

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
TUESDAY- -JULY 7, 2020- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:22 p.m.

Roll Call – Present: Councilmembers Daysog, Knox White, Oddie, Vella and Mayor Ezzy Ashcraft – 5. [Note: The meeting was held via WebEx.]

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(20-449) Proclamation Declaring July 7, 2020 as Reverend Michael Yoshii Day

Mayor Ezzy Ashcraft read the proclamation.

Reverend Yoshii made brief comments.

ORAL COMMUNICATIONS, NON-AGENDA

(20-450) Danielle Mieler, Alameda, expressed concern for the selection of Alfonso Estrada to investigate police misconduct; urged Council to provide feedback to the City Manager that the contract is unacceptable.

(20-451) Ben Calica, Alameda, expressed concern for the rules governing public comment; urged Council to adopt rules aimed at understanding what is being said for nuanced and new comments.

(20-452) Former Mayor Trish Spencer, Alameda, discussed testing being made available in Alameda, hand-free dispensers, face covering clarifications and oversight committees.

CONSENT CALENDAR

The City Clerk announced the Senate Bill 2 funding resolution [paragraph no. 20-459] was removed from the Consent Calendar for discussion.

Vice Mayor Knox White moved approval of the remainder of the Consent Calendar.

Councilmember Vella seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; Vella: Aye; and Mayor

Ezzy Ashcraft: Aye. Ayes: 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(\*20-453) Minutes of the Special and Regular City Council Meetings Held on June 2, 2020. Approved.

(\*20-454) Ratified bills in the amount of \$6,192,015.63.

(\*20-455) Recommendation to Authorize the City Manager to Execute a Five-Year Contract in an Amount Not to Exceed \$208,161.20 to Du-All Safety, LLC for Public Work's Safety Program Compliance Services. Accepted.

(\*20-456) Recommendation to Authorize the City Manager to Remit Payment in the Amount of \$476,737 to Alameda Municipal Power (AMP) for Material and Labor Costs Related to Electric Utility Extension into Alameda Point's Adaptive Reuse Areas, Phase 1. Accepted.

(\*20-457) Recommendation to Approve the Clement Avenue Safety Improvement Project Final Design Concept; and Authorize the City Manager to Execute a Second Amendment to the Service Provider Agreement with CDM Smith to Increase Compensation by \$530,332, Including Contingencies, for a Total Aggregate Compensation Not to Exceed \$1,130,633, to Complete the Plans, Specifications and Estimate for the Clement Avenue Safety Improvement Project. Accepted.

(\*20-458) Recommendation to Authorize the City Manager to Execute a First Amendment to the Agreement with Lang, Hansen, O'Malley & Miller, a California General Partnership, Extending the Term of the Agreement by Two Months and Increasing the Compensation by \$20,000, for an Aggregate Amount Not to Exceed \$91,000, for Legislative Advocacy/Governmental Relations Services Relating to the Surplus Land Act. Accepted.

(20-459) Resolution No. 15671, "Authorizing the Submission of an Application for Senate Bill 2 Funding from the State Department of Housing and Community Development Under the Permanent Local Housing Program (PLHA) and Affirming the City Council's Adoption of a Five-Year Permanent Local Housing Allocation Plan; and Recommendation to Authorize the City Manager to Negotiate and Execute Related Documents, Agreements, and Modifications." Adopted.

The Community Development Director gave a brief presentation.

Mayor Ezzy Ashcraft stated goals are consistent with the Housing Element; providing housing is one of the Council's top priorities.

Discussed a movie studio and amusement park proposal being built at Alameda Point: Darla Brown, Alameda.

Councilmember Oddie stated there has been three attempts at getting Senate Bill (SB) 2 out of legislature and it has finally come to fruition.

Mayor Ezzy Ashcraft outlined the fee for SB2; stated the fee will go towards affordable housing.

Councilmember Oddie moved adoption of the resolution.

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

(\*20-460) Resolution No. 15672, "Calling for a General Municipal Election to be Consolidated with the Statewide General Election to be Held in the City of Alameda on Tuesday, November 3, 2020 for the Election of Certain Officers, and Requesting the Alameda County Board of Supervisors to Permit the Registrar of Voters to Render Specified Services to the City Relating to the Conduct of Said Election Pursuant to Section 10403 of the California Elections Code." Adopted.

(\*20-461) Ordinance No. 3284, "Revising the City's Sewer Service Charges." Finally passed.

(\*20-462) Ordinance No. 3285, "Authorizing the City Manager or Designee to Execute a Third Amendment to the License with Amber Kinetics, Inc., a California Corporation, for the Unimproved Lot Located at 641 West Red Line Avenue in Alameda to Extend the Term for 12 Months and Provide One 12-Month Extension Option." Finally passed.

### REGULAR AGENDA ITEMS

(20-463) Adoption of Resolution Calling for the Holding of a Consolidated Municipal Election in the City of Alameda on Tuesday, November 3, 2020, for the Submission of a Proposed Charter Amendment to Repeal the Prohibition Against Building Multi-Family Housing in Alameda and Authorizing City Councilmembers to File Written Arguments For or Against the Measure. Not Adopted.

The Planning, Building and Transportation Director gave a brief presentation.

Councilmember Vella inquired the parcels likely to be impacted by the repeal of Measure A.

The Planning, Building and Transportation Director responded the City will need to identify enough land to accommodate the lower-income portion of the Regional Housing Needs Allocation (RHNA) which is estimated at roughly 2,000 units; stated the land will need to be zoned at 30-units per acre; areas that are being looked at are the Northern Waterfront, Alameda Point and some shopping center sites.

Councilmember Vella inquired which shopping center sites are being considered.

The Planning, Building and Transportation Director responded staff has not completed the Housing Element, and final numbers are not available; stated South Shore, Marina Village and Harbor Bay are possible locations.

Councilmember Vella stated most of the listed locations are west of Park Street; expressed concern about there being only one point of egress west of Park Street; expressed support for Harbor Bay being included as one of the considered sites; inquired the process after the repeal of Measure A; stated once the language is repealed, the repeal will have to be put into action; allowing the policy to be implemented in an equitable way will need a process.

The Planning, Building and Transportation Director stated staff has begun the process due to the General Plan and Housing Element update; stated Council will need to adopt the updates in 2022; the Land Use Element of the General Plan has identified the areas to be considered to accommodate housing over the next 20 years; sites that have been called out are: Alameda Point, Northern Waterfront, and shopping center sites, as well as some opportunities along Park Street and Webster Street; the planning process anticipates robust community discussion about general location ideas; final RHNA numbers will be known in the spring of 2021; the anticipated RHNA numbers are around 3,500 to 4,000 housing units; units will be placed in the locations over the next eight years once there is consensus.

Councilmember Vella inquired whether Harbor Bay will be included.

The Planning, Building and Transportation Director responded in the affirmative; stated there are four main locations being considered: South Shore, Harbor Bay, Marina Village and Alameda Landing; stated looking at the future of the sites is obvious; there is very little to no vacant land in Alameda; available land must be used; Alameda Point, Northern Waterfront and shopping centers are major areas to be considered; the vast majority of vacant land is at Alameda Point; there are few real opportunities on Park Street and Webster Street.

Councilmember Vella inquired whether there have been previous projects that would have been able to provide more units had measuring not been an issue.

The Planning, Building and Transportation Director responded in the affirmative; stated the State Density Bonus has been used to get multi-family housing built; discussed a housing project on Webster Street; stated the project has nine housing units but could have more due to the volume; noted the housing types for the project are not common; stated many people have requested to redevelop the CVS Pharmacy site at Oak Street and Santa Clara Avenue; however, the project is not viable.

Councilmember Vella inquired whether City-owned parcels will be included.

The Planning, Building and Transportation Director responded in the affirmative; stated repealing Measure A sets the City up to decide as a community which sites should be planned to have higher density; the process must determine where and how needs will be met; State law does not prohibit single-family housing, it does prohibit single-family housing covering the entire City.

Councilmember Vella stated the current Housing Element and multi-family overlay sets the density at 30-units per acre for low-income in order to comply with State law; the City is not quite at that limit; inquired whether the repeal of Article 26 will allow Council to set higher density levels to accommodate multi-story structures or other alternatives.

The Planning, Building and Transportation Director responded in the affirmative; stated the repeal allows a decision to be made about where to increase density and in which areas; RHNA needs must be met; however, the need can be met having many units on a few sites or a little on many sites.

Vice Mayor Knox White inquired whether the removal of Measure A changes anything, to which the Planning, Building and Transportation Director responded in the negative.

Vice Mayor Knox White inquired whether the removal of Measure A will increase the City's RHNA number, to which the Planning, Building and Transportation Director responded in the negative.

Vice Mayor Knox White stated the RHNA numbers stay the same no matter what; the numbers effect how the decision is made to accommodate.

Discussed the launch of a website called repeal26.com; urged Council to change the proposal on the ballot to strike all of Article 26 from the Charter; stated without removal, systemic racism enabled by the Article will continue; Measure A was designed to keep lower income people out of Alameda; Zac Bowling, Alameda.

Urged Council to instruct City staff to draft ballot language to repeal Article 26 in-full; stated the Bay Area has suffered a housing shortage for years; the cost of living makes housing impossible for lower income brackets; discussed essential workers living in the communities they serve; stated Article 26 is a racist stain on the City's history; Laura Gamble, Alameda.

Expressed support for repealing Article 26; discussed "The Color of Law;" stated Alameda is a wonderful community which has an opportunity to open the City to new neighbors; the community should be fully inclusive; the matter is related to zoning, not a mandate for developers to have high density buildings; smaller multi-family project sites are a very important form of housing; more flexibility is needed; Xiomara Cisneros, Alameda.

Expressed support for a full repeal of Article 26; discussed her experience as a resident of Alameda; urged Council to support a full repeal; Susie Hufstader, Alameda.

Stated Article 26 has been laid out as racist by design; discussed his experience as a resident of Alameda; noted only 5% of the population is Black; stated housing should be made affordable for all people: Josh Geyer, Alameda.

Urged Council to fully repeal Article 26; stated Article 26 puts the City out of compliance with State law; there are strong preservation and design review ordinances which did not exist in 1973 or 1990; Article 26 is demonstrably racist in its impacts: Gaylon Parsons, Alameda.

Urged Council to place a full repeal of Article 26 on the November ballot; discussed a sponsored vigil; urged residents to consider the many ways Black lives are diminished and taken; discussed personal actions to be taken for an increase in accountability: Cheri Johansen, Alameda Progressives.

Urged Council to reconsider its June decision to divide the repeal into two parts and instead put all parts of Article 26 on the November ballot; stated low-income East Bay residents are overwhelmingly elders, children, people with disabilities, and Black, Brown and new immigrant residents; separating the Article will be confusing for voters and will increase costs; many people have to wait an extended time for affordable units and each affordable unit counts: Grover Wehman-Brown, East Bay Housing Organization.

Urged Council to place a full repeal of Article 26 on the November ballot; stated the Article should have been removed years ago; Article 26 has been used as a battering ram and a mockery of the City's aspirations to being a decent and welcoming community; Alamedans can no longer ignore the discriminatory nature of Article 26; discussed supporters of repealing Article 26: Toni Grimm, Alameda Justice Alliance.

Expressed support for a full appeal of Article 26 on the November ballot; discussed the devastating effects on people kept out of housing: Liz Varela, Building Futures with Women and Children.

Urged Council to follow the staff recommendation and direct City staff to prepare a full repeal of Measure A/Article 26; stated the repeal will help the City move past a discriminatory legacy; Measure A prevents the City from reaching RHNA obligations, is at cross-purposes with the General Plan and State law and has racially discriminatory impacts and effects: Sophia DeWitt, Alameda.

Expressed support for having the total repeal of Measure A on the ballot; stated the repeal will partially help solve a critical need for housing throughout Alameda; there is still much work to do; the repeal will help to clean out exclusionary provisions; Measure A has failed various claims related to traffic congestion and protection of Victorian houses: Cynthia Bonta, Alameda.

Expressed support for a full repeal of Article 26 being put on the November ballot; stated the repeal is good governance; Article 26 is a blunt instrument and does not

belong in the Charter; refined tools are needed: Jono Soglin, Alameda.

Stated there is an affordable housing crisis; Article 26 is not the culprit; the shortfall lied with past decisions made by City government; noted State law supersedes the City's law; Council has a legal obligation to produce a Housing Element since 1969, which is four years prior to the adoption of Article 26; Alameda avoided compliance with the law until 2012 based on a legal demand letter; noted the inclusionary ordinance is also a shortfall for affordable housing: Paul Foreman, Alameda.

Discussed segregation and zoning being applied as a tool for exclusion since World War I; discussed research he provided; stated zoning reduces housing stock and affordability; urged Council to support a full repeal of Article 26: Rasheed Shabazz, Alameda.

Expressed support for a full repeal of Article 26; discussed her experience working with those at risk of being homeless; stated the island of Alameda is segregated due to zoning; urged Council to fully repeal Article 26: Alexia Arocha, Alameda.

Comments read into the record:

Expressed concern about repealing Article 26 and for trust in leadership: Patsy Baer, Alameda.

Urged Council not to include repeal of Article 26-3 on the November ballot: Barbara Johnson, Alameda.

Urged Council to direct staff to draft ballot language to repeal Article 26 in full; stated Article 26 was designed to prevent Black and Brown people from living in Alameda; multi-family housing is sorely needed; housing affordability will help the City meet RHNA targets: Danielle Mieler, Alameda.

Stated a repeal of Article 26 is an underhanded move during the pandemic while people are confined inside homes and unable to attend meetings in person; discussed their experience as residents of Alameda; urged Council to concentrate on traffic, infrastructure, homelessness and to vote no on placing the repeal of Article 26 on the November ballot: Bob and Beth Cote, Alameda.

Stated Article 26-3 should not be put on the November ballot; urged Council not to reverse the June 2 decision and vote no; stated the City deserves better consideration and decision: Denine Keltner, Alameda.

Stated it is premature to schedule repeal of Measure A; there is plenty of housing; more gentrified housing is not needed; more housing is needed for those displaced by gentrification; the nation is in a state of flux due to the economic crash and COVID-19: Margie, Alameda.

Expressed strong opposition to the staff recommendation; stated the repeal of Article 26-1 should be constrained; further modifications should be placed on the November 2022 ballot; the pandemic has permanently changed lives and future housing and transportation needs are not well understood: Therese Hall, Alameda.

Urged Council to defer the removal or alteration of Article 26-3 until after the completion of the upcoming General Plan; stated density restrictions are necessary in certain parts of the City to protect the aesthetic; density restrictions shielded vintage homes: Karen Lithgow, Alameda.

Stated allowing the matter to proceed is an infringement of rights and will reverse attempts at regaining public trust; expressed opposition to having the repeal of Article 26-3 on the ballot: James Snider, Sharon Snider, and Cynthia La Croix, Alameda.

Stated Council conduct has been dishonest; discussed statistics of Alameda residents; stated the purpose of Article 26 is to protect the character and quality of life in the City by limiting building for density: Dan McDonald, Alameda.

Stated Article 26 has not been an impediment to the development of multi-family housing in Alameda; State housing requirements partially supersede Article 26; urged Council to focus on how to bring more affordable housing the Alameda: Ed Sing, Alameda.

Expressed concern for the repeal of Article 26; expressed support for accommodating developers' transit solutions; stated low transportation scores impact the City's ability to qualify for affordable housing funds: M.D. Hall, Alameda.

Urged Council not to include the repeal of Article 26-3 on the November ballot; stated there is tremendous growth planned for the City and many new housing units are in the process of being built; initiating a vote during COVID-19 is the wrong time: Marel Grunt, Alameda.

Expressed opposition to reversing the June 2 decision; urged Council not to place the full repeal of Article 26 on the November ballot and to adhere to good faith agreements: Rob Halford, Alameda.

Expressed opposition to the repeal of Article 26; stated repeal will destroy the quality of life in the City; urged Council to keep the City unique: David Bock, Alameda.

Stated it is the wrong time to take up an important issue such as Measure A; members of the public would like to engage in discussions; urged Council to uphold the highest standards of political discourse: Gretchen Lipow, Alameda.

Urged Council not to include repeal of Article 26-3 on the November ballot: Andrea Medulan, Alameda.



Stated there are many proposals for additional housing but none for improving infrastructure; more people equals more congestion; Article 26 was voted in by majority of voters in both 1973 and 1991: Maria Carballedo, Alameda.

Urged Council to focus on reparations in the form of mortgage rate reductions or rent vouchers: Mike Van Dine, Alameda.

Provided a flyer: Conchita Perales, Alameda.

Stated repeal of Article 26 removes an obstacle to development and does not fight against social injustice; Alameda is not obligated to follow the State's recommendations; residents need Alameda's quality of life and unique character preserved: Michele Bock, Alameda.

Expressed opposition to full repeal of Article 26 being placed on the November ballot; expressed support for Article 26; stated Article 26 has helped deter development of more apartment buildings and has saved historic buildings from demolition: Joan More, Alameda.

Urged Council not to fulfil a "sneak attack" by including repeal of Measure A on the November ballot; stated there has been no opportunity for community input: Elizabeth Tuckwell, Alameda.

Stated Article 26 has been a burdensome yoke around Alameda's neck; the Article is an imprecise planning tool, is unconstitutional and cannot be enforced; urged Council to place a repeal of Article 26 in its entirety on the ballot: Jon Spangler, Alameda.

Urged Council to leave the City of Alameda and Bay Farm alone; discussed housing in relation to transportation funds; expressed support for removing Article 26-1; urged Council to leave Article 26.3 in the City Charter: Robert Farrar, Alameda.

Stated housing will not increase by 200%; final RHNA numbers will not be published until the end of 2021; staff has identified land which can be used to satisfy State mandates; Article 26 cannot interfere with identified land; repealing Article 26 in its entirety will allow staff to proceed as they please without regard to preserving the current ambience of the City: Jay Garfinkle, Alameda.

Stated the egress issue must be addressed; discussed morning traffic issues; urged the issue not be political in nature; expressed support for building larger units versus numerous smaller units; stated high rise buildings will impact the City; urged Council to protect existing citizens of Alameda: Rosalinda Corvi, Alameda.

Additional comment via Zoom:

Urged Council not to proceed with the staff recommendation to place full repeal of Article 26 on the November ballot and to stick with the June 2 decision to repeal only

Sections 26-1 and 26-2; stated repeal of Article 26 should be proposed after completion of the General Plan revision; repeal of Article 26-1 is reasonable to place on the November ballot: Christopher Buckley, Alameda Architectural Society.

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Mayor Ezzy Ashcraft called a recess at 9:22 p.m. and reconvened the meeting at 9:38 p.m.

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(20-464) Vice Mayor Knox White moved approval of suspending the nine minute Council speaking time limit.

Councilmember Daysog seconded the motion, which failed by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Abstain; Vella: No; and Mayor Ezzy Ashcraft: Aye. Ayes: 3. Abstain: 1. Noes: 1.

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Mayor Ezzy Ashcraft stated the Council is a body of elected officials; stated staff members are professional and provide informative reports; noted the amount of participation via Zoom; stated there are likely to be many additional people watching the meeting as well; that she takes exception to ad hominem attacks via public comment; the meeting should remain civil.

Councilmember Oddie moved approval of Council directing staff to bring back ballot language for the November 3, 2020 election to repeal Article 26 in its entirety.

Vice Mayor Knox White seconded the motion.

Under discussion, Councilmember Daysog stated the proponents of a full repeal of Article 26 declare it as racist and meant to stifle diversity in Alameda; noted Census data shows the African American population had grown immediately prior to the adoption of Measure A in 1973; stated the 1980 Census showed the African American population doubled in Alameda, as well as another growth in 1990; noted a drop in African American population from the 2000 Census data and was largely due to the Naval base closure; stated there is a projected Census increase for the upcoming report; there is a steady progression of African Americans in Alameda since 1970 with Measure A intact; Census data puts to rest the argument that Measure A is a racist tool meant to stifle diversity; noted African American populations have experienced significant declines in Berkeley, Oakland, and San Francisco; stated Oakland lost 10,500 African Americans between 1970 and 2018; Berkeley lost 15,200 between the same time and San Francisco lost 38,400 African Americans; Alameda has performed better than Oakland, San Francisco, and Berkeley in terms of attracting and retaining African Americans as residents; Alameda has changed drastically over the years; the argument of Measure A being a racist tool is tired; Measure A is urban planning by sledgehammer and is not a fine tool of precision; the Measure is still needed and continues to be the sledgehammer which keeps runaway growth in-check; an island such as Alameda needs to be thoughtful as to how the future is planned; removing

Measure A does not mean developers will self-regulate runaway growth; Measure A provides extra protection and forces wise, thoughtful, well moderated growth; should Measure A be repealed, runaway growth is likely to occur; State mandates can be met even with Measure A; the State recently certified the Housing Element and another is due; apartments are being built while Measure A is in place; City legal experts found a way to keep Measure A intact while meeting State law; the City has become more diverse even with Measure A; the City can continue to racially diversify and support thoughtful, well-planned and modulated growth.

Councilmember Oddie stated the matter is being passed to the voters for decision; voters will decide whether change is necessary; there is a difference between de facto and de jure racism; discussed literature which illustrates the impetus behind laws in the Bay Area and population comparisons between San Leandro and Alameda; focusing on de jure racism is more important; noted racist laws have been placed in effect in the Country, many in California, to keep African Americans out of white neighborhoods; stated pillars of white supremacy must come down and laws must be changed; Council must take responsibility and steps towards removing the laws; the matter must be put forth for a vote on the November ballot; read a passage from "The Color of Law;" stated that he would like to get rid of the badges of slavery in the City Charter; expressed support for placing repeal on the ballot.

Councilmember Vella stated prior to Measure A, her grandfather could not find a home to raise his family due to discrimination against Filipinos in Alameda; expressed concern about many projects throughout Alameda being rejected due to density and multi-family units, which are affiliated with the concept of lower income; stated Council must be thoughtful about the steps to follow; repealing Measure A can still yield disparate impacts should Council not be careful and thoughtful with the process; the repeal is not the end-all and people should think beyond repeal; a lot of stress is placed on the West End including inquiries related to transit; there is not a safe and clean way for people to cross into Oakland by bike or foot; the effort to provide a safe crossing must be continued and is an environmental equity issue; noted there are many parking lots that can be part of a reimagining; stated smaller neighborhoods are part of what makes Alameda; expressed support for people being part of the process; stated people must focus on the Alameda that is wanted; homeowner options are also needed; the focus cannot just be on rental properties; racial and economic diversity are important; expressed support for placing full repeal on the November ballot.

Vice Mayor Knox White stated people may disagree, but should do so civilly; Alameda can do better than being compared against cities known for gentrification; Alameda is an area where regional impacts have significant issues; every city is going to have to step up and address the issues; a place must be created where people can network and grow by placing roots down; expressed support for repeal being placed on the ballot; stated Measure A does not protect the number of households; Measure A ends up placing housing where it does not make sense versus where infrastructure can maintain.

Mayor Ezzy Ashcraft stated Council has the opportunity to correct a 47 year-old mistake and allow the voters to use their voice; outlined issues around homelessness, COVID-19, and racial injustice, which are inter-related crises; Alameda is under housed and needs to do a better job of housing people; discussed housing units at Alameda Point; stated the best way to address homelessness is not to let it happen; Council must address the housing crisis; expressed support for putting Measure A repeal on the ballot; stated times change; the City is no longer the same as it was in the 1970s; some long-term residents would like to remain in Alameda and downsize; however, smaller units have not been able to be built; the opportunity is exciting and meshes with the moment; people are becoming more civically engaged and now is the time to give Measure A another look.

Councilmember Oddie stated the motion is drafted to state Council is providing direction.

Vice Mayor Knox White requested clarification that the direction is to have staff draft the language to bring back for Council to vote on the language being placed on the November ballot.

Mayor Ezzy Ashcraft responded in the affirmative; stated staff is confident they can bring back the report in time.

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

The City Clerk announced the argument timeline will change due to Council not adopting the resolution tonight; stated should the resolution be adopted on July 21<sup>st</sup>, new deadlines will be set; all related actions will be taken on July 21<sup>st</sup> and no further action is needed at this time.

Mayor Ezzy Ashcraft stated that she would like to designate members to draft argument language.

The City Attorney stated Council may begin designating members; staff will need to formally designate when the report is brought forth July 21<sup>st</sup>; an official timeline will run from July 21<sup>st</sup> as indicated by the City Clerk; Councilmembers may be designated authors prior.

Mayor Ezzy Ashcraft expressed support for option three: no more than two Councilmembers to draft an argument and decide to have a combination of Councilmembers and/or other signers; stated the option provides maximum leeway; expressed support for Vice Mayor Knox White and herself being designated.

Councilmember Daysog inquired whether a Councilmember may lead the “no” argument.

The City Attorney responded Council has the right to appoint one or two of its members to draft the opposing arguments; should Council decide to appoint a Councilmember, the priority will lie with the Councilmember(s) under the Elections Code.

In response to Councilmember Oddie's inquiry, the City Clerk stated the distinction between options two and three is whether the subcommittee or Council decides who will sign.

Councilmember Oddie expressed support for option three, as proposed.

Councilmember Vella expressed support for option three as proposed and for Councilmember Daysog being part of the alternative subcommittee.

Councilmember Daysog inquired whether he may work with others.

The City Clerk responded Councilmember Daysog will have priority ranking should more than one argument be submitted.

The City Attorney stated the two committees may designate others and have the same powers.

Vice Mayor Knox White moved approval of creating two subcommittees, a committee for yes on the repeal with members designated as himself and Mayor Ezzy Ashcraft, and a committee for no on the repeal with Councilmember Daysog.

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

(20-465) Resolution No. 15673, "Calling for the Holding of a Consolidated Municipal Election in the City of Alameda on Tuesday, November 3, 2020, for the Submission of a Proposed Charter Amendment to Clarify the Prohibition Against Members of the Council Interfering with Duties of the City Manager and Other Executive City Officials, Authorize the City Attorney to Prosecute State Law Misdemeanors, and Amend Outdated Provisions including Utilizing Gender Neutral Language, and Authorizing City Councilmembers to File Written Arguments For or Against the Measure." Adopted.

The City Attorney and City Clerk gave a brief presentation.

Councilmember Vella moved approval of the staff recommendation and adoption of the resolution.

Vice Mayor Knox White seconded the motion.

Under discussion, Vice Mayor Knox White stated a member of the public has previously

requested the matter be bifurcated; the work being performed by the City Attorney is work already being completed; noted Council will still decide whether or not the City engages in prosecutorial work; stated the matter provides a little more local control for important items.

Under discussion, Councilmember Daysog stated that he would like to see Section 7-3 have specific provisions; noted that he will be abstaining from the vote.

Councilmember Oddie stated that he previously had reservations about the matter; noted the Council is still having discussions about violations, which provides him more comfort than before.

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

Mayor Ezzy Ashcraft expressed support for herself and Vice Mayor Knox White draft argument language.

Councilmember Vella moved approval of Vice Mayor Knox White and Mayor Ezzy Ashcraft as the subcommittee under option three on the argument in favor.

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

(20-466) Resolution No. 15674, "Amending Master Fee Resolution No. 12191 to Add and Revise Fees." Adopted.

The Assistant City Manager gave a brief presentation.

Vice Mayor Knox White expressed concern about appeal fees; outlined a previous appeal for Alameda Theatre; noted appeals on priority projects for Council and the City should have a different fees; expressed support for directing staff to return in the future to address the issue.

The City Attorney stated field fees are user fees for use of public property; the City has more latitude to set user fees; permit fees must be set at cost-recovery only; permit fees that are governed by Proposition 26 and 218 do not authorize the City to charge one group of payers to subsidize permit fees for another group of payers; noted a smaller fee on solar projects is possible due to the project type being a Council priority; fees set based on the appellant or applicant become legally problematic.

Mayor Ezzy Ashcraft stated that Council may direct staff to return with the information at a later date.

Councilmember Vella moved approval of the staff recommendation, including adoption of the resolution.

Vice Mayor Knox White seconded the motion, with the following amendment: direct staff to identify how Council may increase the cap on affordable housing and homeless service projects for appeals.

Councilmember Vella requested clarification; inquired whether the amendment is to look at ways to cover the cost of appeals, to which Vice Mayor Knox White responded in the affirmative.

Councilmember Vella accepted the amendment to the motion.

Under discussion, Councilmember Daysog stated that he supports the motion, but not necessarily the amendment.

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

(20-467) Resolution No. 15675, “Establishing Integrated Waste Collection Ceiling Rates and Service Fees for Alameda County Industries, Inc. for Rate Period 19 (July 2020 to June 2021).” Adopted.

The Public Works Coordinator and Marva Sheehan, HF&H Consultants, gave a brief presentation.

Councilmember Oddie moved approval of the staff recommendation, including adoption of the related resolution.

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

(20-468) Recommendation to Provide an Update on Two-Step Procurement Process for Alameda’s Integrated Waste Franchise; Authorize the City Manager to Execute an Amendment to the Franchise Agreement between the City of Alameda and Alameda County Industries (ACI) Providing to the City a Maximum 18 Month Extension Option, as Needed; and Authorize the City Manager to Execute a First Amendment to the Service Provider Agreement with Hilton, Farnkopf & Hobson Consultants, LLC (HF&H) for Solid Waste Agreement and Procurement Consulting, in an Amount Not to Exceed \$74,025, with the Option of Three One-Year Extensions, for a Total Five-Year Compensation Not to Exceed \$403,200.

The Public Works Coordinator and Lauren Barbieri, HF&H Consultants, gave a brief presentation.

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(20-469) Mayor Ezzy Ashcraft announced a motion is needed to hear new items past 11:00 p.m.

Councilmember Vella moved approval of hearing the remaining items under the Regular Agenda and the remainder of Public Comment, and to continue the Rules of Order referral [paragraph no. 20-478] and sustainable landscapes brief [paragraph no. 20-479] items to the July 14<sup>th</sup> Special Meeting.

Vice Mayor Knox White seconded the motion.

Under discussion, the City Attorney noted Council should set a time-specific for the continued items; stated staff recommends a start time of 5:59 p.m.

Councilmember Vella expressed support for the staff recommendation.

Vice Mayor Knox White requested the motion be amended to have the continued items start at 7:01 p.m.

Mayor Ezzy Ashcraft expressed support for the 7:01 p.m. time.

Councilmember Vella accepted the amendment to the motion.

Vice Mayor Knox White agreed to still second the amended motion.

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

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Councilmember Daysog inquired whether the matter empowers the City Manager to lock the City into a 10 or 20-year agreement with ACI or would Council have to vote on a long-term agreement.

Ms. Barbieri responded the matter does not provide the City Manager with the ability to sign the next contract without coming back for Council approval; stated the process allows more time for negotiations; noted the action for Council is to authorize the City Manager to execute the extension amendment.

Vice Mayor Knox White moved approval of the staff recommendation.

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



(20-470) Recommendation to Authorize the City Manager to Disburse Money Donated to the Fund-Wide Alameda Strong Community Relief Campaign as Follows: 60 Percent to Small Businesses, 20 Percent to Non-Profit Organizations, and 20 Percent to Alameda Renters.

The Economic Development Manager gave a brief presentation.

Mayor Ezzy Ashcraft expressed support for the fund; stated funds will be available.

The City Manager stated there are four funds within the relief fund for: small businesses, renters, non-profits, and the fund currently being discussed is an allocation to the General Fund; there is little money that has been put in the General Fund and most money donated is specifically to one of the three listed funds.

Mayor Ezzy Ashcraft inquired the current total amount donated.

The City Manager responded \$30,000 for business relief, \$6,000 for renters, about \$2,000 for non-profits and less than \$1,000 for General Fund allocation.

Councilmember Daysog inquired whether people are given a sheet or slip to allow for tax deduction when contributions are made to the East Bay Community Fund.

The Economic Development Manager responded in the affirmative; stated the funds are tax deductible and an electronic receipt is provided showing the amount donated.

Stated there has been little marketing specifically around the fund; noted more can be done; stated more funds could be found with better marketing; discussed the website layout being confusing; expressed support for the program: Zac Bowling, Alameda

Comments read into the record:

Discussed sole proprietors being part of the program; stated groups of retailers are listed as least qualified and eligible for half the amount others could receive; many retail businesses are an important part of Alameda; noted it is the first job for many of his employees: Ben Calica, Alameda.

Urged Council to clarify the issue of sole proprietor businesses applying for funds; stated a brick and mortar sole proprietor with no employees should be eligible for the full grant amount; a sole proprietor working from a residential property should be eligible for 50% of the award amount: Ronald Mooney, Alameda.

Vice Mayor Knox White inquired the award breakdown for sole proprietors.

The Community Development Director responded sole proprietors working from a residence would be eligible for 50% of the award and sole proprietors working out of a brick and mortar store would be eligible for the full amount; stated Mr. Mooney's

breakdown of the funding eligibility is accurate.

Councilmember Oddie moved approval of providing the City Manager authority to disperse the general contributions, 60% to small businesses, 20% to non-profits and 20% to Alameda renters.

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

(20-471) Recommendation to Authorize the City Manager to Execute a Contract with Redgwick Construction Co. for Chuck Corica Golf Course Parking Lot Improvements, No. PW 02-20-12 in an Amount, Including Contingency, Not to Exceed \$406,471.50; or in the Alternative, Reject All Bids for Chuck Corica Golf Course Parking Lot Improvements, No. PW 02-20-12 and Provide Direction for a Lease Amendment with Greenway Golf for a Rent Reduction and Requirement to Fund and Construct the Chuck Corica Golf Course Parking Lot and Sewer Line.

The Recreation and Parks Director gave a brief presentation.

Discussed training agreements with the State of California's Department of Apprenticeship Standards; stated individuals that have completed the program are the most productive construction workers; Council will be providing good paying jobs with benefits: Michael Ginter, Alameda County Building and Construction Trades Council.

Councilmember Vella stated the process has been long and she is satisfied with awarding the Request for Proposals (RFP) and ready to move forward; expressed support for the staff recommendation.

Mayor Ezzy Ashcraft stated there is a motion to approve the staff recommendation.

Councilmember Oddie seconded the motion.

Under discussion, Councilmember Daysog stated there are good reasons to look at the Greenway approach for coordinating the parking infrastructure; noted Council could take a time-out to look at how parking lot improvements can be coordinated and re-issue the RFP.

Mayor Ezzy Ashcraft inquired whether Councilmember Daysog's recommendation is a substitute motion.

Councilmember Daysog responded in the affirmative; stated there is a question related to funding for other infrastructure improvements.

The motion failed for lack of a second.

Councilmember Vella stated part of the reason for the timing of parking lot improvements is due to negotiations related to timing for Greenway; part of the agreement requires the parking lot portion to be completed first; an attempt to coordinate was made; funding needs to be found.

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

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(20-472) Mayor Ezzy Ashcraft announced the Closed Session evaluation of the City Attorney will need to be continued; stated the Special Meeting on July 14<sup>th</sup> is a possible date.

Councilmember Vella moved approval of continuing the City Attorney's evaluation to the July 14<sup>th</sup> Special Meeting Closed Session.

Vice Mayor Knox White seconded the motion, requested a friendly amendment to agendize the matter at the beginning of the meeting.

The City Attorney stated the matter must have a time-specific; staff recommends a start time of 5:59 p.m.

Councilmember Vella and Vice Mayor Knox White accepted the start time and the motion was amended accordingly.

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

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#### CITY MANAGER COMMUNICATIONS

(20-473) The City Manager made an announcement related to the investigation parameters related to the incident with Mali Watkins and Police Officers.

#### ORAL COMMUNICATIONS, NON-AGENDA

##### Comments read into the record:

(20-474) Barbara Walker, Alameda, expressed concern about the COVID-19 pandemic; stated that she would like to know who is making decisions about the response; the City needs more testing; discussed transparency; stated it is difficult to follow rules and she would like information about hospitals.

(20-475) Debra Mendoza, Alameda, stated Council has the opportunity to radically

change how public safety is imagined, operated, and funded; the community is ready to defund Police and reinvest in community; urged Council to stand on the right side of justice.

(20-476) Frank, Alameda, discussed slow streets; stated the slow streets program should be worked out better.

(20-477) Amos White, Alameda, discussed protests for systemic racism and civil incidents; questioned whether an apology will be made to Mr. Watkins or the public; urged Council to act now, pass a resolution declaring racism as a Public Health Emergency, seat a Citizens Oversight Commission and convene a truth and reconciliation series of panels to address the years of systemic racism.

### COUNCIL REFERRALS

(20-478) Consider Adoption of Resolution Amending Section 6 of Resolution No. 15382, which Adopted Rules of Order Governing City Council Meetings. (Mayor Ezzy Ashcraft and Councilmember Oddie)" [Continued to July 14, 2020]

### COUNCIL COMMUNICATIONS

(20-479) Stopwaste June 2020 Topic Brief: Sustainable Landscapes. (Councilmember Oddie) [Informational only] [Continued to July 14, 2020]

(20-480) Vice Mayor Knox White discussed public comment; stated e-mails received prior to the meeting should not be read during the meeting.

(20-481) Councilmember Daysog noted many fireworks are being set off in concentrated in areas.

(20-482) Mayor Ezzy Ashcraft expressed gratitude toward Allen Michaan; stated there are many resources and information related to COVID-19; urged people to wear a mask, wash hands, and remain socially distant.

### ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 11:44 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 CITY COUNCIL MEETING  
TUESDAY- -JULY 7, 2020- -5:00 P.M.

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

Roll Call – Present: Councilmembers Daysog, Knox White, Oddie, Vella and Mayor Ezzy Ashcraft – 5. [Note: The meeting was held via WebEx.]

Absent: None.

The meeting was adjourned to Closed Session to consider:

(20-442) Conference with Real Property Negotiators (Pursuant to Government Code Section 54956.8); Property: Site A at Alameda Point; City Negotiators: Eric J. Levitt, City Manager; Debbie Potter, Community Development Director; Michelle Giles, Redevelopment Project Manager; and Lisa Nelson Maxwell, Assistant City Attorney; Negotiating Parties: City of Alameda and Alameda Point Partners: Under Negotiation: Price and Terms

(20-443) Conference with Real Property Negotiators (Pursuant to Government Code Section 54956.8); Property: Greenway Golf, 1 Clubhouse Memorial Road, Alameda, CA; City Negotiators: Eric J. Levitt, City Manager; Michael Roush, Assistant City Attorney; Amy Wooldridge, Recreation and Parks Director; Negotiating Parties: City of Alameda and Greenway Golf: Under Negotiation: Price and Terms

(20-444) Conference with Real Property Negotiators (Pursuant to Government Code Section 54956.8); Property: Jim's on the Course, 1 Clubhouse Memorial Road, Alameda, CA; City Negotiators: Amy Wooldridge, Recreation and Parks Director; and Michael H Roush, Assistant City Attorney; Organizations Represented: Dialemi Inc., dba Jim's on the Course, Tom Geanekos, Owner: Issue Under Negotiation: Real Property Negotiations Price and Terms of Payment

(20-445) Public Employee Performance Evaluation (Pursuant to Government Code Section 54957); Position Evaluated: City Attorney – Yibin Shen [Continued to July 14, 2020 at 5:59 p.m.]

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding Site A, staff provided information and Council provided direction by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye; Ayes: 5; regarding Greenway Golf, staff provided information and Council provided direction by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye; Ayes: 5; regarding Jim's on the Course, staff provided information and Council provided direction by the following roll call vote:

Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye; Ayes: 5; and regarding Performance Evaluation, no action was taken.

Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 7:04 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- -JULY 7, 2020- -6:59 P.M.

Mayor/Chair Ezzy Ashcraft convened the meeting at 7:17 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. [Note: The meeting was held via WebEx.]

Absent: None.

CONSENT CALENDAR

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

Councilmember/Commissioner Vella seconded the motion, which carried by the following roll call vote: Councilmembers/Commissioners Daysog: Aye; Knox White: Aye; Oddie: Aye; Vella: Aye; and Mayor/Chair Ezzy Ashcraft: Aye. Ayes: 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(\*20-446 CC/20-016 SACIC) Minutes of the Joint City Council and SACIC Meeting Held on June 16, 2020. Approved.

(\*20-447 CC/20-017 SACIC) Recommendation to Accept the Investment Report for the Quarter Ending March 31, 2020. Accepted.

AGENDA ITEMS

(20-448 CC/20-018 SACIC) Public Hearing to Consider Joint Resolution No. 15670 and SACIC 20-10, "Approving the Development List of Affordable Housing Projects and Funding Request for Such Projects as Requested by the Alameda Unified School District (AUSD)." Adopted.

Vice Mayor/Commissioner Knox White moved adoption of the resolution.

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

## ADJOURNMENT

There being no further business, Mayor/Chair Ezzy Ashcraft adjourned the meeting at 7:22 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk  
Secretary, SACIC

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