameda, stated that she does not see any information or maps online regarding the Jean Sweeney Trail; requested the motion be that more information is provided to the public and it be brought back; further stated more housing should not be added to the RESHAP project; the project is not in compliance with CEQA.

(24-154) Tod Hickman, stated that he appreciates Councilmember Herrera Spencer pulling the CircleUp Agreement and the Gold Bar Lease.

(24-155) Carmen Reid, expressed concern about the RESHAP project and the additional units that have been proposed; stated she does not believe it is best to cram people together in small spaces; there should be better City planning in that area; she is in favor of having another CEQA report done; city views are important and a reason why people go out to that area.

Councilmember Herrera Spencer stated that she is recording a No vote on the Suarez and Munoz Agreement [paragraph no. 24-159] and the RESHAP Agreements [paragraph no. 24-160].

Councilmember Herrera Spencer stated she agrees with one of the speakers who mentioned the Jean Sweeney Park Trail be on the public part of the agenda and get more information on what that is going to look like; she agrees it is appropriate to do another CEQA review for RESHAP; she has previously inquired about the parking and was told parking is not needed as some residents do not own cars; she drove past the property and noticed many cars.

Councilmember Jensen moved approval of the balance of the Consent Calendar.

Councilmember Vella seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*24-156) Minutes of the Special City Council Meeting, the Special Joint City Council and Successor Agency to the Community Improvement Commission Meeting and the Regular City Council Meeting Held on February 20, 2024. Approved.

(*24-157) Ratified bills in the amount of \$3,211,762.97.

(*24-158) Recommendation to Review and Adopt Proposed Revisions to the Rules and Procedures for the City of Alameda Mayor's Economic Development Advisory Panel.

(*24-159) Recommendation to Authorize the City Manager to Execute an Agreement with Suarez & Munoz Construction, Inc., for Jean Sweeney Open Space Park Trail Connector Improvements for a Not-to-Exceed Amount of \$821,000, including Contingency; and

(*24-159A) Resolution No. 16143 "Amending the Fiscal Year 2023-24 Capital Budget Reappropriating \$134,000 from Capital Improvement Program (CIP) C63000, \$210,000 from CIP C63100, and \$50,000 from CIP C65010 to CIP C65010 Increasing Revenue and Expenditure Appropriations by \$394,000."

(*24-160) Ordinance No. 3364 "Approving a First Amendment to the Rebuilding the Existing Supportive Housing at Alameda Point (RESHAP) Development Agreement to Ensure Consistency Between the RESHAP Disposition and Development Agreement, Amended Development Plan, and Development Agreement."

(*24-161) Ordinance No. 3365 "Authorizing the City Manager to Execute a Purchase and Sale Agreement for the 1.7 Acres of Surplus Land (Building 607) with the Alameda Food Bank, Execute a 12-Month License with a 6-Month Optional Extension for Temporary Use of Adjacent Property During Project Construction, Execute a Lease for Wings 8 and 9 of Building 2 on West Midway Avenue at Alameda Point with the Alameda Point Collaborative, and Execute Release of the Legally Binding Agreements with the Alameda Point Collaborative and Alameda County." [Requires 4 affirmative votes]

CONTINUED AGENDA ITEMS

None.

REGULAR AGENDA ITEMS

(24-162) Introduction of Ordinance Authorizing the City Manager to Execute a Second Lease Amendment with Faction Brewing Company LLC for Building 22, Suite 200, Located at 2501 Monarch Street at Alameda Point, for a Three-Month Rent Deferral and Subsequent Twelve-Month Deferred Rent Repayment Schedule. [Requires 4 affirmative votes]

The Base Reuse & Economic Development Executive Assistant gave a Power Point

presentation.

In response to Councilmember Herrera Spencer's inquiry regarding interest charged to tenants, the Base Reuse & Economic Development Executive Assistant stated it is an option if Council would like to add it but to her knowledge, they have not done so in the past.

Vice Mayor Daysog inquired if Council could discuss other items of concern they may have with regards to the maximum height of things in certain areas.

The City Attorney responded Council could take a look at any terms, however, the item that was negotiated by staff contains the one provision; stated if there were additional changes, staff may have to engage in additional negotiations; from a Brown Act perspective, Council is not precluded from asking staff any number of other questions contained in the lease.

Stated Faction Brewery is a good neighbor; would like to see them get consideration on the rent and marketing support; supports reducing the rent overall and asks Council to consider doing so; Shelby Sheehan, Alameda.

Councilmember Jensen moved approval of staff's recommendation.

Councilmember Vella seconded the motion.

Under discussion, Vice Mayor Daysog stated one issue he hears from members of the public is a desire to have clear views to the Bay from Monarch Street; on a recent trip to the area, when standing on Monarch Street looking West towards San Francisco, there is a nice view of the San Francisco skyline, including a silhouette of the Bay Bridge; inquired what can be done to limit items to be no higher than six feet in the area referred to in Exhibit A-1.

The Planning, Building, and Transportation Director responded the Secretary of Interior Standards, which are guidelines applicable nationwide for the preservation of historic properties, say the use of historically significant properties should be consistent with how the spaces were used in the past; stated the Navy used it for storage of miscellaneous Navy equipment and airplanes, amongst other things; the historic documentations never really define what a view corridor is and it does not specifically say a view corridor is from the ground all the way up to the sky; building new buildings that would obstruct views is not okay; items such as fences and their height is not defined; the City's Zoning Ordinance also does not prescribe height limits.

Vice Mayor Daysog stated in a photo he took recently while visiting the area, one can see the San Francisco skyline; pointed out a white van in the distance, with a height of 7 feet and 7 inches, which provides a frame of reference; inquired whether Faction contemplates having anything higher than 6 feet in the area.

Mayor Ezzy Ashcraft inquired whether he was suggesting a height limit on the vehicles that can park at Alameda Point, to which Vice Mayor Daysog responded in the negative; responded he is specifically referring to Exhibit A-1.

The City Manager stated there is an outdoor chiller generator, a grain silo, and dumpster bins in that area; the van pictured is used for deliveries and is no longer there.

Vice Mayor Daysog stated he has no problems with the van but rather, he referenced it because

it provides a standard to understand what 7 feet and 7 inches is.

The City Manager stated if Faction wanted to add structures, they would have to get an amended use-permit.

The Base Reuse & Economic Development Executive Assistant stated the existing lease required landlord approval as well.

Vice Mayor Daysog inquired whether Faction anticipates or contemplates anything above six feet, aside from the grain silo, to which the Base Reuse & Economic Development Executive Assistant responded in the negative.

The City Manager stated in staff conversations with Faction, the amendment was focused on the rent deferral.

The Base Reuse & Economic Development Executive Assistant stated staff recognizes the financial burden and they have been wanting to support Spirits Alley and its makers and manufacturers; the focus of the amendment is to support a tenant in need.

Mayor Ezzy Ashcraft stated Council is being asked to approve a provision that would hopefully keep a long-term tenant in business; does not believe it is the right time to give them extra conditions.

Claudia Pamparana, Faction Brewery, stated in September, Faction celebrated their 10-year anniversary; the space being referenced on the side of the building has not changed in 10 years; they do not plan on building anything or putting anything new there.

Councilmember Herrera Spencer stated Faction have been great tenants; COVID-19 made it challenging for the food and beverage businesses in that area; she recently saw a sign in the area with small lettering that is hard to see when driving; inquired what the status is on getting better signage in the area.

The Base Reuse and Economic Development Director responded new wayfinding signage has been installed, which includes a Spirits Alley sign, a sign at Pan Am Way and W. Tower Avenue, and one on Lexington Street.

Councilmember Herrera Spencer stated the lettering on the sign at Pan Am Way is small and not very visible; encourages staff to go out at night and take a look at it as it is an issue, but she does appreciate the progress of the new signage; inquired whether staff considered reducing the rate or possibly waiving the payments, as opposed to deferring them over a 12-month period.

The Base Reuse & Economic Development Executive Assistant responded staff has not contemplated reducing their rent.

The City Manager stated this is the proposal Faction came to staff with, which they then agreed to recommend to Council.

The Base Reuse & Economic Development Executive Assistant stated Faction came to staff in January and mentioned they were expecting to hit challenges in February, what they needed,

and when they would like to repay it; these exact terms are what staff is presenting to Council.

Councilmember Herrera Spencer stated she would not have a problem waiving those three months of payment; they have been a great tenant and have supported a lot of community events; appreciates their offer.

Councilmember Vella expressed concern about not wanting to start negotiating terms relative to items that are not currently on the table and have not been agendaized; stated it seems like updates are needed in general; does not want to cloud what Council is trying to do today with the business.

Mayor Ezzy Ashcraft stated this is a very respectful proposal; Faction previously received COVID-19 loans and repaid it.

The Base Reuse & Economic Development Executive Assistant stated they repaid it in 12 months.

Mayor Ezzy Ashcraft stated she gives Faction credit for knowing their business best; we like to support businesses and they host many events and fundraisers; she is in support of the motion.

Councilmember Herrera Spencer encourages them to come back to Council if they feel like they are still struggling; stated the issue could be revisited, if need be.

Councilmember Daysog moved approval of the Lease Amendment with a revision of Section 2.2 to receive Planning Board approval prior to placement of a six-foot fence.

Mayor Ezzy Ashcraft stated she does not support the motion because it was mentioned that those processed are in place.

Councilmember Herrera Spencer stated she is not supportive of a six-foot high solid blocking the view; she does not want that to be a precedent of how business is done there.

Motion failed due to no second.

Councilmember Jensen moved approval of staff's recommendation.

Councilmember Vella seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: No; Herrera Spencer: Aye; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4; Noes - 1.

(24-163) Introduction of Ordinance Amending the Alameda Municipal Code by Amending Article XV (Rent Control, Limitations on Evictions and Relocation Payments to Certain Displaced Tenants Ordinance [Rent Ordinance]) to Implement Senate Bill 567 (State Rent Control Laws) by Adopting a Written Finding That the Just Cause Provisions of the Rent Ordinance Are More Protective Than Civil Code Section 1946.2, Clarifying the City's Authority to Enforce State Rent Control Laws, and Rephrasing the Definition of Rental Units Creating Consistency with State Law.

Special Counsel and the Rent Program Director gave a Power Point presentation.

Stated she asked the City Prosecutor's Office and the Rent Program for assistance and has been denied, along with the rest of the tenants at Alameda Point; was told they are partially exempt from the rent control ordinance because of Costa-Hawkins; she has been abandoned by the law; appreciates the response by Mayor Ezzy Ashcraft and hopes she follows through with it; Shelby Sheehan, Alameda.

Councilmember Jensen moved introduction of the Ordinance.

Councilmember Vella seconded the motion.

Under discussion, Vice Mayor Daysog stated he has had a long-standing concern with the smaller mom-and-pop landlords and the underlying regulation; will not be supporting this item.

The City Attorney stated this ordinance simply implements state law; it does not create substantive change in the law and, with respect to single-family homes, given that it continues to exempt non-corporate owners, it is arguable that it continues to support small landlords.

Vice Mayor Daysog stated to vote for this is to send the message that he is okay with the underlying regulation and that is not the case.

Councilmember Herrera Spencer inquired if this has an impact on the City's properties at the base, specifically the residential properties that are considered single-family homes the City is the landlord.

Special Counsel responded the provisions of the amendment will not change the way the City handles the properties it owns at the base; stated the just cause and relocation provisions will continue to apply; in addition, the state law provisions would apply if the property were not owned by the corporation.

Councilmember Herrera Spencer inquired whether the City was considered a corporation for this purpose.

Special Counsel responded it is a municipal corporation; stated the state law generally does not distinguish between municipal corporations and corporations; it is staffs' opinion it would apply.

Councilmember Herrera Spencer stated this action tonight does not go to whether the City is appropriately maintaining the properties as landlord.

Special Counsel responded those are separate issues.

The motion carried by the following roll call vote: Councilmembers Daysog: No; Herrera Spencer: Aye; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4; Noes: 1.

Mayor Ezzy Ashcraft called a recess at 8:40 p.m. and reconvened the meeting at 8:50 p.m.

CONSENT CALENDAR - ITEMS REMOVED FOR DISCUSSION

Mayor Ezzy Ashcraft moved approval to have the CircleUp Agreement [paragraph no. 24-164] and the Gold Bar Lease [paragraph no. 24-165] heard next, continuing with the order of the regular agenda afterwards.

Councilmember Jensen seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

(24-164) Recommendation to Authorize the City Manager to Execute a First Amendment to the Agreement with CircleUp Education to Provide Specialized Diversity, Equity and Inclusion Training for All City Employees in the Amount of \$114,586, Increasing Total Agreement Compensation to an Amount Not-To-Exceed \$134,346.

Councilmember Herrera Spencer stated the City used a different firm in the past and is now recommending switching to CircleUp Education; inquired why the City is choosing to switch.

The City Manager responded the City was previously working with Seed Collaborative, who helped with a lot of employee working group work; stated staff decided to switch to CircleUp, as they have a great reputation and have conducted many trainings for surrounding cities; staff decided they were a better fit for this scope of work and the implementation phase of the project.

Councilmember Herrera Spencer stated Seed Collaborative also conducted Council interviews; inquired whether a report was received of their work.

The City Manager responded staff received recommendations they worked closely on with the employee working group, however there is no final report; stated the deliverables were the 14 recommendations brought to Council in December.

Councilmember Herrera Spencer inquired when they will receive feedback regarding the meetings with Councilmembers.

The City Manager responded she does not have that information.

Councilmember Herrera Spencer stated she has a problem with not following up with Seed Collaborative about the Council interviews, as she believed that to be the work Council supported; she reviewed the credentials of the CircleUp staff; their LinkedIn shows the University of California, Berkeley and course work, but not any degrees; to her understanding, staff could not confirm whether this person has a college degree and did not believe this to be important for this work.

The Communications Director responded staff went back to Tiffany Hong and asked about her qualifications; stated she, along with her colleague, Tyrone, graduated with a degree from the University of California, Berkeley.

Councilmember Herrera Spencer inquired whether she was with CircleUp, to which the Communications Director responded in the affirmative; stated Seed Collaborative's interviews with Council were used qualitatively to bring to staff some of the feedback that was heard; they also conducted interviews with staff and shared that feedback with the equity working group, who used the feedback from staff and Council to form their 14 recommendations; there were

never any intentions about putting a report out regarding Council's feedback, but rather it was meant to inform the recommendations.

Councilmember Herrera Spencer inquired whether there was a reason why the City is not continuing work with Seed Collaborative.

The Communications Director responded there is no particular reason and they did a great job; stated the next phase staff wanted to do focused on training; having a solid foundation in the Diversity, Equity, Inclusion, and Belonging (DEIB) was needed in order to move forward with implementing the 14 recommendations; Seed Collaborative does not conduct that training, meanwhile CircleUp does, and have done so with 40 municipalities across the area.

Councilmember Herrera Spencer inquired if CircleUp has curriculum they are sharing with staff that they will be able to review, as members of the public, to which the Communications Director responded in the affirmative; stated it is proprietary curriculum that CircleUp has developed and staff would have to check with them regarding making it available to the public.

Councilmember Herrera Spencer stated tax-payer dollars are being used to pay for this; inquired how would the public know what is being taught and how would she, as a Councilmember, know what she is supposed to be approving.

The Communications Director responded they are the core tenants of DEIB; stated on the CircleUp website, training on issues such as anti-racism, bias, discrimination, implicit bias, amongst others, are mentioned; staff feels they need support on all those discussion points and CircleUp is ready to provide that support.

The City Manager stated Exhibit 3 has a detailed scope of work and mentions the DEIB training, which gives a sense of the length and a clear idea of what will be done.

Councilmember Herrera Spencer stated she was looking for more specifics, regarding the curriculum; expressed concern about it being DEIB, as opposed to DEIA, the A standing for "access"; the Country and California has been implementing DEIA, and Alameda should as well; the issue of accessibility for those that are disabled is the hardest to implement and respond to; she would like more information about the specific curriculum that will be taught to employees and Council.

Stated she is unsure what the goal is; when researching the company, she could only find two municipalities they have worked with; believes Council should wait and confer with other municipalities to see they like what was done and whether it would be useful; suggested that money be spent on programs to support traditionally underrepresented groups: Shelby Sheehan, Alameda.

Agrees with Councilmember Herrera Spencer's comments and expressed concern regarding accessibility being denied for a significant portion of the disabled community during Council meetings relating to public comments on non-agenda items; stated there are people who have a hard time making it to the top floor of the City building in the evenings; accessibility is one of the biggest concerns and issues that needs to be addressed: Tod Hickman, Alameda.

Councilmember Jensen moved approval of the Agreement.

Councilmember Vella seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: No; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4; Noes: 1.

(24-165) Ordinance No. 3366 "Authorizing the City Manager to Execute a Lease for a Portion of Building 22 with Gold Bar Spirits Company Inc., Located at 2505 Monarch Street, at Alameda Point, Alameda, California, for a Term of Six Years with One Extension Option for Five Additional Years." [Requires 4 affirmative votes]

Councilmember Herrera Spencer stated she pulled the item because she has voted no before; submitted her own pictures as those presented by staff previously were not accurate; inquired whether there were any limitations to the height and width of any equipment that would be behind the cyclone fence and how much of the view would be blocked if Gold Bar were allowed to put a nine-foot fence.

The Economic Development Director responded after hearing from Council, staff went back to Gold Bar who were amenable to making revisions to the lease to limit the height of the fence to the current height the fence is now; stated any replacement fencing would not be any higher than that; regarding the height of the equipment and materials they may store in the operational use area, the lease specifies what those items would be; staff was able to correspond with the president of Gold Bar who assured staff his intent was to not have anything stored in that area that is taller than six feet.

Councilmember Herrera Spencer inquired if there was any indication there would be any open space or would it be a wall of stacked equipment up to six feet high.

The Economic Development Director responded Gold Bar is working through figuring out exactly how to use the operational use area; stated they must get a use permit for adding permanent fixtures in that area, such as fencing or permanent equipment; the president of the company expressed that he has heard the concerns and is willing to work through the use permit process and does not intend for anything to be over six feet tall.

Councilmember Herrera Spencer inquired whether equipment placed there would be for one day or for the duration of the lease.

The Economic Development Director responded the operational use area is meant for operational purposes; stated the garage and recycling area is already existing, as Hangar One put it and would remain; garbage and recycling area would be a permanent fixture; tanks and barrels move as the operations go through the distilling process; permanent fixtures affixed to the area would be reviewed as part of the use permit process.

Councilmember Herrera Spencer stated fencing for that garbage area is over four feet high; inquired if the bins would be over four feet high.

The Economic Development Director responded that the fencing for the garbage area is six feet and runs the same height as the fencing along the front of Monarch Street as it exists now.

Councilmember Herrera Spencer inquired whether this was approved by the Alameda County Fish and Game Commission.

The City Manager responded staff consulted with a biologist many years ago that helped create all restrictions; stated staff consulted with him about the location of the proposed fence to confirm; it is within Zone 2 of the Civic Center core area and there is nothing prohibiting the ability to store or have equipment and structures there above four feet.

In response to Councilmember Herrera Spencer inquiry regarding Zone 2, the City Manager stated there is a map showing two different areas, one is a red area and one is pink; the red area is where the fence will be and is considered Zone 2 of the biological opinion; the pink area is the plane of the western edge of the buildings, where potential predators perch and prey; the pink area is more restrictive; the area where they are contemplating putting the fencing is between the hangars and is in the red area, where there are no restrictions on temporary storage or equipment.

Councilmember Herrera Spencer requested clarification about the use of the term “temporary.”

The City Manager responded the biological opinion does not have the word “temporary” but rather says there are restrictions on landscaping, light poles, and other things; staff consulted about the fence and proposed operational uses, to which the biologist confirmed there would not be any inconsistencies with the biological opinion.

Councilmember Herrera Spencer inquired whether staff checked with the U.S. Fish and Wildlife Service (USFWS).

The City Manager responded staff does not confirm every minor detail with them; stated when staff hires an expert that has ongoing relationships and expertise in biological consulting, they are part of the negotiations with USFWS; staff will go to USFWS when things are not explicitly clear in the biological opinion.

Councilmember Herrera Spencer inquired if the tenant would be restricted to the items listed, such as bins and dumpsters, or would they be able to put anything out in that yard.

The City Manager responded that their lease restricts them from doing anything other than what is allowed in the lease.

Councilmember Herrera Spencer inquired whether it is explicitly those six items read and not anything else, to which the Economic Development Director responded in the affirmative; stated nothing that is not approved under the use permit.

Councilmember Herrera Spencer inquired how many parking spaces will be kept there.

The Economic Development Director responded when looking at the aerial views of what Hangar One’s use permit was for, the 30 striped parking spaces were still there; stated the operational use area Gold Bar is looking to fence, and will have to get a use permit for, does not include the 30 parking spaces.

Councilmember Herrera Spencer inquired what is the maximum number of employees they anticipate having at any given time.

The Economic Development Director responded the president of Gold Bar anticipated about 30 employees who would not be there every day during the same shift; stated that the number would fluctuate as they have customers and as they go through the distilling process.

Mayor Ezzy Ashcraft stated the City supports the creation of jobs at Alameda Point.

The City Manager concurred with Mayor Ezzy Ashcraft's comment.

Councilmember Jensen inquired if there is anything on top of the buildings to preclude birds of prey from perching there, to which the City Manager responded in the negative; stated that is the primary perch as it is the highest point.

Councilmember Jensen stated she supports this business and proposal; the neighbor of Natel Energy has structures that block the view and are higher than the actual building; in the future, she would like to hear more about what can be done to protect the birds; there are trees in the area where Gold Bar will be storing items that are over seven feet tall; perhaps they can place the bins and other items behind the trees.

Stated the Gold Bar lease will not be ready to open for another year, which is counter intuitive to helping Spirits Alley; regarding the hangars and historic views, the guideline she has previously mentioned state the vista is from corner to corner; these guidelines are written down and the Historic Advisory Board knows what they are: Shelby Sheehan, Alameda.

Expressed concern from a historical perspective and a development approach; stated the views of San Francisco and the Bay Bridge along Monarch Street should be protected; if given the ability to screen the view, this will set a precedent for all future tenants; urged Council to draft a lease that clearly states no structures shall be allowed on the premises more than four feet tall; asked to remove the wooden screen of the seven-foot tall trash enclosure currently blocking the view from Monarch Street: Carmen Reid, Alameda.

Stated she worked for Alameda Municipal Power while the Navy was there and preserving the view corridors was not a top priority; expressed support of reasonable restrictions and some flexibility but does not want Council to lose sight of the larger goal, which is to develop Alameda Point: Karen Bey, Alameda.

Stated when the Navy had possession of the base, it was not open to the public and views were not a priority; something that should have been a simple agenda item has become very complicated and full of controversy; staff has not contacted businesses; he does not agree with staff behavior and decisions: Tod Hickman, Alameda.

Urged Council to reconsider the proposed lease that allows for fencing and storage equipment alongside the hangar, as it will change the character of the Historic District and sets a precedent for future leases; stated she is in favor of employing people and supporting businesses, but not at the expense of ill-thought-out planning: Therese Hall, Alameda.

Expressed concern about this item; stated there is an opportunity for everyone to enjoy the views and to cover it with equipment is exclusionary, as one would have to pay to go into the building to see it: Margaret Hall, Alameda.

Stated Gold Bar may have a need for outside storage, but a discussion is needed to figure out what will be put in and if it can be placed close to the building so it is only a partial obstruction; the view is the best selling point; would like to give everyone what they need: Paul Foreman, Alameda.

Mayor Ezzy Ashcraft stated she went to Alameda Point and took several pictures that show the view from different angles and areas; Gold Bar is not proposing putting fencing, solid or otherwise, across the driveway; storing items along the side of the building does not block a view; wanted to remind people there is a former Naval Air Station to develop and is falling to disrepair; the City will be able to do more with the lease revenues from the businesses because it goes straight to the Base Reuse fund to improve the infrastructure; she wants to support local businesses equally; there are many opportunities for view corridors all over Alameda Point; Gold Bar proposed using stacked barrels to hide equipment; Almanac Brewery uses barrels and they look attractive and tie in with the kind of buildings there; suggests being supportive of businesses.

Councilmember Jensen inquired when Hangar One closed, to which the Economic Development Director responded Proxima, the lease holder conducting business as Hangar One, their lease ends at the end of the month.

Councilmember Jensen inquired when the building was vacated.

The Base Reuse and Economic Development Director responded it was vacated Sin May 2023.

Councilmember Jensen inquired about the number of applicants there have been for the building in the last year.

Andrew Schmieder, Senior Director, Cushman & Wakefield, responded there was one party that submitted a proposal but was not in line with the type of tenant staff was looking for.

Councilmember Jensen inquired whether this tenant fits in with the priorities for Spirits Alley and Alameda Point for leases, to which Mr. Schmieder responded in the affirmative.

Vice Mayor Daysog stated he would like to modify the lease to add the phrase, "or is no higher than a maximum of six feet from the ground up" and come back in two weeks after getting input from Gold Bar.

The City Manager responded staff may do so, if directed by Council; stated another possible option is to direct her to not sign any use permit application that has any equipment, storage vessels, or equipment permitted under the lease that exceeds six feet; this would allow staff to keep the lease moving and not further delay the business.

The City Attorney stated the more changes Council makes, the more likely staff will have to bring everything back as a first reading; if minor changes are made, staff may be able to have this be a first reading, with some risk.

Councilmember Vella inquired what the impact of some of the proposed amendments would be and if the City Attorney had a suggestion; stated her preference would be to provide direction that would allow this to move forward and have this be a second reading, rather than having to re-hear the entire item.

The Economic Development Director stated delaying the decision longer means it will take another few weeks to ratify the lease; Gold Bar has been holding off on securing equipment and starting permit filings; reopening negotiating portions of the lease leads to risk and Gold Bar may begin to feel concerned about doing business in Alameda; when the Proxima lease ends, it would be ideal to align the lease with the new tenant as soon as possible to help minimize the risk of having a vacant building.

Vice Mayor Daysog moved approval of amending the lease language to include storage and fencing restrictions that are no higher than six feet from the ground.

The City Manager stated if there are four votes to make the lease change, staff may do so; if the prospective tenant is not okay with this, staff will bring it back as a second reading, which is staffs' preference.

In regards to Councilmember Jensen's inquiry about this meeting addressing previous concerns raised by Vice Mayor Daysog, Vice Mayor Daysog responded in a second reading, new information comes up and therefore, new concerns are raised.

Mayor Ezzy Ashcraft called a recess at 10:00 p.m. and reconvened the meeting at 10:20 p.m.

The City Manager stated staff contacted Gold Bar and although they were upset, they stated they would agree to the language.

The City Attorney stated Vice Mayor's Daysog's motion should include converting the Ordinance to a first reading tonight and for the second reading to occur at the next meeting.

Vice Mayor Daysog moved approval of amending the lease language to include storage and fencing restrictions that are no higher than six feet from the ground and convert the Ordinance to a first reading tonight, for the second reading to occur at the next meeting.

Councilmember Vella seconded the motion.

Under discussion, Councilmember Herrera Spencer stated she will not be supporting this item; wanted to note the barrels at Building 43 shown in a photograph are almost three feet high and if the tenant were agreeable to that height, this would not be an issue as it would not block any views.

On the call for the question, the motion carried by the following roll call vote: Councilmembers Daysog: Yes; Herrera Spencer: No; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4; Noes: 1.

Councilmember Jensen moved approval of hearing DePave Park [paragraph no. [24-166](#)] before the Housing Element Annual Reports [paragraph no. [24-167](#)].

Councilmember Vella seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

Councilmember Jensen moved approval of moving the Real Estate Subdivision Regulations [paragraph no. 24-168] to another meeting.

Councilmember Vella seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

Councilmember Jensen moved approval of hearing the remaining items after 11:00 p.m.

Councilmember Vella seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: No; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 5. Noes: 1.

(24-166) Recommendation to Approve the Master Plan Design for DePave Park.

The Recreation and Parks Director and the Consultant gave a Power Point presentation.

Mayor Ezzy Ashcraft stated the cost estimate based on the Master Plan is \$25M; it is also mentioned that the annual maintenance cost is not yet determined, as the scope of the work is dependent on the final design however, budget for maintenance costs will require annual financial contributions from the City; inquired if there was any ballpark estimate and if not, how will staff go about estimating that.

The Recreation and Parks Director responded there is no ballpark number because there are complexities with this type of landscape and maintenance; stated staff will build out an operational plan for the cost as it gets developed and moved on to schematic design.

Mayor Ezzy Ashcraft inquired where the funding for this will come from.

The Recreation and Parks Director responded the primary funding source would be the general fund.

In response to Councilmember Herrera Spencer's inquiry regarding the costs of demolition, preservation, and revenue, the Recreation and Parks Director responded when looking at costs for keeping the building, there were also other associated costs about where the levy was and its length; stated a correction was made to the annual revenue associated with the facility.

Councilmember Herrera Spencer inquired if the removal of Building 25 will require finding another home for those businesses, which may or may not be in Alameda.

The Recreation and Parks Director responded he and the Base Reuse Director have had several meetings with the tenants.

Mayor Ezzy Ashcraft inquired how far into the details can be discussed reasonably while staying inside the Brown Act.

The City Attorney responded that the question can go to whether Council wishes to keep the buildings, as that impacts the design of the park; however, tenant negotiations might go far and beyond what Council is approving tonight.

Councilmember Jensen requested clarification and inquired whether Council provided direction to remove the buildings, to which the City Attorney responded in the affirmative; stated this will come back for Councils' final approval.

Councilmember Jensen inquired if Council could revisit that item even though it is part of the Master Plan discussion.

The City Attorney responded what staff is presenting to Council is a Master Plan without the buildings; stated the current facts indicate there are buildings there and Council has the right to change their mind if they so choose.

Mayor Ezzy Ashcraft stated the last time this item came before Council, they gave direction to remove those buildings; a caveat was included that stated when the time was right; the buildings cannot be just taken down because the City does not currently have the money to do so and they bring in lease revenue.

The City Attorney responded that when the plan comes, Council could decide to revisit; stated the agenda report does not mention tenant negotiations.

Councilmember Herrera Spencer inquired whether the plan was that a building will be demolished and thus, the existing tenants there would not be able to continue their business in those buildings, to which the Recreation and Parks Director responded in the affirmative

Stated a policy clause or ordinance should be created that prohibits or restricts dog access in this park; the plan mentioned fencing that prevent dogs from entering nature areas; Coyote Hills Regional Park, for example, has many marsh areas and there is a no dogs rule; dogs give off a scent and are seen as predators by birds and other wildlife: Richard Bangert, Alameda.

Stated her credentials in environmental health science, as well as other accolades; she attended the public meeting and was pleased with the information and the knowledgeable presenters; this is an exemplary project and the way it was handled was excellent: Shelby Sheehan, Alameda.

Expressed support for the Master Plan; stated this is spectacular for wildlife, people and children who appreciate it and want to learn more about it: Linda Carloni, Alameda.

Expressed support for the project, as it demonstrates Alameda's commitment to climate adaptation and provides a model for living shorelines that can be created in Alameda and around the Bay Area: Ruth Abbe, Community Action for a Sustainable Alameda.

Councilmember Vella appreciates staff and understands the suggested changes; expressed concern about financing the overall project; expressed support for the item.

Councilmember Herrera Spencer stated she will not be supporting this item; concurred with Councilmember Vella's financial concerns; stated it would be \$1M to preserve Building 25 however, it costs \$2.5M to demolish it and is approximately \$420,000 annual rent revenue the City will be losing; the project is great but it needs funding and there are other expensive needs; expressed concern with not supporting the businesses that are in that building; stated it would be a great compromise to keep that building and those businesses, as it would help pay for the project.

Vice Mayor Daysog stated the project looks beautiful; expressed support for the item; stated there are costs involved for present and future generations of Alamedans but the benefit of having an area to experience nature and that welcomes sea level rises in a thoughtful manner far exceeds the costs; he is confident current and future staff will figure out ways to handle the costs involved.

Councilmember Jensen stated this is a good example of how the community can participate and share information on what will be valuable for the community; she is excited to see the project add value for all current and future residential and commercial tenants at Alameda Point; she heard the concerns regarding view corridors and supports the removal of the buildings as it will enhance the views and quality of life for all of the wildlife; anticipates being able to walk through the park in the next several years.

Mayor Ezzy Ashcraft expressed support for the project; stated De-Pave Park is designed to adapt to climate change by welcoming sea level rise through inundation over time, with continued public access and by creating a tidal ecology system with notable benefits; while attending the CivicWell Policymakers Conference, she was struck by how advanced Alameda and this project is an example of that; there is a big price tag but staff has always been great at seeking grant funding; although there are compromises as far as the buildings and the businesses, they will be taken care of; it would be difficult to enforce the dog ban, but it is something to consider.

Councilmember Herrera Spencer stated this park is important but she is looking for a balance in order to be more fiscally responsible.

Councilmember Jensen moved approval of the Master Plan.

Vice Mayor Daysog seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: No; Jensen: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4; Noes: 1

Councilmember Vella left the meeting at 11:13 p.m.

Councilmember Herrera Spencer left the meeting at 11:22 p.m.

(24-167) Recommendation to Accept the 2023 Annual Reports on the General Plan/Housing Element, Active Transportation Plan, Vision Zero Action Plan, Transportation Choices Plan, the Climate Action and Resiliency Plan, and Climate Adaptation and Hazard Mitigation Plan.

The Planning Manager, the Sustainability and Resilience Manager, and the Acting Transportation Planning Manager gave a Power Point presentation.

Spoke about a near-collision experience that took place last December with his daughter when she was riding her scooter to school on the crosswalk of Willow Street and Pacific Avenue; this particular crosswalk is part of the designated safe route to school for children travelling to and

from Love Elementary; recommendations made in 2016 have still not been implemented; it should not take nine years to get a line of paint at an intersection; urged Council to consider hiring more staff in order to implement safe routes for school infrastructure: Timothy McQuillan, Alameda.

Stated a letter was sent which included detailed issues they hope Council will consider; stated they feel a sense urgency in fixing the pattern of delay around implementing transportation and safe streets projects; hopeful recent hiring will help as important projects are getting delayed and scaled back; urged Council to support fixing any staffing constraints in upcoming budget discussions: Cyndy Johnsen, BikeWalk Alameda.

Expressed concern regarding not meeting goals; stated there were originally going to be three slow streets converted to neighborhood greenways in 2024 but now the transportation workplan plans just one; urged Council to support staffing, necessary resources, and stick to the plan in converting the three slow streets to neighborhood greenways this year: Tim Beloney, Alameda.

Stated most people in Alameda would agree it is important kids can get to and from school safely; the Act of Transportation and Vision Zero Plans have a variety of school safety initiatives that would make a big difference; at Bayfarm Island, there have been issues with bike lanes being blocked and students having to go into traffic and have the potential of getting hit; the crossing guard policy has been pushed back and parents who live one crosswalk away are afraid to let their kids go to school because there is no crossing guard; helping schools fix their pick up and drop off zones would be a huge help: Maria Piper, BikeWalk Alameda.

Stated they look forward to this next year and the opportunity to collaborate with Alameda Municipal Power to synthesize their strategic plan with the Climate Action and Resiliency Plan: Ruth Abbe, Community Action for a Sustainable Alameda.

Mayor Ezzy Ashcraft stated two openings are upcoming for the Transportation Commission and more information can be found on the City's website; is looking forward to neighborhood greenways; the staff report stated one slow street will be converted to a neighborhood greenway; inquired which street would be converted and when.

The Acting Transportation Planning Manager responded staff has committed to starting construction for one slow street; staff is moving things around to see if more can be converted; staff would like to start with their consultant choosing a strategy in terms of which is converted first; staff is willing to hear input.

Mayor Ezzy Ashcraft inquired whether there are criteria or if staff wants to reach out to the community to develop more fully.

The Acting Transportation Planning Manager responded staff will be working with their consultants to think about the best strategy to move forward.

Mayor Ezzy Ashcraft stated one neighborhood greenway starting to take shape will give people the enthusiasm and the idea that this will move forward and get done.

Mayor Ezzy Ashcraft inquired whether the Equitable Building Decarbonization Plan is electrifying all houses, including existing ones and low-income residents, to which the Sustainability and Resilience Manager responded in the affirmative.

Mayor Ezzy Ashcraft inquired what is needed to make that happen.

The Sustainability and Resilience Manager responded funding is important and necessary; stated there are rebates from Alameda Municipal Power (AMP); contractor education is key; technology is changing quickly and there is a lot more coming on the market; the Electrification Fair was helpful for people to see what is out there and what the technologies are; when people are doing remodels or additions to their homes, those are times when people are already planning to replace equipment and so there might be opportunities there to think about; AMP and staff are working with the Housing Authority to look at grant opportunities for pilots for low-income housing; staff has also considered home rehabilitation grants.

Mayor Ezzy Ashcraft expressed gratitude to Mastick Senior Center and the program to make free bus passes available to low-income seniors and those with disabilities; stated through her experience with public transportation, she sees firsthand how well AC Transit is used by Alameda; urged everyone to make their voices heard at AC Transit while they are going through a re-alignment.

Councilmember Jensen stated these reports are important as they demonstrate how the City is working towards the priorities Council and City leadership has put forward; suggested having the reports be presented during a special meeting in the future to encourage more participation; staff is on track with the Climate Action and Resiliency Plan and is moving forward to making Alameda responsive to environmental challenges; she hopes this can move a little more quickly in order to make the streets safer; urged everyone to be intentional and prioritize what will make the City safe for everyone.

Vice Mayor Daysog stated residents of Alameda like to see the General Plan Annual Report and other reports on progress made in the past year; urged staff to come back to Council and let them know what kind of funding and resources are needed, as well as what kind of trade-offs they may need to consider when budgeting, while taking the concerns of the residents into account.

Mayor Ezzy Ashcraft stated if more staffing is needed in regard to safety improvements around schools, staff should let Council know during the mid-year budget review; she received an email regarding adding more bike parking throughout the City, which she agrees with.

Vice Mayor Daysog moved approval of Accepting the 2023 Annual Reports.

Councilmember Jensen seconded the motion, which carried by the following roll voice votes: 3 Ayes. [Absent: Councilmembers Vella and Herrera Spencer – 2.]

(24-168) Public Hearing to Consider Introduction of Ordinance Amending Alameda Municipal Code Chapter XXX (Development Regulations) to Revise Section 30-73 et seq. (Real Estate Subdivision Regulations) to Implement the City of Alameda General Plan and Housing Element and Make Other Technical Amendments, as Recommended by the Planning Board. (Not Heard)

CITY MANAGER COMMUNICATIONS

(24-169) The City Manager announced that the City is co-hosting a community meeting to

address the affordable housing crisis and hear a county bond being proposed for the November ballot; stated the City is celebrating Women's History Month with a reception at the Alameda Historic Theater, honoring women who serve as first responders; the Alameda County Emergency Medical Agency approved the Alameda Fire Department leave doses of Narcan at the scene of suspected opioid overdoses; welcomed the City's new building official, Oscar Davalos.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(24-170) Councilmember Daysog announced he participated as a judge in the 2024 Season for Non-Violence speech contest, alongside many other judges; thanked City staff, Marcie Johnson, Eric Fonstein, Sarah Henry, Yasamin Obaidy, and Lois Butler for taking the time to help with the event; there were 10 participants in the speech contest, Kulraj Kaur from the Alameda Community Learning Center (ACLC), Carmen Baskette from Alameda High School (AHS), Rebeca Bellis from AHS, Durham Kuduma from Encinal High School (EHS), Karen Lee from EHS, Jason Moseley from the Nea Community Learning Center (NCLC), the fourth place winner Dean Alis from AHS, the third place winner Asma Furkhunda from the Alameda Science and Technology Institute (ASTI), the second place winner Max Gurevich from ASTI, and first place winner Karshma Lopez-Renteria from ASTI.

(24-171) Councilmember Jensen stated she attended the Women Who Dare Awards, an annual event by Alameda Girls, Inc.; today, she served lunch to seniors at Mastick Senior Center and met with Spectrum, the senior service provider who provides lunches; announced two staff members at Mastick, Katherine Kaldis and Ed Kallas, will be leaving Alameda's employment.

(24-172) Mayor Ezzy Ashcraft stated she spoke and gave awards at the Hope of America presentation; she attended the CivicWell Policymakers Conference in Yosemite; announced she will be serving meals at Mastick later in the week.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 11:44 p.m.

Respectfully submitted,

Irma Glidden
Assistant City Clerk

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