

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -NOVEMBER 19, 2019- -5:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:03 p.m.

Roll Call – Present: Councilmembers Daysog, Knox White, Oddie, Vella and Mayor Ezzy Ashcraft – 5.

[Note: Councilmember Daysog arrived at 5:04 p.m. and Councilmember Vella arrived at 5:15 p.m.]

Absent: None.

Public Comment

Tami Flores, Christian Kazaoff and Thomas Altherr, Tack Brewing, made brief comments about the business.

The meeting was adjourned to Closed Session to consider:

(19-620) Conference with Real Property Negotiators (Pursuant to Government Code Section 54956.8); Property: Building 25, Unit 100, approximately 15,458 rentable square feet, located at 1951 Monarch Street on Alameda Point; City Negotiator: Nanette Mocanu, Assistant Community Development Director and Ted Anderson, Cushman and Wakefield; Negotiating Parties: City of Alameda and Tack Brewing; Under Negotiation: Price and terms

(19-621) Conference with Real Property Negotiators (Pursuant to Government Code Section 54956.8); Property: Northwest Territories Shoreline Park at Alameda Point; City Negotiators: Debbie Potter, Community Development Director, and Amy Woolridge, Recreation and Parks Director; Negotiating Parties: City of Alameda and East Bay Regional Park District; Under Negotiation: Price and terms of payment pursuant to a Lease

(19-622) Conference with Legal Counsel – Liability Claim (Pursuant to Government Code § 54956.95); Claimant: Grand Edibles, Inc.; Agency Claimed Against: City of Alameda

(19-623) Conference with Labor Negotiators (Government Code Section 54957.6); City Negotiator: Eric Levitt, City Manager; Employee Organizations: Executive Management Employees (EXME); Under Negotiation: Salaries and Terms of Employment

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding Building 25, Council provided direction and staff provided information with no vote taken; regarding the Northwest Territories Shoreline Park, staff

provided information and Council provided direction with no vote taken; regarding the Liability Claim, staff provided information to Council and Council provided direction by unanimous voice vote; and regarding Labor, staff provided information and Council provided direction with no vote taken.

Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 6:56 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE SPECIAL JOINT MEETING OF THE
CITY COUNCIL AND SUCCESSOR AGENCY
TO THE COMMUNITY IMPROVEMENT COMMISSION (SACIC)
TUESDAY- -NOVEMBER 19, 2019- -6:59 P.M.

Mayor/Chair Ezzy Ashcraft convened the meeting at 7:06 p.m.
Councilmember/Commissioner Oddie 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

Vice Mayor/Commissioner Knox White moved approval of the Consent Calendar.

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

(*19-014 SACIC) Minutes of the Special Joint City Council and Successor Agency to the Community Improvement Commission Meeting Held on June 18, 2019. Approved.

(*19-624CC/19-015 SACIC) Recommendation to Accept the Investment Report for the Quarter Ending June 30, 2019. Accepted.

(*19-625CC/19-016 SACIC) Recommendation to Accept the Investment Report for the Quarter Ending March 31, 2019. Accepted.

(*19-626CC/19-017 SACIC) Recommendation to Accept the Investment Report for the Quarter Ending December 31, 2018. Accepted.

ADJOURNMENT

There being no further business, Mayor/Chair Ezzy Ashcraft adjourned the meeting at 7:07 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk and Secretary, SACIC

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -NOVEMBER 19, 2019- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:07 p.m.

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

Absent: None.

AGENDA CHANGES

(19-627) Mayor Ezzy Ashcraft requested the gun control item [paragraph no. 19-641] be heard first on the regular agenda.

Vice Mayor Knox White moved approval of the changing the order.

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

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(19-628) In recognition for their work on the Kinkaid Fire, Mayor Ezzy Ashcraft presented certificates to: Officer Christopher Botkin, Sergeant Rick Bradley, Sergeant Scott Dole, Officer James Fisher, Sergeant Brian Foster, Firefighter Kyle Garcia, Officer Francisco Guerra, Officer Robert Hansen, Officer Brandon Hansen, Officer Marc Hurwitz, Sergeant Alex Keden, Sergeant Erik Klaus, Officer Peter Larsen, Officer Cameron Leahy, Officer Eric McKinley, Apparatus Operator Michael Navarro, Firefighter James Pagnini, Officer Frank Petersen, Officer Joshua Ramirez, Sergeant Mark Reynolds, Officer Robby Stofle, Captain Michael Williams, Officer Brendan Woulfe, and Officer Peter Yakas

The Police Chief made brief comments.

(19-629) Proclamation Declaring November 30, 2019 as Small Business Saturday.

Mayor Ezzy Ashcraft read the proclamation and presented it to Janet Magelby, Downtown Alameda Business Association, Linda Asbury, West Alameda Business Association, and Madlen Saddik, Alameda Chamber of Commerce.

Ms. Asbury, Ms. Magelby, and Ms. Saddik made brief comments.

ORAL COMMUNICATIONS, NON-AGENDA

(19-630) Samantha Adams, Alameda, expressed concern over homeless camps and urged the City to address the matter.

The Police Chief made brief comments.

CONSENT CALENDAR

The Sun Ridge Systems agreement [paragraph no. 19-633] was removed from the Consent Calendar for discussion.

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

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

(*19-631) Minutes of the Special and Regular City Council Meetings Held on October 15, 2019. Approved.

(*19-632) Ratified bills in the amount of \$4,299,614.16.

(19-633) Recommendation to Authorize the City Manager to Negotiate and Execute a Purchase Agreement, or in the Alternative a Lease Agreement, and Service Provider Agreement with Sun Ridge Systems Inc. for the Acquisition, Support, and Maintenance of a Computer Aided Dispatch (CAD), Report Management Systems in an Amount Not to Exceed \$1,137,825 for Five Years, including a First Year Purchase Price of \$820,905 and Annual Support Cost of \$79,230 per Year for Four Additional Years.

Vice Mayor Knox White inquired whether there is confidence that the new CAD system will fix the current system issues, to which the Police Chief responded in the affirmative.

Vice Mayor Knox White inquired the impacts of approving funding for this item versus license plate reader software.

The Police Chief responded there should be no effect; stated the item is a last minute request of the budget; the funding could be used for license plate readers or another form of technology; due to salary savings, license plate reader technology may still be funded at a later date as a separate project.

The City Manager outlined the potential fund request.

Vice Mayor Knox White inquired whether there is a plan to bring license plate reader technology back for Council discussion.

The City Attorney recommended Council only discuss the item listed; noted license plate reader software is not listed on the agenda.

The City Manager stated Council would have to appropriate new money.

Councilmember Oddie moved approval of the staff recommendation.

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

(*19-634) Recommendation to Authorize the City Manager to Execute a Third Amendment to the Agreement with Nute Engineering, for Engineering Design Services for Cyclic Sewer Rehabilitation Project, Phase 17, for an Amount Under the Third Amendment not to Exceed \$414,362, and an Aggregate Amount Not to Exceed \$1,141,821. Accepted.

(*19-635) Recommendation to Authorize the City Manager to Execute a 16-Month Contract with Building Futures with Women and Children, in an Amount Not to Exceed \$106,000, to Operate the Alameda Winter Warming Shelter During Fiscal Years 2019-20 and 2020-21. Accepted.

(*19-636) Resolution No. 15609, “Approving a Tentative Map for Condominium Purposes (Tract No. 8524) Located at 2800 Fifth Street and Commonly Known as the Alameda Landing Waterfront Residential Project.” Adopted.

(*19-637) Resolution No. 15610, “Amending Resolution No. 15547 Authorizing the City Manager to Apply for and Accept up to \$310,000 in Senate Bill (SB) 2 Planning Grants Program Funds for Work on General Plan Updates, Zoning Ordinance Amendments, and Environmental Review Consistent with State Laws to Streamline Housing Production.” Adopted.

(*19-638) Resolution No. 15611, “Amending the Fiscal Year 2018-19 Capital Projects Fund Budget to Consolidate All Senate Bill (SB) 1 Road Maintenance and Rehabilitation Account (RMRA) Funding Budget Commitments to the Pavement Management Project (91810) and Swap an Equivalent Amount of Measure B Local Streets and Roads Funding from the Pavement Management Project (91810) to the Sidewalk Maintenance Project (91601) and the Traffic Signals, Calming, and Systems Project (91812).” Adopted.

(*19-639) Resolution No. 15612, “Approving a Memorandum of Understanding (MOU) Between the City of Alameda and the International Brotherhood of Electrical Workers (IBEW) for a Forty-Two Month Term Commencing December 27, 2018, and Ending June 30, 2022.” Adopted.

(*19-640) Ordinance No. 3255, “Amending Alameda Municipal Code Chapter 30 (Zoning Ordinance) to Streamline Design Review for Small Residential Additions, Window Replacements, and Green Roofs, Update Work/Live Ordinance Requirements, Update Lot Line Adjustment Procedures, and Make Other Miscellaneous Administrative, Technical, and Clarifying Amendments, as Recommended by the Planning Board.” Finally passed.

REGULAR AGENDA ITEMS

(19-641) Recommendation to Provide Direction to City Staff Regarding Local Firearm/Gun Control Regulation.

The Assistant City Manager gave a Power Point presentation.

Stated the Alameda Progressives supports the proposal to decrease gun violence: Cheri Johansen, Alameda Progressives.

Urged Council to approve the staff measures and the measures proposed by Safe Alameda, as well as eliminate ownership of assault weapons and limit to one handgun per household: Jonathan Soglin, Alameda.

Expressed support for gun control; discussed support groups: Gaby Chao and Zoey Ericson, Encinal High School Students.

Urged Council to study what needs to be done to remove guns and take action: Eleanor Wiley, Alameda.

Urged the City to adopt a local safe storage ordinance: Krystyl LoPilato, Moms Demand Action for Gun Sense.

Urged Council to approve funds for education, safe storage and mental health: Kelley Cope, Safe Alameda.

Expressed support for the item: Louise Reed, Moms Demand Action.

Urged Council to take actions in steps to get things accomplished and to reduce the number of guns in homes: Danielle Mieler, Moms Demand Action.

Expressed support for keeping children safe by supporting safe storage, a reduction in guns and mental health: Danielle Tizol, Safe Alameda

Suggested a gun buyback program: John Platt, Alameda.

Stated 90% of gun deaths are from suicide; expressed support for more mental health resources: Olivia Petty, Alameda High School Student.

Vice Mayor Knox White outlined the process and discussions leading to bringing the item to Council for discussion; stated the matter has been brought forth due to commitment to the community; expressed support for the item.

Councilmember Oddie stated the entire Council must work together; the issue is multi-

faceted and has many different root causes and solutions; expressed support for being open to listening to different options; expressed support for the item.

Councilmember Vella stated the issue is important; noted that she was in high school when the Columbine shootings happened; stated there are very few people that have not been affected by gun violence of some sort; this is a public health issue and a public crisis and should be addressed as such; cars are regulated in order to limit access and the same needs to be done with gun safety; questioned the process of a proposed sales tax on guns; expressed support for the item; stated that she would like to initiate all recommendations listed in an order of priority; expressed support for the safe storage ordinance; expressed concern for available mental health services specific to youth services; stated money has been given to the School Board for mental health services due to an increase in depression and suicidal thoughts; outlined the effect on youths of the current social climate related to gun safety.

Councilmember Daysog stated Council should concentrate efforts on reducing the amount of guns in the community; discussed Dick's Sporting Goods efforts in destroying and deciding not to sell military assault style weapons; stated hunting weapons are still sold at Dick's Sporting Goods; Council should encourage retailers not to sell military and assault style weapons through an ordinance; federal rules trump how States and local entities may be governed.

Mayor Ezzy Ashcraft discussed a recent shooting in Southern California; stated there needs to be services to provide for those affected by gun safety issues; Council needs to focus on mental health services; the City has provided funding to the School District to aid mental health services; there is great State representation; expressed concern about the current US Senates inability to agree on legislation; stated children today participate in active shooter drills; questioned what can be done at the local level to increase gun safety; expressed support for safe storage; stated City staff will be able to provide best practices; gun buy-back programs have been controversial; California has some of the toughest laws in the country; outlined statistics and findings from the Giffords Law Center to Prevent Gun Violence; expressed support for fewer guns and gun safety training; stated laws should not just be passed, but should be effective.

Councilmember Oddie stated there is not a need to reinvent the wheel; noted Sunnyvale passed a safe storage ordinance and San Francisco is passing a possession ordinance, both of which passed court scrutiny; questioned why guns are sold in view of small children; expressed support for gun awareness ; outlined cities which have informational literature related to gun safety; stated people need guidance on how to have safe storage conversations with adults and children; discussed an article on active shooter training; stated bullet-proof backpacks should not be the new normal; San Jose is looking into liability insurance for gun safety; the suicide aspect of gun safety is critical; at-risk people should be prevented from accessing guns; outlined a personal experience related to gun safety and suicide; stated that he has since done what he can do prevent and educate on the topic of gun related suicide; it is unacceptable that so many young people are affected by gun violence.

Vice Mayor Knox White stated that he would like to add a sold separately enforcement to retail companies, funds for education around safe storage and Gun Violence Restraining Order (GVRO) plus mental health services; a ban on grandfathered assault weapons should be considered; there appears to be Council interest in prioritizing safe storage; required, reoccurring training should be initiated; Council cannot currently ban guns; outlined possible ways to enhance safety for Big 5 Sporting Goods gun sales; expressed support for the City Manager reviewing funds for safe storage ; stated there is a strong partnership with the School District; that he would like to prioritize the list as: safe storage, required and reoccurring training for gun owners every 5 years, and retailer sales, funding and education program.

Councilmember Vella stated the retail aspect is not directed solely at Big 5 Sporting Goods, it is toward all retailers wishing to sell guns as a general rule; expressed support for video recording or separating display of weapons; stated not all training is the same; noted the training that she would prefer should include: the risk of guns and alcohol, the risk of abuse with suicide and domestic violence, and the need for safe storage; stated training should be required as well as proof of completed training; expressed concern for gun safety trainers encouraging and advocating for gun carrying and gun ownership; stated gun safety training should not be biased; mental health awareness should be amplified; information should be displayed anywhere guns are sold.

Mayor Ezzy Ashcraft inquired who should conduct gun safety training.

Councilmember Vella responded a list of approved trainers should be provided if training is required.

Mayor Ezzy Ashcraft questioned whether the Police Department would be able to provide information related to training.

The Police Chief stated the Police Department training is geared toward law enforcement; there are many levels of private training; expressed support for vetting some trainers at an administrative level; noted two former Councilmembers committed suicide by gun; stated the problem affects everyone; shootings can happen anywhere; enforcement would occur post-occasion.

Vice Mayor Knox White stated trainings are required in order to purchase guns; expressed support for staff returning with ways to identify a meaningful training.

Councilmember Oddie expressed support for all items brought forth; stated the tax item is a potential source of funding for programs; expressed support for prioritizing lobbying those who can change laws.

Mayor Ezzy Ashcraft expressed support for a strong focus on mental health for youth and adults; stated the excise tax would have to be brought as a ballot measure.

Vice Mayor Knox White moved approval of asking staff to begin work on bringing back actions for Council to adopt on the entire list presented, and: add a sold separately condition to the retail aspect, identify funds for safe storage, GVRO education and mental health services, ensure people know what tools are available, providing outreach, prioritizing the strict liability insurance issue by following San Jose's lead, banning grandfathered assault weapons, with the prioritization list: safe storage, training for gun ownership which reoccurs every 5 years and includes the risk of guns and alcohol, suicide, and domestic abuse, requirements for safe storage and training on how to use them, retail sales restrictions component and the funding and education program.

In response to Mayor Ezzy Ashcraft's inquiry regarding San Jose, Councilmember Oddie responded San Jose would like to impose a rule that additional liability insurance must be obtained if someone wishes to own a gun; stated the strict liability item relates to a gun previously owned and not reported lost or stolen, being used in a crime, the owner would be liable for damages.

Mayor Ezzy Ashcraft inquired what the liability insurance is meant to prevent.

Councilmember Oddie responded the possibility of financial penalty would cause gun owners to be more careful with storage; the goal is to not move ahead of San Jose's efforts, but to see the effects; expressed support for adding reaching out to the School District for potential partnership opportunities as part of the motion.

Vice Mayor Knox White agreed to amend the motion to add School District partnerships.

Mayor Ezzy Ashcraft stated webinars and videos can be reviewed for educational programs.

Councilmember Daysog stated there is a special imperative for Council to pursue mental health matters.

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

(19-642) Recommendation to Receive an Annual Report on the Alameda Museum Archival Activities on Behalf of the City.

Valerie Turpen, Alameda Museum, gave a Power Point presentation.

Vice Mayor Knox White inquired whether there is more information related to requests for accessing the archive.

Ms. Turpen responded Saturday is generally the day to access the archive based on staffing and producing items.

George Gunn, Alameda Museum Curator, stated many people come in for information

related to their home; permits did not exist for homes until May 1909.

Mayor Ezzy Ashcraft inquired approximately how many people access the archives each year.

Mr. Gunn responded that people accessing the archives sign a guest book; stated the guestbook can notate the purpose of the visit to the museum; stated the museum is the first visual introduction to Alameda history.

Vice Mayor Knox White stated Alameda is one of the most diverse communities in the East Bay; inquired whether there will be more lectures with focus on the diverse history of Alameda; stated the City provides 25% of the funding of the budget for the museum on an annual basis; expressed concern that a large portion of Alameda history is missing.

Mr. Gunn responded a topic cannot be depicted without illustrative items; stated the average person is encouraged to give things of significance to the museum.

Councilmember Vella stated places in Alameda have a robust collection of items related to Japanese-American internment; expressed support for connecting the Alameda Museum to said locations.

Mr. Gunn stated that he has been in connection with the Masonic Lodge regarding vacant property to be used for expansion.

Vice Mayor Knox White stated there is a need to build trust and communication with the community in order to receive items; the story of Alameda is broad and deep, but the history is not depicted.

Mayor Ezzy Ashcraft noted her Boards and Commission selections are reflective of the City of Alameda.

Councilmember Daysog moved approval of accepting the report.

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

(19-643) Public Hearing to Consider Resolution No. 15613, “Amending Master Fee Resolution No. 12191 to Add and Revise Recreation and Park Fees.” Adopted.

The Recreation and Parks Director gave a Power Point presentation.

Councilmember Oddie inquired the current charge for the gym, to which the Recreation and Parks Director responded \$30 per hour.

Councilmember Oddie inquired whether the entire gym needs to be booked for a tournament.

The Recreation and Parks Director responded the entire gym is typically rented; stated renting the gym per court allows more flexibility in the use of the space.

Councilmember Oddie questioned the fee increase percentages for court rentals; inquired the increase for tournament rental, to which the Recreation and Parks Director responded \$1.

Councilmember Oddie inquired the fees for the soccer fields.

The Recreation and Parks Director responded the fields were at \$500 per season for as much time as needed; stated the current fee is a set fee of \$6 per hour.

Councilmember Oddie inquired the justification for the 50% increase.

The Recreation and Parks Director responded increases in budget overhead costs.

Councilmember Oddie inquired the additional services being provided at tournaments versus games.

The Recreation and Parks Director responded tournaments are a heavier use on the facility.

Councilmember Oddie questioned whether there are additional costs based on personnel or security, to which the Recreation and Parks Director responded in the negative.

In response to Councilmember Oddie's inquiry, the Recreation and Parks Director stated the department abides by the Fair Play Act.

Councilmember Oddie inquired what would happen to those displaced by unsupported programs.

The Recreation and Parks Director stated the answer is difficult based on the hypothetical nature of the inquiry.

Councilmember Oddie inquired whether there is organized basketball prior to high school.

The Recreation and Parks Director responded the Alameda Education Foundation provides middle school basketball.

Councilmember Vella inquired when updates to the Alameda Point gym are anticipated.

The Recreation and Parks Director responded that she has been working with Public Works to add a pre-fabricated restroom to the exterior of the Alameda Point gym and additional toilets on the opposite side for the Skate Park and public; stated the design is being addressed and will move forward as soon as possible.

In response to Councilmember Vella's inquiry, the Recreation and Parks Director stated construction completion is desired to be within one year.

Councilmember Vella inquired whether there are plans to improve the condition of the flooring.

The Recreation and Parks Director responded quotes have been received, but costs are increasing; stated the Recreation Fund does not have the capacity to fund capital projects like that the floor; the costs go toward operation not capital; the need for new floors has been recognized.

Councilmember Vella inquired the amount quotes have increased.

The Recreation and Parks Director responded the cost is getting close to \$100,000.

Councilmember Vella inquired whether any of the capital costs are covered by the proposed fee increases.

The Recreation and Parks Director responded in the negative; stated the fee increases are for operational costs.

Submitted information; discussed youth basketball; requested the fees be increased incrementally: Marianne Carter, Alameda Vipers Basketball.

Discussed Recreation programs; suggested the fees be maintained or only increased slightly: Tracy Jensen, Alameda Youth Basketball.

Councilmember Oddie expressed support for the item with the exception of the gym fees; stated the gym fee impacts non-profit organizations; proposed to keep the fee the same or increase it to \$35 per hour; stated non-profits operate on a thin margin; if any money is made, it goes toward scholarships; noted some players who excel at a sport may not be able to play due to programs being unaffordable; expressed concern for the increase being a large amount for non-profit organizations; outlined a letter received from a basketball camp; stated the fees should be minimized; expressed support for keeping the gym fees at \$140 or gradual increase.

Councilmember Daysog stated there has been heightened discussions around fee increases; noted minimum wage is increasing to \$15 per hour; there is little room for service departments like Recreation and Parks; stated the increase in costs must be dealt with in conjunction with dwindling amounts of money available; user fees are a

way to make up for the increases; the item should be looked at systematically; expressed support for the recommendation presented by the Recreation and Parks Director; stated a larger conversation should be had about additional ways to fund the Recreation and Parks Department.

Vice Mayor Knox White expressed support for the Recreation and Parks Commission's discussion; inquired whether there is a policy to help determine the fees charged for facility use in terms of cost recovery.

The Recreation and Parks Director responded it depends on the facility; stated picnic or O'Club rentals are marketed for profit to offset the free parks and playgrounds programs; facilities attempt to break even with a small net profit; typically, fees offset direct costs for facility attendants, janitorial costs, and administration; the goal is to have 100% cost recovery for field and gym programs.

Vice Mayor Knox White stated having a discussion return to Council would be useful to provide direction to the Recreation and Parks Commission; fees were not increased for about 6 years; inquired the impact of smoothing out fees.

The Recreation and Parks Director responded there are a couple options; stated one option is to make the tournament the same as game fees; another option is to amortize across coming years.

Vice Mayor Knox White inquired whether the maintenance fund will be used.

The Recreation and Parks Director responded in the negative; stated the maintenance fund is a Capital Improvement Project (CIP) fund, which is a different and funds capital maintenance projects; the Recreation Fund is already at a net deficit for this year by approximately \$100,000.

Vice Mayor Knox White stated there might be a way to form partnerships in order to lower costs.

Councilmember Vella stated there are a number of factors related to the fee increase; the fee increase is a large jump at one time; expressed support for ramping up fees over time; expressed concern for increasing the fees without improving the facilities; stated the restrooms at the Alameda Point Gym are in an unacceptable condition; there needs to be a plan for facilities to be as nice as parks and fields; expressed support for the Recreation Department forming partnerships with concession stands to allow fundraising.

Mayor Ezzy Ashcraft stated the fees have not been increased since 2013; expressed concern for not increasing fees at all; discussed restroom conditions at the Alameda Point Gym; stated many improvements are needed and the fees must increase; the Recreation and Parks Commission unanimously approved the fee increases; expressed concern for the Recreation Fund being at a deficit; stated youth sports are important,

especially for girls; scholarship opportunities may be available for sports organizations; expressed support for ramping up fees over time; stated there must be an increase this year; inquired whether Vice Mayor Knox White supports a smaller rate increase over time.

Vice Mayor Knox White expressed support for the Recreation and Parks Director's recommendation to increase fees over time or approving all fees and requesting the phase proposal be brought back at the next Council meeting.

The City Manager stated Council may discuss the phase proposal now.

The Recreation and Parks Director outlined the phase proposal: practice fee: 2020: \$35, 2021: \$37 and 2022: \$38; games and tournaments: 2020: \$38, 2021: \$40 and 2022: \$45.

In response to Councilmember Oddie's inquiry, the Recreation and Parks Director stated the fees approved tonight are for 2020, but will also be used as guidance for the following year.

Councilmember Oddie expressed support for raising fees; stated the minimum wage increase is not causing the fee increase.

The City Attorney stated the item lists the fee increases for 2020 only; future fees would be given as direction only.

Councilmember Oddie moved adoption of the resolution, with the adjustments for 2020 provided by the Recreation and Parks Director for gym fees and direction for the future.

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

Mayor Ezzy Ashcraft called a recess at 10:02 p.m. and reconvened the meeting at 10:13 p.m.

**

(19-644) Introduction of Ordinance Amending the Alameda Municipal Code by Amending Various Provisions of Section 3-61 (Transient Occupancy Tax) of Division IX (Taxes) of Article II (Taxation) of Chapter II (Finance and Taxation), Clarifying and Restating Hosting Platforms' Responsibility to Collect and Remit Transient Occupancy Taxes. Introduced.

The City Attorney gave a brief presentation.

Mayor Ezzy Ashcraft stated the Planning, Building and Transportation Department staff members are working to bring a comprehensive ordinance addressing short term

rentals; the issue is important in relation to the housing crisis; there currently is no definitive number of short term rentals in Alameda; the City needs to ensure revenue due is collected; expressed support for the matter returning in the future for discussion.

Councilmember Daysog expressed support for the item; stated that he previously brought forth a Council Referral on the issue.

Vice Mayor Knox White moved introduction of the ordinance.

Councilmember Daysog seconded the motion.

Under discussion, Councilmember Oddie inquired whether the issue will return to Council, to which Mayor Ezzy Ashcraft responded in the affirmative.

On the call for the question, the carried by unanimous voice vote – 4. [Absent: Councilmember Vella – 1.]

(19-645) Introduction of Ordinance Authorizing the City Manager or His Designee to Execute an Amendment to the Lease with Pacific Shops, Inc. for the Tidelands Property Located along Clement Street between Alameda Marina Drive and Willow Street, Generally Known as Alameda Marina. Introduced.

The Assistant Community Development Director gave a brief presentation.

Mayor Ezzy Ashcraft requested updated lease language be provided.

The Assistant Community Development Director provided the update.

Councilmember Daysog inquired whether Bay Ship and Yacht was previously interested in being operator of the area.

The Assistant Community Development Director responded Bay Ship and Yacht purchased a portion of Svenson's Marine operations, which included the boat yard; stated Bay Ship and Yacht combined boat yard operations with the Richmond location.

Councilmember Daysog stated Bay Ship and Yacht experienced difficulties in negotiations, which caused their relocation to Richmond; inquired about the details.

The Assistant Community Development Director responded Bay Ship and Yacht believes its operations are best served in Richmond; provided an e-mail reflecting the decision.

Councilmember Oddie expressed support for a stronger effort.

The Assistant Community Development Director outlined previous boat yard projects.

Councilmember Daysog stated there is community concern for preserving maritime industries in the area; there has been an effort from the owners; expressed concern about losing maritime businesses; outlined possible efforts to preserve maritime business; inquired what considerations have been made to prioritize Building 19 redevelopment.

The Assistant Community Development Director responded tidelands property must be maritime use, with the exception of short-term, less than 5-year, non-conforming uses.

The Planning, Building and Transportation Director stated the entire commercial core is in Phase 1 of the project; the master plan has phasing requirements which must be met prior to start Phase 2; the coming years will be most difficult for commercial development due to entirely new infrastructure being installed for housing and the commercial core; half of Building 19 overlaps tidelands property; there is a future for maritime uses at Alameda Marina; the key issue with boat yards is finding a successful business operator; land for the commercial core does not go away based on unsuccessful bids.

Discussed the need for a boatyard: Dorothy Freeman, Save Alameda Working Waterfront (SAWW).

Discussed the sailing community; stated the Island Yacht Club (IYC) is in Building 14, which has been deemed unsalvageable; any solution should not have an operation gap: Chris Nicholas, Island Yacht Club (IYC).

Stated maritime businesses cannot be moved into unworkable spaces; Building 19 should be built sooner than the apartment building to allow businesses to remain in Alameda: Nancy Hird, SAWW.

Expressed concern over the continuation of IYC; urged business and operations continue: Jamie Camacho, IYC.

Stated a workable transition plan is needed to allow businesses to continue: Trevor Yamamoto, IYC.

Outlined approvals; stated Alameda Marina has been working on the project for 8 years; discussed progress and benefits of the lease extension: Sean Murphy, Alameda Marina.

Mayor Ezzy Ashcraft inquired what the City can do to ensure a workable transition.

The Planning, Building and Transportation Director responded the project is redevelopment with two-thirds of the land privately owned; Pacific Shops is leased, with no provisions included which would insert the City into leasing decisions; the tidelands lease limits Pacific Shops to maritime use.

Mr. Murphy stated the first phase enacts the City's approved master plan, which focuses on the maritime core, followed by the housing component; the first phase of tenants are maritime are accommodated in the balance of the property in Phase 2; tenants have been transitioned to the eastern part of the property; Building 19 is a great building located in the center; the project has to bear in mind sea-level rise; three separate Historic Advisory Board approvals passed unanimously in September allowing Alameda Marina to work with the City staff to implement building renovations; Building 19 is a historic structure; the sea wall construction takes a tremendous amount of work and capital; the major elements beyond sea-level rise is environmental remediation; a new, clean boat operator is desired; remediation must occur.

Councilmember Daysog stated a comment has been made about prioritizing building 19 above the planned apartment complex in Phase 1 as a demonstration of aggressive creation of space for businesses; inquired the response to prioritizing Building 19.

(19-646) Mayor Ezzy Ashcraft stated a motion is needed to consider the referrals.

Vice Mayor Knox White moved approval of extend the meeting to 11:30 p.m. to address the referrals.

Councilmember Vella seconded the motion.

Under discussion, Councilmember Oddie inquired whether the Council could extended the meeting later if needed.

Councilmember Vella and Mayor Ezzy Ashcraft responded in the affirmative.

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

In response to Councilmember Daysog, Mr. Murphy responded the first effort was the maritime core; stated the item was brought to the Historic Advisory Board three times with unanimous approval in September; the apartments are the financial mechanism to pay for the \$20 million sea wall; the maritime core is a critical component.

Vice Mayor Knox White stated the process is laid out as efficiently as possible; a transition plan is in place; the approved master plan saves the City \$20 million; the item needs to move forward; the maritime core and local community organizations are important to the City; not moving forward with the lease stops the maritime core and causes risk for the City.

Vice Mayor Knox White moved introduction of the ordinance.

Councilmember Vella seconded the motion.

Under discussion, Councilmember Vella expressed support for the item; stated there is substantial benefit to the City directly related to the City's goals and priorities for climate change and sea level rise; expressed concern for increasing costs more than necessary; stated the cost is already substantial; housing is another priority for Council; expressed concern for prioritizing Building 19 over housing; stated that she does not want to increase the cost of housing any further.

Councilmember Oddie expressed support for the second chance at the bid process and for the electrification process; stated a priority remains with maritime uses; dialogue is encouraged for those that have concerns related to a workable transition; expressed support for the item.

Councilmember Daysog stated Pacific Shops desires a lease term extension; at least one of the three items has not been satisfied; this is an opportunity to pursue concerns raised by constituents; the effort to save maritime businesses needs to be better; something is discouraging maritime businesses from bidding; expressed support for directing staff to renegotiate specific lease terms; stated losing maritime business would be unfortunate; the symbol of the Alameda flag is an anchor, which reflects the City's maritime tradition and history; there is a rush to build more housing; housing is needed, but sometimes there is too much housing; a better effort is needed.

Mayor Ezzy Ashcraft stated housing cannot be built fast enough; expressed concern for losing maritime businesses; stated the City must be mindful of the cost to maintain and restore the seawall and shoreline to address anticipated sea level rise; 80% of the needed work is on City property which would cost between \$15 and 17 million; expressed support for the approach to finding a boat yard operator; noted a report given by the Executive Director of the Water Emergency Transportation Authority (WETA) outlined an increase in difficulty finding facilities to maintain ferry boats; expressed support for the item.

On the call for the question, the motion carried by the following voice vote: Ayes: Councilmembers Knox White, Oddie, Vella and Mayor Ezzy Ashcraft – 4. Noes: Councilmember Daysog – 1.

CITY MANAGER COMMUNICATIONS

(19-647) The City Manager stated stormwater ballots are due Monday, November 25th by 6:00pm.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

(19-648) Consider Directing Staff to Create an Autonomous Code Enforcement Division to Enforce All Building Code and Health and Safety Laws. (Councilmember Vella)

Councilmember Vella made brief comments regarding her referral.

Mayor Ezzy Ashcraft requested clarification of existing policies.

The Planning, Building and Transportation Director stated there is an existing Council policy regarding Code Enforcement which will be brought to Council; the policy does not prioritize residential over commercial.

The City Manager stated a report will return to Council the first quarter of 2020 for discussion; the report will show the history of priorities and include a plan about how to move forward, prioritize and the potential budget.

Urged approval; expressed concern over Codes not being enforced: Toni Grimm, Seniors and Disabled Renters.

Expressed support for the referral; discussed renters living conditions: Nelson Layag, Alameda resident and Filipino Advocates for Justice.

Expressed support for an autonomous Code Enforcement division; stated that she has filed 5 complaints regarding noise violations; nothing has been done: Holly Lim, Alameda.

Councilmember Oddie inquired whether the proposal brought forth by the City Manager and the Planning, Building and Transportation Director is sufficient.

Councilmember Vella responded that she would like a proposal to return which specifically addresses the creation of a separate unit and specific Council priorities, and proposes funding mechanisms.

The City Manager stated the proposal is consistent with what will be brought forth.

Councilmember Daysog stated that he does not understand the need for a new department.

The City Manager stated there could be a separate division of the Planning, Building and Transportation Department that reports to the Department Director; that he has seen Code Enforcement separate, not through the Building Official, with a supervisor reporting to the Director.

Councilmember Daysog stated if there is something broken with the current regime, it should be fixed; should more funding or staff should be provided if needed; performance is a separate issue; expressed concern about creating an entity to go after small mom

and pop landlords; expressed support for tenants and landlords being treated fairly.

(19-649) Councilmember Oddie moved approval of continuing the meeting until 11:45 p.m.

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

Councilmember Vella stated the intent of the item is not to go after small mom and pop landlords; the intent is to ensure there are habitable units; a mechanism is in place to address issues related to health and safety; the City is currently under an old model with a Building Official trained in things that do not extend into health and safety, which results in unnecessary calls to the Police Department or scenarios with insufficient training; some jurisdictions have created an independent and separate unit that trains staff to handle incidents.

The Planning, Building and Transportation Director stated the Code Enforcement division was designed, shaped and funded 15 to 20 years ago; new laws have been adopted and different types of enforcement are being requested; how Code Enforcement is designed and funded should be reworked; noted that the more Code Enforcement occurs, the more complaints are received.

Vice Mayor Knox White expressed concern for Council directing the form the item takes; stated a discussion is needed around the policy that exists and what Code Enforcement does; the policy needs to be revisited; proposed the policy return to Council along with a report from the City Manager on implementation and enforcement.

Councilmember Vella stated staff has a proposal; expressed concern over delays.

Councilmember Oddie stated that he understands the policy relates to residential properties being inspected, but not commercial; tenant protections and just cause provisions remove fear of bringing issues to landlord attention, which should cause a reduction in Code Enforcement.

Councilmember Oddie moved approval of the referral, based on the expectation of the report the City Manager and the Planning, Building and Transportation Director said they will provide.

Councilmember Vella stated the motion should include consideration being given to the City Attorney to ensure what is being structured will make the City better at enforcement, especially with the creation of the prosecutorial position.

The City Manager expressed support for a separation between enforcement and prosecution.

Mayor Ezzy Ashcraft expressed concern for mixed use buildings; stated a balance must be achieved; discussed the case of a new business on Park Street; expressed support for the report; requested the motion be restated.

Councilmember Oddie restated the motion: to approve the City Manager's suggestion with Councilmember Vella's addition about the City Attorney.

Councilmember Vella seconded the motion.

On the call for the question, the item carried by the following voice vote: Ayes: Councilmembers Knox White, Oddie, Vella and Mayor Ezzy Ashcraft – 4. Abstention: Councilmember Daysog – 1.

(19-650) Consider Requiring New Construction or Renovation of Publicly Accessible Buildings with at Least One Public Restroom to Provide at Least One Safe, Sanitary, Convenient and Publicly Accessible Baby Diaper Changing Station. (Councilmember Vella)

Councilmember Vella made brief comments regarding her referral.

Mayor Ezzy Ashcraft moved approval of Council pursuing Option 2 to schedule the matter as a future agenda item.

Councilmember Oddie seconded the motion.

Under discussion, Councilmember Vella stated the issue has come up for both moms and dads.

On the call for the question, the motion carried by the following voice vote: Ayes: Councilmembers Knox White, Oddie, Vella and Mayor Ezzy Ashcraft – 4. Abstention: Councilmember Daysog – 1.

COUNCIL COMMUNICATIONS

(19-651) Councilmember Oddie noted an accident occurred in the middle of the night Friday in front of his house; recognized and thanked the first responders.

(19-652) Mayor Ezzy Ashcraft made an announcement regarding the "Migration is Beautiful" project honoring 15,000 children in detention; noted that she attended the Alameda County Mayors Conference with the Assistant City Manager on homelessness; announced the Scouting for Food drive and frozen turkey drive occurring at the Alameda Food Bank.

(19-653) Councilmember Vella stated the Lead Abatement Board will hold its meetings in Emeryville in 2020.

(19-654) Vice Mayor Knox White stated that he met with Love School Parent Teacher Association (PTA) about traffic safety; thanked the Public Information Officer for preparing the recognition of first responders; suggested the City Clerk share the staff presentation at Recreation and Park Commission meeting with Ms. Adams.

ADJOURNMENT

(19-655) There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 11:48 p.m. in memory of Benjamin Reyes and Sia Sello.

Respectfully submitted,

Lara Weisiger
City Clerk

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