

MINUTES OF THE SPECIAL JOINT MEETING OF THE
CITY COUNCIL AND ALAMEDA PUBLIC FINANCING AUTHORITY (APFA)
TUESDAY- -MAY 7, 2019- -6:59 P.M.

Mayor/Chair Ezzy Ashcraft convened the meeting at 7:02 p.m.
Councilmember/Commissioner Daysog led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers/Commissioners Daysog, Knox
White, Oddie, Vella and Mayor/Chair Ezzy Ashcraft –
5.
Absent: None.

CONSENT CALENDAR

Councilmember/Commissioner Vella moved approval of the Consent Calendar.

Councilmember/Commissioner Oddie seconded the motion, which carried by
unanimous voice vote - 5. [Items so enacted or adopted are indicated by an asterisk
preceding the paragraph number.]

(*19-01 APFA) Minutes of the Special Alameda Public Financing Authority Meeting
Held on September 4, 2018. Approved.

(*19-254 CC/19-02 APFA) SUMMARY: Authorize the City Manager to Execute an
Extension of the Letter of Credit Related to Two Types of Revenue Bonds for Alameda
Point Improvement Project

Recommendation to Authorize the City Manager to Execute an Extension of the Letter
of Credit with the Combined Entity, Mitsubishi UFJ Financial Group (MUFG) Union
Bank, N.A., Related to the Current Outstanding \$6,200,000 Alameda Public Financing
Authority (APFA) Variable Rate Demand Revenue Bonds (Alameda Point Improvement
Project), 2003 Series A, and the Current Outstanding \$3,200,000 APFA Taxable
Variable Rate Demand Revenue Bonds (Alameda Point Improvement Project), 2003
Series B, with Updated Terms and Conditions. Accepted.

ADJOURNMENT

There being no further business, Mayor/Chair Ezzy Ashcraft adjourned the meeting at
7:03 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk and Secretary, APFA

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -MAY 7, 2019- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:03 p.m. Councilmember Oddie led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Daysog, Knox White, Oddie, Vella, and Mayor Ezzy Ashcraft – 5.

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(19-255) Mayor Ezzy Ashcraft announced a break would be taken every hour; thanked the Interim City Attorney for his service.

(19-256) Proclamation Declaring May 2019 as Alameda Bike-to-Work Day.

Mayor Ezzy Ashcraft read the proclamation and presented it to Alyx Karpowicz and Laura West.

Ms. West and Ms. Karpowicz made brief comments.

(19-257) Proclamation Declaring May 9 through 19, 2019 as Affordable Housing Week.

Mayor Ezzy Ashcraft read the proclamation and presented it to Laura Thomas, Renewed Hope and East Bay Housing Organization (EBHO); Sophia DeWitt, EBHO; and Housing Authority staff.

Ms. Thomas and Ms. DeWitt made brief comments.

(19-258) Proclamation Declaring May 5 through May 11, 2019 as Small Business Week.

Mayor Ezzy Ashcraft read the proclamation and presented it to Michael McDonough, Chamber of Commerce; Janet Magleby Downtown Alameda Business Association; Ed Owens, Greater Alameda Business Association; and Linda Asbury, West Alameda Business Association.

Ms. Magleby, Ms. Asbury, Mr. Owens and Mr. McDonough made brief comments.

Submitted information and introduced their business; urged Council to consider small businesses and affordable housing in development plans: Joanne Martin and Eric

Gantos, Hot Rod Shop Inc.

ORAL COMMUNICATIONS, NON-AGENDA

(19-259) Toni Grimm, Alameda Renters Coalition, announced an upcoming tenants event as part of Affordable Housing Week.

(19-260) David Williams and Pauline Williams, Alameda, expressed concern over speeding and traffic on Lincoln Avenue.

CONSENT CALENDAR

Mayor Ezzy Ashcraft announced that the Park Street corridor project [paragraph no. 19-268]; the contracts with MCK Services [paragraph nos. 19-270 and 19-271]; and the cannabis ordinances [paragraph no. 19-275] were removed from the Consent Calendar for discussion.

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

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

(*19-261) Minutes of the Special City Council Meetings Held on April 2, 2019. Approved.

(*19-262) Ratified bills in the amount of \$6,287,448.

(*19-263) Recommendation to Accept the Quarterly Sales Tax Report for the Reporting Period Ending September 30, 2018 (Funds Collected During the Period April 1, 2018 to June 30, 2018). Accepted.

(*19-264) Recommendation to Accept the Quarterly Sales Tax Report for the Reporting Period Ending December 31, 2018 (Funds Collected During the Period July 1, 2018 to September 30, 2018). Accepted.

(*19-265) Recommendation to Approve the State and Federal Legislative Agenda for the City of Alameda. Accepted.

(*19-266) Recommendation to Authorize Councilmember Malia Vella to be Absent for More than Thirty Days Consecutively in 2019 in Compliance with Section 2-9 of the Alameda City Charter. Accepted.

(*19-267) Recommendation to Authorize the City Manager to Execute a 24-Month Agreement with Ghirardelli Associates for Construction Management Services for the

Seaplane Lagoon Ferry Terminal Project at Alameda Point, in an Amount Not to Exceed \$452,904. Accepted.

(19-268) Recommendation to Authorize the City Manager to Execute a Contract Amendment with Ray's Electric for the Park Street Corridor Safety and Operations Improvement Project, No. P.W. 03-15-03, in an Amount Not to Exceed \$99,750, Including Contingency, for a Total Expenditure under the Agreement, of \$429,830.

Expressed support for Vice Mayor Knox White's call to action and implementing the complete streets plan; urged Council to implement the complete streets plan: Denise Trepanier, Bike Walk Alameda.

The City Engineer made brief comments.

Vice Mayor Knox White stated that he spoke with Public Works staff prior to the meeting; noted the original staff for the project are no longer with the Department; stated the issues described by Ms. Trepanier will be addressed.

In response to Mayor Ezzy Ashcraft's inquiry regarding direction to staff, Vice Mayor Knox White stated the item does not need to come back, as long as there is agreement to incorporate all modes having equity when a light is triggered: car actuator or pedestrian button.

Mayor Ezzy Ashcraft stated a report back to Council would be appreciated when the work takes place.

Councilmember Oddie inquired whether it is possible to time crosswalk signals for pedestrians to walk non-stop over a long period of time.

The City Engineer responded it is possible in theory; stated the difficulty lies with the distance between intersections being so great, and varying walking speeds between individuals.

Councilmember Oddie noted a Park Street issue is related to the City of Oakland, not Caltrans.

Mayor Ezzy Ashcraft stated during a trip to Washington DC, she noticed a one minute allotment to cross streets.

Councilmember Vella moved approval of the staff recommendation.

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

(*19-269) Recommendation to Authorize the City Manager to Execute a First Amendment of the Service Provider Agreement with Eastern Research Group for

Continued Climate Action and Resiliency Plan Services by Extending the Term Five Months and Increasing the Compensation in an Amount Not to Exceed \$78,542, Including Contingency, for a Total Agreement Expenditure of \$378,437. Accepted; and

(*19-269 A) Resolution No. 15526, “Increasing the Fiscal Year 2018-19 Capital Projects Fund Budget for the Climate Action Plan Project by \$50,000 from the Tidelands Fund”. Adopted.

(19-270) Recommendation to Authorize the City Manager to Execute an Agreement with MCK Services, Inc. for the Repair and Resurfacing of Portions of Otis Drive and Pacific Avenue, No. P.W. 03-15-02, in an Amount, Including Contingency, Not to Exceed \$1,392,537.60; and

(19-270A) Resolution No. 15527, “Amending the Fiscal Year 2018-19 Capital Improvement Program Budget by Defunding Revenue and Appropriations in the Pavement Management Project 91810 by \$750,000 Each and Increasing Revenue and Appropriations for Otis Drive and Pacific Avenue Resurfacing Project 91347 by \$750,000 Each.” Adopted.

Councilmember Daysog stated that he would like to combine the current item with the next item [paragraph no. 19-_____] because both deal with road improvements in different parts of Alameda, but he is amenable to taking them separately; questioned the precise road treatment to be considered; outlined the treatment possibilities provided; inquired the cost comparison against professionally and locally established benchmarks.

The City Engineer responded an overlay is being done and a base repair for areas where the pavement has failed; stated treatment costs are in line with industry standards.

Vice Mayor Knox White stated that he and Mayor Ezzy Ashcraft have met with neighbors about ongoing concerns; expressed concern about the lack of outreach and the lack of information related to updates for the area; requested staff to conduct outreach to the community to ensure striping concerns are addressed.

Vice Mayor Knox White moved approval of the staff recommendation and adoption of the resolution, with direction that outreach occur prior to the striping documents being finalized.

Mayor Ezzy Ashcraft stated that she and Vice Mayor Knox White met with neighbors after a workshop; the City Engineer is aware of concerns and will address concerns in the near future.

Councilmember Vella requested clarification of Vice Mayor Knox White’s request.

Vice Mayor Knox White stated that a group of people have been trying to engage around the issue and should receive outreach.

Councilmember Vella inquired whether the group has filed a See Click Fix request.

Vice Mayor Knox White responded the group has reached out to the full City Council; he and Mayor Ezzy Ashcraft met with the group; noted the group has been engaged with the Public Works Department since 2015.

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

(19-271) Recommendation to Authorize the City Manager to Execute a One-Year Agreement with MCK Services, Inc. for Repair and Resurfacing of Approximately Three Miles of Streets, Phase 38, No. P.W. 02-19-03, in an Amount Not to Exceed \$4,016,266.80, Including Contingency, with the Option of Four One-Year Extensions, for a Total Five-Year Expenditure Not to Exceed \$20,900,813.73; and

(19-271A) Resolution No. 15528, “Amending the Fiscal Year 2018-19 Capital Improvement Program Budget by Defunding Revenue and Appropriations in the Pavement Management Project 91610 (2015-17 Capital Budget) by \$613,000 Each and Increasing Revenue and Appropriations for Pavement Management Project 91810 (2017-19 Capital Budget) by \$613,000 Each.” Adopted.

Expressed support for Alameda’s livable neighborhoods and safe streets initiative; discussed complete streets and daylighting: Pat Potter, Transportation Awareness Committee.

Encouraged implementation of daylighting and safe streets; expressed support for Vice Mayor Knox White’s suggestions: Jon Spangler, Alameda.

Vice Mayor Knox White acknowledged Public Works staff for efficiently implementing plans related to roadways; stated that he has interacted with families that have encountered unsafe road conditions; outlined correspondence received by Council and his response; stated daylighting is one of the most effective things that can be done; proposed approving the contract, with the expectation that streets with expected high volumes of traffic have daylighting, and parking laws will be enforced; outlined unsafe road conditions and recent accidents.

Councilmember Vella stated that she lives at an intersection that currently has a four-way stop; noted the first See Click Fix item that she submitted was for daylighting; urged citizens that notice faded red paint on curbs to report it via See Click Fix; expressed support for Vice Mayor Knox White’s suggestion of daylighting near collectors and arterials.

Councilmember Daysog stated that his questions relate to road reconstruction; daylighting is an important item; requested an overview of three general road treatments be provided by Public Work’s staff; expressed concern over the cost per foot for overlay;

provided a map of upcoming repairs; inquired the rationale behind the selection of the overlay treatment locations.

The City Engineer gave a brief Power Point presentation.

In response to Councilmember Daysog's inquiry related to cost, the City Engineer stated both projects came within 10-15% of the Engineer's estimate and used a base cost of \$5 per square foot in overlay.

Councilmember Oddie inquired the direction needed from Council in order to prioritize daylighting.

The City Engineer responded daylighting is something that can be completely independent of the paving program and can be done systematically throughout the City.

Councilmember Oddie stated contracts of this size should not be on the Consent Calendar and should be placed on the regular agenda.

Mayor Ezzy Ashcraft called a recess at 8:21 p.m. and reconvened the meeting at 8:37 p.m.

Councilmember Daysog expressed support for the toolbox concept; stated there is a need for a streets infrastructure commission to vet technical questions.

Vice Mayor Knox White moved approval of the contract [and adoption of the resolution], with direction to the City Manager to bring back in June a temporary toolbox that includes daylighting in arterials and collectors that will follow the existing paving program up until the time a new toolbox can be put into place for 2020.

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

(*19-272) Resolution No. 15529, "Approving a Revised Executive Management Compensation Plan for the Period Commencing December 27, 2018 and Ending June 30, 2022." Adopted; and

(*19-272 A) Resolution No. 15530, "Amending the Executive Management Employees Salary Schedule to Establish the Classification of Planning, Building and Transportation Director and to Delete the Director of Base Reuse Classification." Adopted.

(*19-273) Resolution No. 15531, "Amending Fiscal Year 2018-19 Base Reuse Fund Budget by Appropriating \$538,128 from the Building Sales Proceeds for Reimbursement for Additional Work Performed While Installing a Portion of the Joint Trench at Alameda Point." Adopted.

(*19-273) Recommendation to Authorize the City Manager to Execute a First Amendment to the Alameda Animal Shelter Services Agreement (Agreement Amendment) with Friends of the Alameda Animal Shelter (FAAS) for Animal Shelter Services Extending the Term by Two Years in an Amount not to Exceed \$1,779,832, including a One-Time Expenditure of \$50,000 in Fiscal Year (FY) 2019-20 for Additional Staff Support, for a Four-Year Total Compensation Not to Exceed \$3,464,800, plus an Escalator in 2020-21 Based on the Bay Area Consumer Price Index. Accepted; and

(*19-273A) Introduction of Ordinance Approving a First Amendment to the Lease Agreement (Lease Agreement) and Authorizing the City Manager to Execute a First Amendment to the Lease Agreement with Friends of the Alameda Animal Shelter (FAAS) Extending the Term by Two Years with the Same Terms and Conditions, for the Facility located at 1590 Fortmann Way, Alameda, CA 94501. Introduced.

(*19-274) Introduction of Ordinance Approving a Second Amendment to a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of the Second Amendment to a Lease with Advanced Roofing Services, Inc. for Twenty-Four Months at 1450 Viking Street, Building 612, at Alameda Point. Introduced.

(19-275) SUMMARY: Consider Final Passage of Four Cannabis Related Ordinances as Follows: Two Ordinances (A and B) Repeal the Existing Cannabis Regulations; and Two Ordinances (C and D) Adopt the Same Regulations

(A) Ordinance No. 3236, "Repeal in Its Entirety Ordinance No. 3228 Concerning Cannabis Regulations in Alameda Municipal Code Article XVI (Cannabis Businesses) of Chapter VI (Businesses, Occupations and Industries) that, Among Other Things, Establishes the Number of Retail Cannabis Dispensaries to be Open to the Public (including Delivery), Disperses Their Operations, Creates a Buffer Zone from Sensitive Uses, and Permits the Sale of Non-Medicinal Cannabis." Finally passed;

(19-275A) (B) Ordinance No. 3237, "Repeal in Its Entirety Ordinance No. 3227 Concerning Land Use Requirements in the Zoning Ordinance of Alameda Municipal Code Section 30-10 (Cannabis) that, Among Other Things, Permits Retail Cannabis Dispensaries in Certain Zoning Districts Subject to a Conditional Use Permit and Permits the Sale of Non-Medicinal Cannabis in Certain Zoning Districts." Finally passed;

(19-275B) (C) Ordinance No. 3238, "Concerning Cannabis Regulations in Alameda Municipal Code Article XVI (Cannabis Businesses) of Chapter VI (Businesses, Occupations and Industries) that, Among Other Things, Establishes the Number of Retail Cannabis Dispensaries to be Open to the Public (including Delivery), Disperses Their Operations, Creates a Buffer Zone from Sensitive Uses, and Permits the Sale of Non-Medicinal Cannabis." Finally passed;

(19-275C) (D) Ordinance No. 3239, "Concerning Land Use Requirements in the Zoning Ordinance of Alameda Municipal Code Section 30-10 (Cannabis) that, Among Other Things, Permits Retail Cannabis Dispensaries in Certain Zoning Districts Subject to a

Conditional Use Permit and Permits the Sale of Non-Medicinal Cannabis in Certain Zoning Districts.” Finally passed.

Councilmember Daysog recused himself and left the dais.

Vice Mayor Knox White moved final passage of the ordinances.

Councilmember Oddie seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Knox White, Oddie and Vella – 3. Noes: Mayor Ezzy Ashcraft – 1. [Absent: Councilmember Daysog – 1.]

(*19-276) Ordinance No. 3240, “Amending the Alameda Municipal Code by Amending Various Provisions, Including: (1) Section 2-17 of Chapter II (Administration); (2) Section 1-7 of Chapter I (General); (3) Section 2-44.1 of Chapter II; (4) Section 1-5 (Penalty Provisions; Enforcement) of Chapter I (General); (5) Section 30-23 (Certificate of Occupancy) of Chapter XXX (Development Regulations); and (6) Other Related Amendments Concerning Code Enforcement.” Finally passed.

REGULAR AGENDA ITEMS

(19-277) Recommendation to Receive a Report on the Status of the Emma Hood Swim Center Repairs and Provide Direction on Options for a City Aquatic Center; and

(19-277A) Resolution No. 15532, “Amending the General Fund Transfers Out Budget for Fiscal Year 2018-19 by \$250,000 and Capital Projects Fund Transfers In and Appropriations by \$250,000, Each, for Costs Associated with Repair of the Emma Hood Swim Center.” Adopted.

The Interim Assistant City Manager/Recreation and Parks Director gave a Power Point presentation.

Councilmember Daysog inquired how the pool size was calculated, and how typical swim meet distances would be met with the proposed pool size.

The Interim Assistant City Manager/Recreation and Parks Director responded that a 30-meter pool is not uncommon; stated different pool dimensions are used, but both proposed sizes are considered standard.

Councilmember Vella inquired whether the resolution attached to the staff report dictates an extension to June rather than May, to which the Interim Assistant City Manager/Recreation and Parks Director responded in the affirmative.

The Interim Assistant City Manager/Recreation and Parks Director stated the high-level agreement will stipulate the City has full site control but will not identify a specific location.

Councilmember Oddie inquired whether the School District's closed session meeting will be held the following week, to which the Interim Assistant City Manager/Recreation and Parks Director responded in the affirmative.

Councilmember Oddie inquired the topic of the closed session discussion.

The Interim Assistant City Manager/Recreation and Parks Director responded the topic is related to options for land use.

Councilmember Oddie inquired whether price and terms of payment will be included, to which the Interim Assistant City Manager/Recreation and Parks Director responded in the negative; stated the discussion will involve the available mechanisms to transfer land from the School District to the City.

Councilmember Oddie questioned whether it is worthwhile to have the Council hold the same discussion; noted the Council has not given direction as a whole.

The Interim Assistant City Manager/Recreation and Parks Director responded the School District is looking into the available legal options and mechanisms to convey land to the City.

Councilmember Oddie stated the Council should be made aware of options.

The Interim Assistant City Manager/Recreation and Parks Director stated the City is not negotiating location or price and terms.

Councilmember Oddie inquired whether the Memorandum of Understanding (MOU) will be negotiated by the City and the School District, to which the Interim Assistant City Manager/Recreation and Parks Director responded in the affirmative.

Councilmember Oddie inquired about the negotiating parties.

The Interim Assistant City Manager/Recreation and Parks Director responded the committee will be reviewing the MOU; stated a high-level draft has been started; the draft will be reviewed, discussed and approved or edited by each body; each body will discuss the MOU prior to finalization.

Councilmember Oddie inquired whether each body will be able to review, prioritize, and give negotiating authority within the MOU, to which the Interim Assistant City Manager/Recreation and Parks Director responded in the affirmative.

Vice Mayor Knox White stated the City is not negotiating the MOU; the School District has legal requirements about field sizes; the MOU discussion related to land options begins tonight; MOU discussions and negotiations between the School Board and Council will be held as joint meetings before each Council meeting in June.

Councilmember Oddie inquired whether there is a contingency plan if a June 30th extension is not granted.

The Interim Assistant City Manager/Recreation and Parks Director responded staff is working as quickly as possible; stated a special meeting can be held the last week of May as needed.

Councilmember Oddie stated a worst-case scenario should be planned.

Mayor Ezzy Ashcraft inquired whether a response can be anticipated from County Health by next week, to which the Interim Assistant City Manager/Recreation and Parks Director responded in the affirmative.

Vice Mayor Knox White inquired whether a new locations will not be discussed in July, to which the Interim Assistant City Manager/Recreation and Parks Director responded in the affirmative; stated conceptual designs will be based on each site.

Councilmember Vella questioned whether the decision will be made by the School Board since the land is owned by the School District; expressed concern about whether the Council can make a determination about a School District parcel, when the decision would be made by the School Board.

The Interim Assistant City Manager/Recreation and Parks Director stated tonight's discussion is to brainstorm and hear ideas, not to confirm or definitively select a site location; if other sites are to be considered, the discussion should occur tonight; if the School District decides that no land agreement will occur with the City, City-owned sites could be considered.

Discussed the pool needs of various pool users; expressed support for the plan, which has to move quickly: Amelia Busenitz, Alameda Aquatic Alliance (AAA).

Councilmember Daysog stated that he supports the option with the least moving parts; he prefers an elegant approach; the School District and the City have previously entered into complicated agreements.

Councilmember Vella stated a contingency plan helps move both parties along and is needed; expressed support for joint meetings in June; stated at least one joint meeting should be agendized; a May date should also be agendized for a contingency plan; an ideal location for both a School District and City owned location should be determined; the Alameda Officers' Pool rates higher among City-owned facilities as a backup plan; the community deserves good swimming facilities; the resolution wording can be misleading; if a land transfer is involved, Alameda High School access to the pool should be ensured; everybody should have access; the facility should meet the needs of the community; input from the community should be heard by both City Council and the School Board, preferably at an upcoming joint meeting; expressed concern about the School District's budget.

Councilmember Oddie stated time is of the essence; the issue should have been addressed long ago; the project should not be over-engineered and needs to be completed fast; the longer the project delays, the higher the possibility for complications; Council should be cognizant of the School District; the City should use some one-time money to assist with funding; expressed support of a 70%/30% split; stated the School Board is not in the business of running a pool, they are interested in educating children; that he would like more clarity on the agreement because land use agreements can be complicated; Council should weigh-in on a policy decision; a contingency plan meeting should be agendized in May; expressed concern about not having input on MOU bullet points; stated the City has a bigger responsibility to provide the schools with aquatics programs as a priority; charging the school to fund the construction of the new facility is ridiculous.

Mayor Ezzy Ashcraft stated that she and Vice Mayor Knox White are part of the pool subcommittee; outlined members and titles of the pool subcommittee; stated charging for use requires a formula; day use of the current facilities is provided to the School District at no charge; weekend tournaments are revenue generating events; noted the School District has budget challenges; stated the committee has the objective of working as quickly and carefully as possible; there are a finite number of possibilities for facilities; expressed support for a contingency plan; stated the community meeting scheduled for July will not start from the ground level; everyone is moving toward the same goal with very little time.

Vice Mayor Knox White stated the Council time for comments should be waived; the June date was suggested by the City because a plan and land use agreement must be completed by the end of December; the School District does not meet in July and Council does not meet in August; the end of June will be the last meeting before September; time constraints do not allow for a land use agreement before October; the purpose of the discussion is to identify Council's desires to relay to the School Board; questioned what terms are acceptable; outlined the School Boards' acceptable terms; stated the School Board does not think a joint meeting is needed; questioned how time will be accounted for the School District's use; outlined fees pertaining to the School District's use; stated the School Board majority are in favor of Emma Hood as the site.

Councilmember Vella stated a joint meeting is needed; there are nuances in different MOU points raised; that she would like to hear input from the School Board and public comment; Emma Hood is being treated as the location; questioned what future use of the pool will look like from an hourly use perspective; inquired whether there are separate use hours during school hours; stated swim meets and water polo tournaments occur on weekends and charging for the use is not desired; a joint meeting will help resolve questions quickly.

Councilmember Daysog stated that his preference is the Emma Hood site; details of fees and hourly use can be figured out by staff and School Board members in a way that is equitable to all.

Councilmember Oddie stated Emma Hood is currently the best site; expressed concern about process; stated details should be raised in a staff report for Council deliberation not on the spot with limited time for discussion.

Mayor Ezzy Ashcraft stated Council needs to hear back from the School Board after their meeting next week; Emma Hood is the site to focus on; a contingency plan is a good idea; Thompson Field has many moving parts for a project site; Alameda Point project sites rely on infrastructure that will result in a delay and the need is now; Alameda is under-served; the project will be made as perfect as possible; there is a limited budget; outlined the reasons for utilizing a subcommittee; questioned if Council is amenable to the City building and maintaining the pool.

Vice Mayor Knox White stated that he expects to have Council discuss the MOU; the goal is to have initial feedback to provide the School Board and staff.

(19-278) Mayor Ezzy Ashcraft stated a motion is needed to extend Council speaking time.

Vice Mayor Knox White moved approval of waiving the rule limiting Councilmember comments.

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

Councilmember Oddie stated that he understands urgent decisions need to be made in regard to the repair schedule; many of the urgent decisions have passed; stated three out of five Councilmembers are not allowed to attend subcommittee meetings; the purpose of the subcommittee has expired; the community and the majority of Council should have an opportunity to weigh-in on details.

Councilmember Vella stated that three members of the School Board have not been able to weigh-in; one joint Council and School Board meeting should occur; that she would like analysis from staff about finances related to components of what the transfer would look like; Emma Hood requires hearing from the School District first; staff will relay the School Districts' wishes to Council; information can be relayed to Council from staff.

Mayor Ezzy Ashcraft inquired whether the upcoming budget meetings will include costs for a new pool.

The City Manager responded the cost has not been included in the upcoming budget; stated Council may provide direction at the upcoming workshop; a temporary cost will be included in the budget this year or next year; the long term costs will not be included;

outlined long term funding items for Council to consider.

Mayor Ezzy Ashcraft questioned if there is a consensus on the City building and maintaining the pool with the understanding that future funding is unknown.

Vice Mayor Knox White stated that he has heard from other Councilmembers school use should not pay fees; inquired the proposed times for school use hours.

Councilmember Oddie questioned if there are proposed fees, to which Vice Mayor Knox White responded about \$21,000 per year based on current use.

Councilmember Oddie stated that he would like to see some analysis.

Vice Mayor Knox White stated the current discussion will help get a sense of desired items to be analyzed or negotiated.

Councilmember Oddie inquired whether the analysis and negotiation must be done outside of a Council meeting or completed to meet the MOU deadline.

Vice Mayor Knox White responded in the affirmative; stated the School District is interested in discussing the items.

Councilmember Oddie noted budget reserves.

In response to Vice Mayor Knox White's inquiry regarding School District payment, Councilmember Oddie stated the fee is dependent on the site location; expressed concern about the subcommittee not having 60% of both negotiating bodies present to work out details.

Councilmember Daysog stated staff assessment and recommendations for details related to fees, pool usage and time should be encapsulated in a staff report for Council review and allow for a robust discussion.

Mayor Ezzy Ashcraft stated Council should provide a list of wants that staff can bring to the next Council meeting; noted the School District's preferences will be known by the next meeting; stated the resolution should be discussed.

Councilmember Vella expressed support of adopting the resolution with the exception of the interpretation of the 7th "Whereas" paragraph stating "replacement plan" means a high level discussion and update May 30th to June 30th with staff assessment to come back to Council for feedback and giving authority to the subcommittee.

Mayor Ezzy Ashcraft stated the request is reasonable; inquired whether the Interim Assistant City Manager/Recreation and Parks Director has sufficient Council direction.

The Interim Assistant City Manager/Recreation and Parks Director outlined Council

direction; stated the process is moving fast making deadline difficult.

Councilmember Vella inquired whether the current joint use agreement can be attached to the staff report, with an abbreviated notation in the staff report of key points to consider, to which the Interim Assistant City Manager/Recreation and Parks Director responded in the affirmative.

The Interim Assistant City Manager/Recreation and Parks Director continued to outline Council direction for the next meeting; stated that she will provide all available data points to Council.

Councilmember Oddie moved adoption of the resolution.

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

Mayor Ezzy Ashcraft called a recess at 10:01 p.m. and reconvened the meeting at 10:08 p.m. with Councilmember Vella participating via teleconference from the City Manager's office for the remainder of the meeting.

(19-279) Introduction of Ordinance Authorizing the City Manager to Execute a Fifteen-Year Lease with Two Five-Year Options to Extend, Substantially in the Form of the Attached, with Nautilus Data Technologies, Inc., a Delaware Corporation, for Building 530, an 82,251-Square Foot Building Located at 120 West Oriskany Avenue, and the Adjacent Building 529, a 3,200-Square Foot Building, and Building 600, a 343-Square Foot Building, at Alameda Point. Not Introduced.

The Assistant Community Development Director gave a brief presentation.

Vice Mayor Knox White inquired whether the item requires four votes, to which the Assistant Community Development Director responded in the affirmative.

Vice Mayor Knox White stated a number of Councilmembers have voiced concerns about the item; inquired whether there are two or more Councilmembers who are not in support in the idea.

Councilmember Daysog stated that he has been supportive of the project for the most part, and does not see any reason to change his position; expressed support of the contribution to the Development Impact Fee (DIF).

Vice Mayor Knox White stated that he would like discussion about monitoring and outcomes if issues arise; expressed support for the project.

Councilmember Oddie stated that he is skeptical of the project.

Councilmember Vella stated that she has outstanding questions; expressed concern over environmental impacts and terms of the lease.

Mayor Ezzy Ashcraft inquired whether Councilmember Vella could be in support of the item.

Councilmember Vella responded that she potentially could be.

Mayor Ezzy Ashcraft stated continuing the discussion is worthwhile; applicants have had a chance to see the letter Council received from the Alameda Sierra Club; that she would like answers to the questions raised, specifically the data center requiring constant cooling and the impact of warming waters contributing to toxic algae blooms; noted the United Nations report of the dramatic decline of biodiversity; stated the environmental issues have been raised by Council in closed session.

Jim Connaughton, Nautilus Data Technologies, stated Nautilus was founded to be a solution to a very bad problem; the objective is to dramatically contribute to the abatement of greenhouse gasses, the reduction of air pollution and provide a technology solution that will eliminate the common consumption of water in data centers; the objective of the project is to provide a significant environmental benefit; outlined the rigorous regulatory review process efforts in Stockton; stated that he has provided the permits to Council.

Mayor Ezzy Ashcraft stated that she requested the permits, but they are voluminous; she would have appreciated having the opportunity to review the permits prior to the meeting to allow for an informed decision to be made.

Mr. Connaughton stated the permits, while voluminous, regulation board's conclusions are notated, along with the determination of environmental benefits, and lack of any significant adverse impact.

Mayor Ezzy Ashcraft outlined a letter and findings from the Alameda Sierra Club; stated there are significant differences between Alameda and Stockton.

Mr. Connaughton stated that he welcomes the engagement from the Sierra Club; technical and modeling work must be completed; noted adverse effects do not align with the project goals and objectives; outlined regional board regulators and thermal discharge leaving the facility.

Mayor Ezzy Ashcraft outlined Environmental Protection Agency (EPA) findings related to toxic algae; stated toxic algae blooms are not something the City would like to foster.

Mr. Connaughton stated Nautilus does not want to foster toxic algae; the State regulators would not want to approve a project that contributes to toxic algae; the lease is expressly conditioned on Nautilus going through the regulatory process, getting

approvals and getting sign-off that there are no significant adverse impacts; he welcomes working with the Sierra Club should the conditional lease be approved.

Vice Mayor Knox White outlined questions and responses from the Sierra Club; noted the State regulatory board approval of the project could be wrong, causing difficulty for the project to shut down; inquired whether the staff report includes which boards address regulatory issues, monitoring, and contingency; stated the monitoring portion is not included in the exhibits; expressed support for monitoring the water temperature; inquired whether the requests can be built into the project.

Mayor Ezzy Ashcraft expressed support for independent monitoring, as opposed to tenant monitoring.

Mr. Connaughton stated the State Water Board and other regulators impose substantial monitoring requirements; Nautilus is happy to perform monitoring and bear the business risk; noted the thermal load will not be measureable at the discharge site since the amount of heat is not significant enough; stated Nautilus provides independent modeling; outlined monitoring efforts for all potential impacts.

Councilmember Oddie expressed concern about monitoring and potentially finding toxic algae; noted once an adverse effect occurs, it is often too late; expressed concern over the negative impacts of allowing the project to move forward if irreversible environmental issues occur; stated Council should do the right thing from the beginning and prioritize the environment.

Mayor Ezzy Ashcraft stated a clause or condition may be added to give the City recourse if there are significant environmental impacts.

The Interim City Attorney stated provisions will need to be added to the lease; a “poison pill” provision could state: “if significant environmental impacts occur that the tenant cannot adequately mitigate, there will be grounds to terminate the lease.”

Mayor Ezzy Ashcraft stated some concerns may be answered by a regulatory body looking at the likelihood of conditions leading to toxic algae blooms; the tenant can address some of the concerns; there are not answers for every question, but significant environmental issues should be addressed.

Councilmember Daysog stated whether the project moves forward and the proponent attempts to get approval from regulatory bodies, City staff should also be involved in the process so a clear understanding and adequacies of the technologies can be evaluated.

Mr. Connaughton stated Nautilus will first have to go through the California Environmental Quality Act (CEQA) process; the City will be engaged through the entire process; the process calls for the City to be involved in each permitting process; if significant impacts arise, Nautilus will not move forward with the project.

Councilmember Vella expressed concern about the regulations; stated that she wants a City defined significant impact included; regulatory boards do not always have the City's best interests at heart; there may be a difference in how significant impact is defined by the City versus the regulatory boards; expressed support for adding the "poison pill" clause; questioned the location of the intake and removal pipe and how the removal process and funding of removal will occur if the lease is terminated in the future.

Mr. Connaughton stated a very intensive public process will occur to address the location of the intake and discharge pipe; Nautilus has provided the least impactful option and are open to alternatives; outlined the CEQA process.

Councilmember Vella stated there may be a difference in opinion related to the location of the intake and discharge pipe.

Mr. Connaughton stated the designs are based on discussions related to infrastructure; the CEQA process may identify a better environmental alternative; stated the current lease removal provision will ensure there is an obligation to fund and remove the intake structure when the project is complete.

Mayor Ezzy Ashcraft requested clarification related to removal of the intake structures.

Mr. Connaughton stated the matter is minor; outlined the process for intake removal.

The Interim City Attorney discussed the CEQA process.

Mr. Connaughton stated the categorically exempt exemption applies to the existing facility; the intake/discharge component, known as the off-site improvements, are subject to CEQA.

The Interim City Attorney inquired who the lead agency will be with respect to the intake/discharge component, to which Mr. Connaughton responded the City of Alameda.

The Assistant Community Development Director stated Mr. Connaughton is correct; the Planning, Building and Transportation Director has stated the entitlements for Alameda Point's industrial use do not include the intake pipe and will have to go through CEQA process, with the City of Alameda as the lead applicant.

Mayor Ezzy Ashcraft inquired whether the cost of the CEQA process would be borne by the applicant, to which the Assistant Community Development Director responded in the affirmative.

Councilmember Oddie inquired how the CEQA process will play out and how long it will take.

The Interim City Attorney responded once the application comes in, there will be a determination of whether the project described will have a significant environmental impact; depending on the answer, there could be an exemption or a determination whether a mitigated negative declaration would be sufficient or a full Environmental Impact Report (EIR) would be required; stated the answer will derive how long the process takes; a mitigated negative declaration could take three to six months from preparation to approval; an EIR can take anywhere from six-months to two-years.

Councilmember Oddie inquired whether other agencies' review is concurrent or will the CEQA process have to be completed first.

The Interim City Attorney responded that he is not sure the timing; stated the regulatory agencies will want to rely on the City environmental document.

Councilmember Oddie inquired whether the City would be the defendant covering legal costs if someone opposes the CEQA approval and files a lawsuit.

The Interim City Attorney responded in the affirmative; stated typically when an application comes through, part of the application process is for the City to look to the applicant to provide legal defense should challenges to the project arise.

Councilmember Oddie stated the process seems squishy.

The City Manager stated many cities financially obligate the applicant.

Councilmember Oddie inquired whether the language is included in the lease agreement or the CEQA application, to which the Interim City Attorney responded that he does not know if the language is currently in the lease language; stated the language is embedded in the conditions of approval.

Councilmember Daysog stated that he heard the word "developer;" inquired whether the project proponent is going to continue with the project itself or if the project is going to be sold to another entity once entitlements are obtained.

The Assistant Community Development Director responded the applicant will perform the project; stated the only option is to assign the interest in the building; however, the building cannot be sold because it is City-owned; the proponent is committed to the project; the City would have to approve any assigned similar use.

Councilmember Daysog inquired whether the applicant will perform the project with the current corporate structure before Council or will a separate corporate structure be created.

The Assistant Community Development Director responded the applicant will use the current corporate structure, but will bid the project out with project management similar to all tenant improvements.

Councilmember Daysog inquired whether said details could be part of the current lease agreement; discussed limiting corporate liability.

The Interim City Attorney responded a lease provision will typically allow a lessee to be assigned to another corporate entity; the City will need to provide approval if the lessee intends to assign interest to a separate entity; an internal restructuring is typically allowed.

Councilmember Daysog expressed concern about the possible worst case scenario.

The Interim City Attorney stated staff will ensure there are adequate securities.

Councilmember Oddie inquired whether environmental review is required in the event everything needs to be removed; questioned whether removal requires environmental review.

The Assistant City Attorney responded the restoration and surrender provision in the lease obligates the tenant to remove alterations at the end of the lease term; stated it is not something that the lessee can performed on their own; there would have to be consultation and coordination with the City as to how the site is restored; removal may not be the best option; capping the pipe might be better; the determination needs to be made at the time.

(19-280) Mayor Ezzy Ashcraft stated a motion is needed to consider the four remaining items: the CDBG hearing [paragraph no. 19-281]; the Park Street and Webster Street BIAs [paragraph nos. 19-282 and 19-283]; and the City Attorney contract [paragraph no. 19-284].

Councilmember Oddie moved approval of hearing the remaining items.

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

In response to Councilmember Vella's inquiry about what the City is receiving, the Assistant Community Development Director stated Council directed staff to negotiate the DIF payment; the calculation is based on the life of the building, which is assumed at 66 years; the City is getting money for infrastructure that would not ordinarily be received; with a ten-year lease, only lease revenue would be received; as a long-term lease, an investment in infrastructure is being made for Alameda Point.

In response to Councilmember Vella's inquiry related to invested capital and building life, the Assistant Community Development Director stated more than \$100,000 would

be invested in the building; millions will be invested into the building, but no shell credit will be received.

In response to Councilmember Vella's inquiry about equipment and investment needs, the Assistant Community Development Director stated the building needs an entire new roof.

The Assistant City Attorney stated \$100,000 is only for the first 12 months of the lease; over \$6 million would be spent in the following years.

In response to Councilmember Vella's inquiry related to high-speed internet, Mr. Connaughton stated the \$100,000 is to bring the building to occupancy status; after permit approvals, the bulk of the money will be invested into the site, with almost all going into the building; tens of millions of dollars will go into installing fiber and other updates; the project will be roughly \$100 million with craft labor involved; at least \$6 million will be the resulting investment for the City in the form of an A-class building.

Councilmember Vella inquired about the other off-site improvements.

The Assistant Community Development Director responded other tenants interested in Building 530 were required to do extensive work in order to bring the building to occupancy standards; stated the cost is roughly \$2 million due to a new electrical system being required by Alameda Municipal Power (AMP).

Mr. Connaughton stated in relation to off-site improvements, there will be water updates in addition to building updates; stated landscaping and parking lots will be included, along with two loops of backbone internet fiber that others can access; outlined other infrastructure improvements that will be a modest net savings to the community; electrical enhancements will also be made.

In response to Councilmember Vella's inquiry, Mr. Connaughton stated the project will be in two phases; one will take advantage of spare AMP capacity; in the event further expansion occurs inside the building, there will be an on upgrade in the addition of new AMP facilities; noted the new facilities are several years away; stated Nautilus would negotiate with AMP in accordance with AMP's rules and procedures.

Councilmember Vella inquired if AMP is performing the work, to which the Assistant Community Development Director responded in the affirmative; stated the work is at the applicant's cost.

Councilmember Vella inquired about revenue generation.

The Assistant Community Development Director responded the \$1.5 to \$2 million depicted in the staff report is the revenues AMP estimates will be generated from the project at build-out.

The AMP Assistant General Manager for Administration stated after a year of full rollout, there will be about \$1.9 million in revenue; upon the full rollout of the data center, the use will be about 40% of what AMP currently uses.

Mr. Connaughton stated the initial ramp will be about \$1 million or more; Phase 1 of the plan is for 10 megawatts of use; AMP has 30 megawatts of available capacity; at 10 megawatts of use, there will be about \$10 million annually to AMP; the amount will grow as the project expands.

Councilmember Oddie inquired if there is a Project Labor Agreement (PLA) on the construction work, to which Mayor Ezzy Ashcraft responded it is included in the lease agreement.

Councilmember Daysog moved introduction of the ordinance; stated that he is satisfied with the regulations in place; staff is being vigilant within the lease agreement; expressed support for the project.

Mayor Ezzy Ashcraft seconded the motion.

Under discussion, Mayor Ezzy Ashcraft stated the project should move forward to allow Nautilus to go through the regulatory process; requested the motion be amended to have the lease conditioned on Council discussion and input from the Interim City Attorney adding conditions that if serious environmental conditions are discovered, the project will shut down.

Councilmember Daysog accepted the amendment to the motion.

Vice Mayor Knox White inquired whether the item is to come back with new language to approve, or is Council proposing approving the lease with staff executing the Council and Interim City Attorney recommendations, to which Mayor Ezzy Ashcraft responded with the latter; stated that she believes Council has given sufficient direction.

Vice Mayor Knox White stated there are four environmental conditions that he would like to see: 1) as part of the State Water Board analysis that Council is specifically asking to include, not limit, the analysis to include algae blooms and long-term multi-year impacts of warmth to the water; 2) to have weekly ongoing monitoring and reporting; 3) staff may not have sufficient direction of what the Council desires to be monitored; he may not be able to state what exactly should be monitored at this time; and 4) a report back to Council after the State Water Board gives clearance on the project.

The Assistant Community Development Director stated the items identified are items staff should monitor; noted the City will learn a lot from the State Water Board about their concerns in order to identify what should be monitored in addition to Council's list; stated another layer of protection may be added by consulting with the City's contracted environmental consultant who assists with Alameda Point cleanup as well as a biologist.

Vice Mayor Knox White stated monitoring would be done under the idea that if something is found, the water would be shut off; questioned if the applicant is amenable to signing a lease with the knowledge of a monitoring list being added after.

Mr. Connaughton responded in the affirmative; stated the items being monitored should be standards based.

Mayor Ezzy Ashcraft expressed support for using the City's consultants as a resource.

In response the Vice Mayor's suggestion to have Sierra Club input, Mayor Ezzy Ashcraft stated the City needs to have measurable standards; that she does not support including the Sierra Club.

Vice Mayor Knox White stated the Sierra Club would only be providing comments to consultants about concerns.

Mayor Ezzy Ashcraft stated Sierra Club's correspondence can be shared with the consultants.

Vice Mayor Knox White inquired whether there will be an opportunity for Council raise issues and add comments.

The Assistant Community Development Director responded the City's contracted biologist and environmental consultants will provide recommendations and there should be no argument between both parties.

The City Manager stated if the City and applicant are negotiating standards and criteria, there is an ability to bring it back to Council.

Councilmember Daysog left the dais at 11:21 p.m. and returned at 11:25 p.m.

The Assistant Community Development Director stated Council will receive information as the project moves along; that she is happy to provide feedback to the applicant.

Councilmember Oddie stated the risks outweigh the rewards; he will not support the project; the remedy to environmental risks is to trust the applicant and agencies; the risk of environmental impacts occurring are costly in both cleanup and potential litigation; the Enterprise District Plan does not recommend long-term leases; prime property within the Enterprise District will be tied up for 25 years, potentially losing out on developing something better in the space; correspondence provided has de-bunked some of the myths in relation to AMP benefits; job creation and infrastructure should be the priority; the City will not see much money; after seeing the condition of the building at the Enterprise District tour, he believes it should be torn down; the property should be

sold and developed into something nice; the project will not be a catalyst for the Enterprise District; market studies were not provided.

Councilmember Vella expressed concern with the project; stated there will be monitoring, but it will need to continue throughout the duration of the lease not just a short period of time; the applicant should bear the cost of monitoring, which should be done by someone else; expressed support for using Alameda Point consultants; expressed concern about the lease being for three buildings, not just one, for a total of roughly 85,000 square feet; stated there is little job creation over the long term; the lease options are not favorable.

Mayor Ezzy Ashcraft questioned if Councilmembers Oddie and Vella do not support the item.

Councilmember Vella stated that she is laying out her terms for a lease agreement to be acceptable.

Mayor Ezzy Ashcraft stated that the Assistant Community Development Director noted the monitoring would be conducted by the Stated Water Board; stated that she supports monitoring longer than five years.

Councilmember Vella stated that she would also like to utilize the Alameda Point biological consultants and allow for a community discussion; expressed support for only one lease extension; expressed concern about amount of pressure put on the current electrical system and the AMP staff workload increase.

Mayor Ezzy Ashcraft requested clarification that Councilmember Vella would support one option to extend.

Councilmember Vella responded that she will support one five year extension; stated technology is rapidly expanding.

Mr. Connaughton stated the extension is acceptable; the CEQA process will allow for consultant input.

Vice Mayor Knox White stated that Councilmember Vella desires a City lead community discussion with the consultants and biologists, not just giving the community an opportunity to write letters as part of a CEQA process; inquired how a condition can be written to address Councilmember Vella's concern about AMP.

Councilmember Vella expressed concern about previous negotiations which increased AMP loads.

Vice Mayor Knox White noted the right conditions need to appear in order for Councilmember Vella to approve the item.

Mayor Ezzy Ashcraft outlined a discussion she had with AMP's General Manager about his support as well as the PUB.

Councilmember Vella expressed concern about current operations being understaffed and a significant amount of overtime being needed for the project; stated that she would like AMP to provide a rollout plan at some point.

The Interim City Attorney inquired whether Council wants the item to return for a vote.

Councilmember Oddie inquired whether the item would come back with changes for the second reading.

The Interim City Attorney responded the item should return with revisions for a first reading.

Mayor Ezzy Ashcraft inquired whether the item will be placed on Consent, to which the Interim City Attorney responded the item will be a Regular Agenda item, brought back as quickly as possible.

In response to Mayor Ezzy Ashcraft's inquiry regarding Council voting availability, Councilmember Vella stated that she will be calling into meetings when needed and will still participate; expressed support to have the item come back for a first reading.

The Interim City Attorney stated the item should come back for a first reading with the recommended changes.

Mayor Ezzy Ashcraft inquired whether a vote is needed to proceed.

The Interim City Attorney responded that a vote to direct staff to return to Council with revised lease language that encompasses Council discussion will be helpful.

Councilmember Daysog moved approval of the recommendation.

Councilmember Oddie seconded the motion.

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

Mayor Ezzy Ashcraft called a recess at 11:45 p.m. and reconvened the meeting at 11:50 p.m.

(19-281) Public Hearing to Consider Adoption of the Fiscal Year (FY) 2019-20 Community Development Block Grant (CDBG)/HOME Partnership Investment Program

Action Plan and Authorize the City Manager to Negotiate and Execute Related Documents, Agreements, and Modifications at Funding Levels Approved by Congress.

Stated the importance of the funding cannot be understated; outlined the services funding will help provide: Dan Ashbrook, Legal Assistant for seniors.

Discussed Eden I&R services, including 2-1-1, which connects people to health, housing and human services: Alison DeJung, Eden I&R.

Discussed a new State grant that will be used to assist with housing matters and an in-house attorney service: Erin Scott, Family Violence Law Center.

Stated the funding is core to keeping Building Futures running; discussed outreach services and the warming shelter: Liz Varela, Building Futures.

Thanked the City for its support; outlined ECHO housing services: Angie Larson-Hajjem, ECHO Housing.

Councilmember Oddie moved approval of the staff recommendation.

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

(19-282) Public Hearing to Consider Resolution No. 15533, “Confirming the Park Street Business Improvement Area (BIA) Annual Assessment Report for Fiscal Year (FY) 2019-20, Changing the BIA Boundaries, and Levying an Annual Assessment on the Park Street BIA.” Adopted.

Vice Mayor Knox White moved adoption of the resolution.

Councilmember Vella seconded the motion.

Under discussion, Vice Mayor Knox White inquired the process the City is utilizing to take a position on City-owned property.

The City Manager responded the discussion has occurred internally; outlined two voting options; stated if tenants express support, he is willing to cast the votes versus returning to Council to decide how to vote.

Vice Mayor Knox White stated expressed support for allowing the City Manager to cast votes if there is tenant support.

Mayor Ezzy Ashcraft requested clarification.

The Assistant City Attorney stated that she has consulted with outside counsel; other

clients have have the City Manager cast votes for simplicity.

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

(19-283) Public Hearing to Consider Resolution No. 15534, “Confirming the Webster Street Business Improvement Area (BIA) Assessment Report for Fiscal Year (FY) 2019=20 and Levying an Annual Assessment on the Webster Street BIA.” Adopted.

Councilmember Daysog recused himself and left the dais.

Vice Mayor Knox White moved adoption of the resolution.

Councilmember Oddie seconded the motion, which carried by the following roll call vote: Vice Mayor Knox White: Aye; Councilmembers Oddie: Ayes; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes – 4. [Absent: Councilmember Daysog – 1.]

(19-284) Recommendation to Approve Agreement Appointing Yibin Shen as City Attorney Effective May 13, 2019.

The City Clerk read a summary of the City Attorney’s salary and benefits.

Councilmember Oddie moved approval of the contract.

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

CITY MANAGER COMMUNICATIONS

(19-285) The City Manager announced the City has put out a press release regarding the 4th of July parade; stated those interested in volunteering should contact the City Manager’s Office for details.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(19-286) Councilmember Oddie, Daysog, Vice Mayor Knox White and Vella thanked the

Interim City Attorney for his service.

(19-287) Mayor Ezzy Ashcraft discussed a workshop related tax increment financing, the League of California Cities Legislative Day, the CASA Compact housing legislative working group; announced she and PUB members attended a meeting in Washington D.C. on the Northern California Power, Agency ; stated a meeting with the Veterans Association (VA) has been arranged for the proposed columbarium; further discussed meetings with Congress members and staff from House Appropriations Subcommittee on VA construction.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 12:13 a.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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