

MINUTES OF THE SPECIAL JOINT MEETING OF THE CITY COUNCIL AND
SUCCESSOR AGENCY TO THE
COMMUNITY IMPROVEMENT COMMISSION (SACIC)
TUESDAY- -FEBRUARY 2, 2021- -6:58 P.M.

Mayor/Chair Ezzy Ashcraft convened the meeting at 7:00 p.m.
Councilmember/Commissioner Daysog led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers/Commissioners Daysog, Herrera
Spencer, Knox White, Vella and Mayor/Chair Ezzy
Ashcraft – 5. [Note: The meeting was held via Zoom.]

Absent: None.

CONSENT CALENDAR

Councilmember/Commissioner Daysog requested the Financial Report [paragraph no.
21-058 CC/21-03 SACIC] be removed from the Consent Calendar.

Vice Mayor/Commissioner Vella moved approval of the remainder of the Consent
Calendar.

Councilmember/Commissioner Herrera Spencer seconded the motion, which carried by
the following roll call vote: Councilmembers/Commissioners Daysog: Aye; Herrera
Spencer: Aye; Knox White: 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.]

(*21-059 CC/21-04 SACIC) Minutes of the Special Joint City Council and Successor
Agency to the Community Improvement Commission Meeting Held on January 5, 2021.
Approved.

(21-060 CC/21-05 SACIC) Recommendation to Accept the First Quarter Financial
Report for the Period Ending September 30, 2020.

Councilmember/Commissioner Daysog stated the staff report should have called out a
single withdrawal of \$21.1 million; withdrawals of that magnitude need to be identified in
the staff report; the withdrawal comes from the reserves as a contribution toward the
Other Post-Employment Benefit (OPEB) liability; the report includes good contextual
analysis with comparisons of first quarter revenues and previous revenues; there is
good representation of revenues; however, the expenditures needed more context;
previous expenditures show comparisons to previous years, but do not show the
comparison relative to amounts generally set aside for first quarter expenditures; there
is a discrepancy due to Police department understaffing; expressed support for
including more context and for calling out large expenditures.

Councilmember/Commissioner Daysog moved approval of the staff recommendation

Councilmember/Commissioner Herrera Spencer seconded the motion.

Under discussion, the City Manager stated the mid-year budget will come before Council at the next meeting allowing a closer review of expenditures; there will be an estimate for the \$21 million based on previous calculation formulas approved by Council.

The Finance Director stated staff has taken Council input into consideration and will include information as a follow-up; more information will be included in the mid-year budget presentation.

On the call for the question, the motion carried by the following roll call vote: Councilmembers/Commissioners Daysog: Aye; Herrera Spencer: Aye; Knox White: 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 7:10 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk
Secretary, SACIC

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

MINUTES OF THE CONTINUED JANUARY 19, 2021 CITY COUNCIL MEETING
TUESDAY- -FEBRUARY 2, 2021- - 6:59 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:10 p.m.

ROLL CALL - Present: Councilmembers Daysog, Herrera Spencer, Knox White, Vella and Mayor Ezzy Ashcraft – 5. [Note: The meeting was held via Zoom.]

Absent: None.

CONTINUED AGENDA ITEM

(21-061) Resolution No. 15740, “Requiring a Project Stabilization Agreement for Certain Construction Projects.” Adopted.

The Assistant City Manager gave a Power Point presentation highlighting Mayor Ezzy Ashcraft’s proposed changes.

Councilmember Daysog expressed concern about the matter not being open to all voices and perspectives; stated there must be representation from different people; expressed support for the changes made by Mayor Ezzy Ashcraft; stated if there is a desire to accept changes, Council should do so at a future, formally noticed meeting to allow input from all trades; the Mayor’s amendments can be used as a starting point.

Councilmember Herrera Spencer expressed support for a more specific proposal breakdown; expressed concern about the matter initially being brought as a Council Referral, then being brought by staff; stated Council never made a decision on the Referral; stated the language included in the staff report references anecdotal data; there is more than anecdotal data related to increased construction costs; it is important that the community be allowed to vet the matter; that she has a problem with staff bringing forth the matter; expressed concern about increased costs creating difficulties in building housing; stated that she is reluctant to support the matter; developers should be able to look at projects and decide the best type of housing builds for the betterment of the community.

Mayor Ezzy Ashcraft stated the modifications to the language were taken from a previous agreement in San Francisco’s Mission Bay development; noted Catellus and the Building Trades Council of San Francisco were involved with the agreement; stated the project was successful; the agreement has been vetted by different sides; expressed support for moving projects along and ensuring a skilled workforce is present; outlined the opportunity for apprenticeship programs; stated Council may choose to have the matter return with additional wordsmithing.

Vice Mayor Vella stated that she pulled her Council Referral due to staff’s concurrent work on the matter; it is a misstatement to categorize the matter as an initial Council

Referral; staff brought forth the matter based on direction provided over a period of time relative to a number of projects; concerns had continued to arise related to public land project goals; expressed support for the inclusion of a local hire provision; outlined local hire provisions in the City of Hayward; stated the provisions help Alamedans; there is a need to reinvest in apprenticeship opportunities which can be achieved through local hire provisions; the cost of development has increased; however, tariffs are causing impacts, such as for the Water Emergency Transit Authority (WETA) ferry float; the cost of land and remediation have impacts; good projects cost money; expressed concern for substandard projects being associated with building affordable housing; inquired how many projects in the works, outside of those with Development Agreements (DA), are in the middle of an Exclusive Negotiation Agreement (ENA) phase.

The City Manager responded there is currently one ENA; stated the West Midway project is currently negotiating a PSA.

Vice Mayor Vella expressed concern about one project already negotiating an agreement; stated that she would like to clarify the PSA will not add an additional requirements; expressed support for the exclusion of Disposition Development Agreements (DDAs) and DAs; stated that she would like to strike the ENA provision with the clarification that the proposal adds nothing to projects with a DDA or DA being negotiated.

Mayor Ezzy Ashcraft stated the development and builder community currently working with the City requested the change; the Building Trades Council approved the provision; the matter had previously been heavily weighted toward the Trades; the provision is intended to show an understanding; the provision would not apply to many projects; expressed concern for taking away the provision.

Vice Mayor Vella expressed concern about the process becoming muddled; stated those in the middle of negotiations could argue against having a PSA; working toward labor peace as best as possible is a goal, especially at Alameda Point; expressed concern for a carve-out in policy; stated that she is hesitant; inquired whether developers will not be required to have a PSA; expressed concern for a PSA not being required for the West Midway project.

Mayor Ezzy Ashcraft stated there is currently an agreement being negotiated and the Building Trades representative accepted the change.

The City Attorney stated Council retains discretion to approve matters through ENAs on a project-by-project basis; Council has previously given direction that labor peace is one of the goals for the West Midway Project.

Vice Mayor Vella requested clarification about the direction provided by Council regarding the ENA.

The City Manager stated the City Attorney is correct; the Interim Community Development Director is double-checking the requirement; developers would not be able to use the proposed amendment to assert an ENA is no longer valid.

Vice Mayor Vella expressed concern about spot zoning; stated that she does not believe it to be the intent; however, the direction needs to be clear and not dismantle a previous expectation; expressed support for the matter moving forward.

Councilmember Knox White expressed gratitude for the work put into the matter; stated the proposed agreement sets the expectation for negotiations and gives the power to Council to decide whether or not projects should have a PSA; noted that his expectation is West Midway will have a Project Labor Agreement (PLA) come back to Council; stated any policy adopted at this meeting exempts [previous negotiations] from the policy and the prior agreement and understanding will move forward.

Councilmember Daysog stated staff needs to create a substantial effort in reaching out to smaller mom and pop contractors during the 18 month period the matter has been worked on; Council should take the time to gather input on the matter proposed and hold a formal meeting.

Vice Mayor Vella moved adoption of the resolution with the revisions proposed by Mayor Ezzy Ashcraft with the clarification raised about the expectation relative to the West Midway project to ensure a labor agreement returns to Council.

Councilmember Knox White seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: No; Herrera Spencer: No; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 3. Noes: 2.

ADJOURNMENT

There being no further business, Mayor/Chair Ezzy Ashcraft adjourned the meeting at 7:40 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -FEBRUARY 2, 2021- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:40 p.m.

ROLL CALL - Present: Councilmembers Daysog, Herrera Spencer, Knox White, Vella, and Mayor Ezzy Ashcraft – 5. [Note: The meeting was conducted via Zoom]

Absent: None.

AGENDA CHANGES

(21-062) Councilmember Daysog stated that he would like to hear the housing unit calculation Council Referral [paragraph no. 21-076] first due to being put off for two Council meetings.

Mayor Ezzy Ashcraft stated that she will work to move the meeting along in a timely manner.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(21-063) Mayor Ezzy Ashcraft did a reading for the Season for Nonviolence: Believing.

(21-064) Proclamation Declaring February 2021 as Black History Month.

Mayor Ezzy Ashcraft read the proclamation.

ORAL COMMUNICATIONS, NON-AGENDA

None.

CONSENT CALENDAR

Councilmember Herrera Spencer noted that she is voting no on the resolution implementing policy for the Alameda Point rent abatement [paragraph no. 21-070].

Councilmember Knox White requested final passage of the rent ordinance [paragraph no. 21-071] be removed from the Consent Calendar for discussion.

Mayor Ezzy Ashcraft inquired whether Council would want to hear the item after the regular agenda items.

Councilmember Herrera Spencer expressed support for hearing the matter now.

Vice Mayor Vella stated that she is fine with hearing the one matter.

Councilmember Knox White stated that he hopes the matter will be short.

Vice Mayor Vella moved approval of the remainder of the Consent Calendar.

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

(*21-065) Minutes of the Special and Regular City Council Meetings Held on January 5, 2021. Approved.

(*21-066) Ratified bills in the amount of \$7,073,054.05 and \$4,963,056.55.

(*21-067) Recommendation to Accept the Work of Redgwick Construction Company for the Chuck Corica Golf Course Parking Lot Improvements, No. P.W. 02-20-12. Accepted.

(*21-068) Recommendation to Authorize the City Manager to Execute a Fifth Amendment to the Agreement with Cultivate, LLC to Increase Compensation by \$73,500, for a Total Aggregate Compensation Not to Exceed \$294,000, to Continue Providing Technical Planning Support to the City of Alameda General Plan Update through Plan Adoption. Accepted.

(*21-069) Resolution No. 15741, "Consideration to Alter the Rate and Method of Apportionment of Special Taxes for Community Facilities District (CFD) No. 17-1 (Alameda Point Public Services District) and Set a Public Hearing for February 16, 2021." Adopted.

(21-070) Resolution No. 15742, "Establishing the City of Alameda's Policy Regarding the Implementation of the COVID-19 Enforcement Provisions of Its Alameda Point Rent Abatement Lease Amendments." Adopted.

Note: Councilmember Herrera Spencer voted no on this item, so it passed by the following vote: Ayes: Councilmembers Daysog, Knox White, Vella and Mayor Ezzy Ashcraft – 4. Noes: Councilmember Herrera Spencer – 1.

(21-071) Final Passage of Ordinance Amending the Alameda Municipal Code by Amending Article XV (Rent Control, Limitations on Evictions and Relocation Payments to Certain Displaced Tenants) to Adopt and Incorporate Provisions Concerning Capital Improvement Plans (CIP) for Rental Units in the City of Alameda. Not adopted.

Councilmember Knox White stated that he became aware that the 5% cap is allowed to be added every two years if a Capital Improvement Project (CIP) is approved; over the course of a 15 year period, seven 5% pass through increases could occur; expressed

support for sending the matter back to staff with direction to set a maximum 5% cap on all approved CIP proposals; stated the 5% cap is cumulative; landlords will continue to have the same rights in relation to fair rate of return appeals; expressed support for a clear appeals process for tenants in the off-chance a plan is approved; a minimum of 50% of tenants could appeal and have a plan reviewed by a Hearing Officer to ensure the work being completed is not cosmetic, is needed maintenance and meets the intent of the pass through.

Vice Mayor Vella stated that she would like clarification of where the City stands and what the process would be if Council does not approve the matter at this meeting.

Mayor Ezzy Ashcraft expressed concern about the delay; stated the intent is to ensure rental properties are habitable and in good condition; noted the rental housing stock in Alameda is older.

Special Counsel stated the ordinance provides a limitation preventing a landlord from requesting a CIP more often than once every 24 months and has a 5% cap if a CIP is approved, which is only applied to the maximum allowable rent; staff can redraft the ordinance to allow an overall maximum 5% cap for CIP projects; there might be complications in drafting; there may be situations where the pass through will go away due to some tenants moving out and remaining tenants are under the existing pass through with the 5% cap; stated a draft regulation has an appeal process to accompany the ordinance; a tenant will have the right to appeal the CIP process on multiple fronts.

Councilmember Knox White stated that his understanding is staff can have the matter return to Council within 45 days; expressed support for processing the matter once properly, rather than having to amend it.

Vice Mayor Vella inquired whether the CIP would not be an allowable pass through until 12 months after the State of Emergency; inquired whether a provision needs to be passed separately or whether the delay is part of the action Council is taking.

Special Counsel responded the provision has been incorporated into the ordinance.

Vice Mayor Vella inquired whether the provision will remain if Council does not approve the ordinance at this meeting.

Special Counsel responded the pass through process is more of a rent increase; stated due to Council's rent freeze being in place during the declaration of local emergency, a landlord would not be able to increase the rent through a CIP.

Vice Mayor Vella stated if the matter returns, she would like to provide options on the overall goal of finding a way to reasonably address things and not create a loophole to rent control; expressed support for looking at varying options for limiting the CIP amount, including a total cap on the CIP or a period of years; questioned whether the intent is to have a 5% total cap.

Mayor Ezzy Ashcraft stated that she would like to see the language being discussed; inquired whether there is a draft document available.

Special Counsel responded staff has not drafted the language being proposed by Councilmember Knox White; stated the changes are substantive; the matter is anticipated to come back.

Councilmember Daysog stated the changes appear substantive and the ramifications on mom and pop landlords is unclear; he would like to notify stakeholders to obtain input; expressed support for knowing the ramifications on capping CIP programs; questioned what happens when a CIP translates into something greater than 5%; outlined various potential perspectives and questions from mom and pop and middle sized landlords; stated the input from landlords is needed; expressed support for staff notifying and gathering input through a process.

Mayor Ezzy Ashcraft stated a stakeholders forum was held with representatives from the landlord and tenant communities; no agreement will get full agreement on everything; however, the agreement will be better if it has input from stakeholders; the San Francisco ordinance has a distinction for landlords with six units or less; smaller landlords are entitled to get 100% of the value back; however, larger landlords are entitled to a smaller percentage; the work is performed first; then, the landlord can file for amortization over time with a cap.

Special Counsel stated the San Francisco ordinance allows larger landlords to recover 70% of the amortization; concern was expressed by landlord groups; there is no longer a distinction between smaller and larger landlords; staff can look at the cap percentage for San Francisco and set up another stakeholder meeting prior to returning to Council.

Mayor Ezzy Ashcraft stated that she was not proposing the San Francisco model; however, she could not see the justification for a landlord with seven units not being able to amortize all qualifying improvements; the regulation is complicated and should be streamlined.

Councilmember Knox White moved approval of sending the matter back to staff with direction to return with a couple of options for a cumulative cap and pass through after stakeholder engagement and analysis within the next two months.

In response to Mayor Ezzy Ashcraft's inquiry, Councilmember Knox White stated a CIP plan can be implemented at 5% today and, two years from now, another CIP plan can be implemented with a second 5%; every two years a CIP plan can be implemented at 5%, which allows for a total of five to seven 5% pass throughs; landlords can extend further to capture additional costs over-time; new tenants allow for resets and higher rent.

Vice Mayor Vella seconded the motion, which carried by the following roll call vote:

Councilmembers Daysog: Abstention; Herrera Spencer: No; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 3. Noes: 1. Abstention: 1.

REGULAR AGENDA ITEMS

(21-072) Recommendation to Review, Comment, and Provide Direction on the City's General Plan 2021 to 2031 Housing Element Update Process and Schedule and Authorize Staff to Request Updated Guidance from the State of California regarding Compliance with Applicable Housing Law.

The Planning, Building and Transportation Director gave a Power Point presentation.

Councilmember Herrera Spencer requested clarification on the total number of Alameda Point's affordable housing units.

The Planning, Building and Transportation Director stated the Navy cap is 1,425 market rate units; for every 3 market rate units, one affordable housing unit is built, which changes the cap to around 1,800 units total; market rate and affordable units are being built today at Alameda Point; staff believes by the end of 2022, roughly 450 units will be built at Site A leaving roughly 1,350 units; everything possible must be done to ensure 1,400 units are built during the next 10 years.

Councilmember Herrera Spencer inquired whether the amount is more than originally thought.

The Planning, Building and Transportation Director responded staff originally thought the cap was at 1,425 total units; stated staff plans to recommend amending or removing the local cap of 1,425 units.

Councilmember Knox White inquired whether the City can get to 5,400 units at 30 units per acre and whether certain locations will have 90 to 120 units per acre instead.

The Planning, Building and Transportation Director responded multi-family overlay is being proposed on Park Street; staff does not believe many units can be generated on Park Street due to limited space; 30 units per acre will not get the City to 5,400 units; outlined smaller, upcoming, approved projects which have not moved forward due to low density; stated a higher density will likely be needed in some areas for projects to be financially viable; some two story mixed use projects have 80 units per acre; the numbers do not relate to height; once the multi-family overlay is crafted, the amount of units will be higher than 30 units per acre in many cases.

Councilmember Knox White stated that he assumes multi-family overlays will be over large swaths of residential areas; inquired how the calculation plays into the plan.

The Planning, Building and Transportation Director responded part of the process on zoning areas for future development works through "realistic capacity;" stated a

proposal is made presenting the realistic capacity of “x” amount of units per acre; outlined the anticipated need for Park Street areas; stated staff must demonstrate the realistic capacity to the State Department of Housing and Community Development (HCD).

Paul McDougall, HCD, stated there are a variety of factors in different sites: suitability, any known constraints, zoning, and capacities; there are times when non-residential zones are intended for other uses outside of residential; non-vacant sites need to demonstrate potential for redevelopment; an analysis of market conditions, public transit, regulatory framework and the extent of the existing uses is performed; there are different approaches to potential redevelopment; noted some jurisdictions will call down sites to the most realistic and best opportunities; stated maintaining inventory is a factor throughout the planning period; prudent moves include identifying buffer areas; outlined the no net loss law.

Mayor Ezzy Ashcraft requested clarification about non-vacant sites.

Mr. McDougall stated non-vacant sites are sites which have existing uses; HCD factors the possibility of sites expiring or discontinuing in a planning period; when a site is identified as a non-vacant site, while under 50% of the RHNA, the analysis bar goes up and substantial evidence is needed to demonstrate uses will likely discontinue in a planning period; if existing units are present, replacement factors must be considered for the policy; only new units are to be counted [toward RHNA].

Vice Mayor Vella inquired the process for multi-family related to the Charter.

The Planning, Building and Transportation Director responded the first step is to request the work plan, reach out to HCD and ask for advice on how to address the conflict in the Charter to ensure the benefit of advice from both staff and HCD; stated changes have been made at the County and State levels; Council’s stance on Alameda Point and Encinal Terminals will define how much multi-family housing is needed and where it will be placed; staff has identified its top five to six multi-family sites and believes 1,000 to 2,000 units can be placed on those sites; there is a public input and planning process question about whether more sites with less units will be more desirable; there are very few vacant sites in Alameda; all possible sites are considered non-vacant; staff has worked closely with property owners in the past.

Mr. McDougall stated HCD welcomes the opportunity to provide guidance in order for cities to understand pathways in the statute; HCD will examine the issue and complexities; there are five areas in the statute which are potentially perilous with Measure A.

Councilmember Daysog stated the General Plan and Environmental Impact Report (EIR) for Alameda Point was for 1,400 units; the Navy has provided an interpretation which allows the City to go beyond the 1,400 units to build more market rate housing; inquired whether the increased unit amount will require another EIR.

The Planning, Building and Transportation Director responded in the affirmative; stated all sites will require new general plans, densities, zoning ordinances, and be subject to the California Environmental Quality Act (CEQA).

Councilmember Daysog inquired whether the CEQA analysis can be completed within the eight year time frame and be counted under the current phase.

The Planning, Building and Transportation Director responded environmental review must be completed and reviewed by Council before action can be taken on the Housing Element; stated Council will be adopting the environmental review for the Housing Element and new sites during the following year; an environmental review must be conducted for new 5,400 units in Alameda and must be made available to Council before a decision is made to adopt a new Housing Element.

Councilmember Daysog inquired whether the additional units for Alameda Point require a new EIR.

The Planning, Building and Transportation Director responded staff can provide the information on the impact and effect of additional units in the environmental analysis.

Mr. McDougall stated there are options; the area can be rezoned with a new, full EIR with a housing cap folded in or the information can be programmed in the Housing Element with analysis.

Discussed getting the Housing Element passed in in 2012; stated the housing crisis continues and is more serious than ever; Alameda will not be able to avoid the 5,400 units; there is an opportunity to right the wrongs of the past; policy changes in areas such as housing will force the community to walk the walk of justice; there must be a commitment to finding housing for people; the Housing Element will be part of the path: Laura Thomas, Renewed Hope Housing Advocates.

Questioned whether his 210 work-live units could be converted to residential housing; stated the units will be ready in one to one and a half years: Jonah Hendrickson, Alameda.

Questioned whether the multi-family overlay could be used to get a certified Housing Element; stated that he and the public would be interested in the City Attorney's confidential memo on the matter to understand risk: Zac Bowling, Alameda.

Discussed underused blighted areas being prevented from being used for housing due to density restrictions; stated the blight detracts from enjoyable areas in Alameda; the City is prizing maintaining blighted property over providing more housing for the community: Josh Geyer, Alameda.

Stated that he understands few jurisdictions in the State have met affordable housing

requirements, which has not been addressed by HCD; that he sees no need to consult with the State: Jay Garfinkle, Alameda.

Discussed building heights; questioned whether there is a mechanism to design the zoning so that it reflects or anticipates the increased extra development potential with a density bonus project in terms of density and increased building height; discussed density bonus unit breakdowns and increased height: Christopher Buckley, Alameda.

Questioned whether the Navy housing unit cap could be renegotiated to allow more housing: Donna Fletcher, Alameda.

Councilmember Herrera Spencer stated that she would like to give Mr. McDougall an opportunity to answer questions raised by public comment.

Mayor Ezzy Ashcraft stated Council discussion will occur and should Council wish to have specific questions answered by Mr. McDougall, questions can be specifically posed.

Mr. McDougall stated the first question related to enforcement; due to legislature, enforcement is on the front burner; HCD has expanded authority under Assembly Bill (AB) 72; HCD can enforce a lack of action or actions and refer matters to the Attorney General's office; the enforcement authority extends to other housing related laws; there is a push to expand well beyond the current enforcement; ; HCD will generally look at the attempt to design a way to achieve maximum density within the smallest allowable group unfavorably; stated efforts to suppress the zoning are unfavorable.

Councilmember Herrera Spencer requested clarification about the number of allowable floors.

Mr. McDougall stated in reviewing zoning, HCD will look at allowable densities and assume the development standards allow for maximum density; at times height comes into play and at times it does not, it depends on the cumulative development and the ability to achieve the standards.

Councilmember Herrera Spencer inquired whether there is possibility for residential units to be placed on Mr. Hendrickson's property.

The Planning, Building and Transportation Director responded the thought is very interesting; stated Mr. Hendrickson owns Building 8 at Alameda Point and is retrofitting the space under the City's Commercial zoning for work-live; the City cannot report his units as housing units because the units have been defined as Commercial; Measure A does not define Mr. Hendrickson's units as housing; the building zoning can be changed to residential and be reclassified in order to have the units count toward the Housing Element; as a work-live facility, the building is not subject to the inclusionary requirements and therefore has no deed requirements on the units; if the units are converted to residential, a 25% pickup of affordable units could be placed on the site;

the idea of converting the site should be reviewed.

Mr. McDougall stated the site can be classified as adaptive reuse and will count toward RHNA.

Councilmember Daysog outlined the Housing Element being previously out of compliance for many years; inquired whether key triggers encouraged HCD to accept Alameda's Housing Element in 2012.

Mr. McDougall responded the progression started with Accessory Dwelling Unit (ADU) laws, State law, and density bonus law; Measure A conflicts with the ability to accommodate RHNA and provide multi-family zoning.

Councilmember Daysog inquired whether HCD has used the State fair housing law against any city thus far.

Mr. McDougall responded the use is peripheral; stated HCD has not directly utilized the State fair housing law much; however, there is potential for use; there have been changes to law and the Government Code for all public agencies, which may cause issues with Measure A.

Mayor Ezzy Ashcraft requested clarification about the affirmative fair housing laws, the role of equity in reaching RHNA numbers and the factors HCD reviews.

Mr. McDougall stated HCD's duty to affirmatively further fair housing goes back to the Fair Housing Act of 1968; the program has been around for over 50 years and it is fair to say a great job has not been done; the Obama administration took a refresh and a stronger approach to implementing the long standing obligation; with the change in administration, the measures went away quickly; California's Governor and legislature took the obligation and put it into State law; outlined Government Code Section 8899.50; stated the obligation falls on all public agencies to affirmatively further fair housing in all programs and activities related to housing and community development; the matter is not just about discrimination, it is about proactively promoting more inclusive communities; there is analysis related to displacement; site evaluations must be done in a way which promotes fair housing; HCD examines local information, such as patterns, trends, policies, practices and demographics, and compares neighborhood to neighborhood; HCD compares Alameda to its surroundings to determine whether the City reflects a composition of the broader region; HCD examines specific actions being taken to overcome patterns of non-compliance; meaningful actions must be shown by the City; HCD focuses on zoning and practices which limit housing choices.

Mayor Ezzy Ashcraft inquired how many problems are present with Article 26 that are detrimental to the City.

Mr. McDougall responded there are requirements around a variety of housing types; stated HCD will not find Alameda in compliance if it does not have zoning for a variety

of housing types; analysis must be completed around the RHNA; there is a zoning appropriate to accommodate lower income housing; the statute lays out the approach for jurisdictions to have prescribed densities in urban, suburban and rural areas; the threshold is either met or analysis is provided; an analysis of potential constraints on the property may be completed, which includes regulatory framework, zoning, land use controls, permit procedures, fees and old building codes; HCD will see Measure A as a constraint on the supply and cost of housing and programs will be sought to address and remove restrictions where possible; the affirmative fair housing will also come into play; the recent Housing Crisis Act provides various provisions to suspend certain actions, such as anything which results in lesser intensifications for sites for the next five years.

Mayor Ezzy Ashcraft inquired the consequences for non-compliance.

Mr. McDougall responded cities will not have access to money or points if out of compliance; stated the lack of access is not limited to housing money; the One Bay Area Grant (OBAG), which is transportation related, includes a Housing Element component and will not be accessible along with transportation planning grants that include Housing Element components; the City would not have access to the Governor's pro-housing designations which allow cities to gain a competitive advantage in programs, such as infrastructure grants with a Housing Element component; as part of the pro-housing designation, HCD is looking to incorporate the designation into not only housing programs, but transportation programs as well; the statute allow the City to be sued by essentially anybody and includes attorney fees; stated the courts have the authority to take actions, such as suspending permit authority; outlined the City of Pleasanton's permit suspensions; stated there is an additional level of consequence in referring non-compliance to the Attorney General to request penalties and fees of \$10,000 to \$100,000 per month; courts can allow any action to be taken to obtain compliance.

Councilmember Knox White stated a legal analysis has come up a number of times; expressed support for releasing the legal analysis in some form; stated the Council represents the residents of the City and it is important for residents to understand the issues Council is wrestling with, rather than protecting the City against the issues in the future; expressed support for moving forward with said direction; stated the timeline provided by staff is great and right; he questions waiting to have the conversation about the multi-family overlay until the Fall; the City can wait until it hears from HCD; whether or not the City appeals, the presentation shows there would be tremendous difficulty in successfully appealing the RHNA number; he questions whether a Council would be willing to pass a policy which ignores the City Charter in furtherance of fair housing and meeting State mandates; expressed support for looking at the timeline and bring the discussion back in late Spring, rather than waiting another six months to find that the multi-family overlay is going to be accepted and adopted; stated there will be a lot of scrambling if the City waits and try to figure out how to move forward; he is pro-housing; housing is needed and is a moral, human right; for decades, Alameda has fallen down on the commitment to fellow community members and it is time for the City to start;

outlined the campaign confusion around Measure Z.

Mayor Ezzy Ashcraft stated that she maintains voters had an unclear understanding about repealing Article 26; noted there was not as much time to provide public education; stated the process is an opportunity to help bring the public along and deepen understanding; outlined implementation of Alameda's Housing Element.

Councilmember Daysog stated that he favors growth control; Alameda is an Island with limited ingress and egress; the lack of infrastructure requires him to be mindful of limitations; he was the campaign chair of the "No on Z" measure; in recent history Alameda has been able to meet Housing Element obligations, while also maintaining Measure A through the density bonus and housing overlay; the housing overlay is key in allowing the City to build at a density required by HCD; the challenge for Alameda is to demonstrate to HCD that it can fulfil the RHNA obligation numbers within the context of Measure A using the density bonus and housing overlay; the residents who voted no on Measure Z understood that the City has workarounds to Measure A; it will be very difficult for the City to handle the 5,300 RHNA units; State and local leaders will need to find the right number; expressed support for the challenge of meeting obligations; stated the housing overlay should not be placed in certain areas; the residents overwhelmingly confirmed Measure A in voting down Measure Z; outlined Measure A; stated the challenge for Council is to work within Measure A, the density bonus and the State housing overlay; additional challenges have now been posed in the affirmative fair housing; different approaches allowed Council to get the Housing Element adopted in 2013; Council is extending a lot of the policies and changes adopted in the 2012 Housing Element; the City has demonstrated its ability to meet the RHNA obligations within the context of local zoning; the ultimate goal is to meet the obligations; the obligation number is a separate issue; he does not see Council not wanting to support lower income housing; noted the City has a 25% inclusionary policy at Alameda Point and the City meets the 15% inclusionary policy elsewhere.

Mayor Ezzy Ashcraft inquired whether HCD hears from other communities that the RHNA allocation cannot be met due to unique constraints.

Mr. McDougall responded that he appreciates the acknowledgement of challenges as a starting point.

Vice Mayor Vella stated that she shares concerns about timing, the Charter language and potential ethical issues created for the Planning Board and Council; that she has heard from people that voted no [on measure Z] because they do not believe multi-family should be allowed; she believes more clarity is needed for the Council and Planning Board; expressed concern about Boards and Commissions being put in the place of having to make decisions on the fly; stated more guidance is needed; expressed concern about local review boards relative to Charter violations; stated that she hopes Council can make use of the different buckets and avoid having to rely on grey area discussions; Council needs to know the options and roadmap.

Mr. McDougall stated HCD will work to respect any request as soon as possible; that he would emphasize timing; stated earlier is better.

Vice Mayor Vella moved approval of directing staff to get guidance from the State as soon as possible.

Councilmember Knox White seconded the motion.

Under discussion, Councilmember Herrera Spencer expressed concern about the safety of Alamedans; stated the concerns are legitimate; the City has a population of 80,000 with other building going on; questioned getting another bridge or way off the Island and how to ensure residents can get on and off the Island in an emergency; Alameda is between two fault zones; constituents have concerns; she questions how to address said concerns; expressed concern about building more market rate housing; stated that she prefers workforce and affordable housing; adding more market rate housing adds to gentrification; expressed support for help in understanding how to accomplish the tasks in a balanced way; stated the State has not addressed the issue.

Mr. McDougall stated there are many challenges; it is not easy to balance objectives; the State relies on cities as being best suited to make decisions and help the community navigate through objectives.

The Planning, Building and Transportation Director stated the process is 18 to 24 months and will require a lot of community conversation, discussion and education; noted that he has heard the question posed about rushing off the Island in the event of emergency; questioned the scenario needed for evacuation; stated the Island is vulnerable to risks and major disasters; there is an issue about how to get emergency personnel and supplies onto the Island; the event of a tsunami, even as a low risk situation, is to evacuate toward the center of the Island, not toward the water; the event of a massive earthquake does not yield evacuating to Oakland; building another bridge is not the solution to Island living and will not help concerns about the traffic situation; neither the State nor the region will fund a bridge for the City; every city has problems and constraints that have been acknowledged but cannot be used an excuse for not dealing with the Statewide housing issue; the City must figure out how to deal with recovery after major disaster and the housing crisis simultaneously.

Councilmember Herrera Spencer stated market rate housing is being built and will not address the problem of the unsheltered.

The Planning, Building and Transportation Director stated market rate developers build housing; people pay very little in taxes to build affordable housing; cities are relying on the private sector, which relies on a profit to build housing; once society is ready to fund housing for everyone through taxes and pocketbooks, the dynamic can change; for now, private investors are building the vast majority of housing in California.

Mayor Ezzy Ashcraft stated the legislature is running out of patience for cities throwing

up road blocks to building more housing; the dilemma faced with Article 26 is that it prevents building smaller units that can be affordable by design and workforce housing; there are many ways to help solve the problem; expressed support for exploring Mr. Hendrickson's proposal to count work-live units towards RHNA numbers; noted the City has launched a homelessness strategic plan; stated transitional housing is needed; there are many problems to solve and many are inter-related; a West End bicycle pedestrian bridge would allow bicycles and pedestrians to get on and off the Island; many solutions can be worked on at the same time.

On the call for the question, the motion carried by the following roll call vote: Councilmembers Daysog: No; Herrera Spencer: No; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 3. Noes: 2.

Mayor Ezzy Ashcraft called a recess at 9:55 p.m. and reconvened the meeting at 10:10 p.m.

(21-073) Oral Update from the Police Chief on Police Activity.

The City Manager made brief comments.

The Interim Police Chief gave a brief presentation.

Mayor Ezzy Ashcraft stated the City has embarked on a Homelessness Strategic Plan; outlined a recent Town Hall on addressing homelessness; stated that she was impressed by City staff and Alameda Police Department (APD) Officers' ability to build rapport with homeless individuals.

Councilmember Daysog inquired whether there are glaring commonalities within the seventeen shooting cases and seven arrests.

The Interim Police Chief responded the cases vary; stated some are settling disputes with gunfire and some are illicit business dealings; staff is trying to forensically link guns and ammunition to determine usage locations.

Councilmember Daysog inquired whether there is an issue of people being released from prison engaging in criminal activity.

The Interim Police Chief responded the number of prisoners has been reduced throughout the State over the years; stated the reduction is due in part to criminal justice reform and COVID-19; part of the regional homelessness and crime problems are connected to people being released from prison not yet being ready to assimilate with jobs, families and housing.

Councilmember Herrera Spencer inquired how much time it will take to get to the staffing level of 73 sworn Officers; questioned the ideal number of sworn Officers and how to address the crime; inquired the status of the camera equipment and the sale of the armored vehicle.

The Interim Police Chief responded that the department is awaiting the report from the Steering Committee; stated many communities and jurisdictions are questioning what is desired from Police; more bodies are needed in investigations; , the ability to provide proactive policing is hampered by Officers being taken out of investigations to do patrol; law enforcement throughout the area is grabbing from the same pool of applicants and is diversifying in an effort to reflect communities; efforts will be ongoing.

The Police Captain stated the matter of License Plate Readers (LPR) has stalled.

The City Manager stated the armored vehicle will come before Council once the Steering Committee has provided their report; Council previously requested options for selling the vehicle.

Councilmember Knox White stated there has been a definitive decision by leadership not to move forward with LPRs; inquired whether the decision is still in effect.

The City Manager responded there have been restrictions placed on LPRs; however, the Council discussion occurred prior to his start with the City; stated the matter has stalled and has not moved forward; leadership has changed and historical perspective has been lost due to changeover.

Mayor Ezzy Ashcraft inquired whether the City Manager intends to bring the matter back to Council, to which the City Manager responded in the affirmative.

In response to Councilmember Knox White's inquiry, the Interim Police Chief stated guns need to be out of the hands of people who should not have them; Officers linking firearms using forensic information, gets more guns out of circulation; Alameda must decide what is desired of the Police; traditional law enforcement tactics include more car stops and encounters trying to get guns off the streets; the tactic increases criticism of Police; there have been recommendations to have the Police solely focus on violent crime; violent crime is is, thankfully, a small component of what Officers do; violent crimes have a tremendous impact on the community; in order to address violent crime, Officers must complete other forms of enforcement; in general, society is trying to decide what actions should be taken by Police moving forward; there are tough tightropes to walk as the Interim Police Chief.

Councilmember Knox White inquired whether the City will release an analysis of traffic stops based on race; stated the release has not yet happened after requests; noted there has been recommendation to have a contractor look through the data; the review does not require a deep law enforcement understanding to complete; inquired whether

staff estimates the information will be received in a reasonable amount of time, which should be public and could help address questions related to those being stopped.

The City Manager responded a company has been contacted; stated the services for Alameda are in the queue and a short time frame is not available; staff will need to return with an estimate if Council wants to change direction.

The Police Captain stated the company contacted is the Center for Police Equity (CPE); initial requests showed the company to be extremely backlogged; contact with the company has been made several times and confirmation of a start date has not occurred; part of the cause for delay is the updates to APD's Computer Aided Dispatch (CAD) and Record Management System (RMS), which the company uses to pull data; data can be provided in the years to come, not just as a one-time thing; staff is willing to look into other companies.

The City Manager stated prior to the pandemic, the Council created privacy policies, including facial recognition, which added a new component to LPRs; staff needs to evaluate the matter prior to bringing it back for Council consideration.

Vice Mayor Vella stated concerns about privacy and limiting the scope of the photograph being taken was previous included in the LPR matter; several follow-up meetings occurred to discuss pros and cons of data capture and accessibility; the State changed public records request laws adding another element and causing concern about adequate staffing levels; outlined previous concerns about protecting privacy and releasing information; stated her understanding is the LPR matter included privacy concerns; many instances of firearm usage were stated to have been between parties having knowledge of each other; inquired whether the incidents were related to business transactions and personal issues.

The Interim Police Chief responded in the affirmative; stated a number were domestic issues, some were matters of prostitution, illegal drug sales and the furtherance of street gangs.

Vice Mayor Vella stated part of the matter relates to training and expertise; different types of underlying relationships and interactions require different types of policing tactics; traffic stops are typically related to drug sales; inquired whether traffic stops have uncovered evidence of large transaction sales as opposed to a domestic incidents.

The Interim Police Chief responded in the affirmative; stated APD does not have a domestic violence advocate or youth services unit; the programs have been present in the past; proactive policing helps stop some of the prostitution, drug sales and other matters which draw violence.

(21-074) Mayor Ezzy Ashcraft stated a vote is needed to consider new items after 11:00 p.m.; stated that she will only support a motion to go to 11:59 p.m.

Councilmember Herrera Spencer moved approval of hearing Councilmember Daysog's referral regarding housing unit calculations [paragraph no. 21-076] and carrying over the naming policy [paragraph no. 21-075]; noted that she will withdraw her referral on requesting a Police Department staffing and crime update [paragraph no. 21-077].

Mayor Ezzy Ashcraft inquired whether the motion includes ending by 11:59 p.m., to which Councilmember Herrera Spencer responded in the affirmative.

Councilmember Daysog seconded the motion, which required four affirmative votes and failed by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Knox White: No; Vella: No; and Mayor Ezzy Ashcraft: Aye. Ayes: 3. Noes: 2.

Councilmember Knox White moved approval of hearing the Council referral with the naming policy to follow, after the completing the current matter.

Mayor Ezzy Ashcraft inquired whether the motion includes ending by 11:59 p.m., to which Councilmember Knox White responded in the affirmative.

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

Stated the previous Council direction was to begin the process to sell the armored vehicle; urged the Interim Police Chief to provide the number of Officers promoted without passing the requisite exam; urged comments be provided on the progress of the investigation of the armed individual brandishing a weapon against peaceful protestors; stated information should have been gathered from the area; there has been no update; outlined a break-in at APD: Erin Fraser, Alameda.

Stated communication can improve on how events or investigations are made; outlined the armed individual threatening a friend of hers: Cheri Johansen, Alameda Progressives.

Expressed concern about the increase in shootings being due to unprecedented times of poverty and insecurity; stated people harm each other when living in insecurity; prison is violent and traumatizing; prisoners face significant job and housing discrimination when leaving prison; justifications given for traffic stops theorize the potential to prevent violent crime: Grover Wehman, Alameda.

Urged investigation of support for the Capitol insurrection as well as any ties to white supremacist organizations among APD ranks; stated community calls for the investigation have been dismissed and ignored; APD has shown no interest in identifying and removing Officers with ties to white supremacist groups; armed white

supremacists should not be patrolling Alameda or responding to 911 calls; urged an investigation to occur; outlined misinformation on social media: Is Sullivan, Alameda.

Stated there is lack of response to community concerns about possible support of the Capitol insurrection; many have asked for investigation of Officers social media presence; outlined troubling social media posts by a former Officer; stated the matter is a public safety issue; APD follows a troubling account that is supportive of insurrectionists; expressed concern about the handling of communication after an armed individual threatened a car caravan and for the homeless liaison being an armed Officer: Jenice Anderson, Alameda.

Stated more cops do not solve issues; 29% of individuals arrested identify as transients; she is unsure how the statistic follows the statement: “homelessness is not a crime” in Alameda; statistics being ignored have to do with race; outlined arrest and population statistics; stated since inception, Police have had racist roots; expressed concern about the armed individual being present with APD Officers in plain-clothes nearby; stated many cops would not be needed if funding were shifted: Alexia Arocha, Alameda.

Stated that she has experienced a decline in the quality of life; there are valid reasons to look at Police practices; however, the narrative is often summarized as the desire for Police to have less power; there is a grey area between social pressures and real life; solutions posed by the Steering Committee are correct; however, the grey areas leave small business owners stuck; taking powers away from Police can be dangerous: Megan Livernoche, Alameda.

Expressed concern about a racist and anti-Black Lives Matter (BLM) culture at APD; outlined concerning tweets by a former APD Captain, which show a lack of respect for BLM protestors; stated the former APD Captain commanded an entire Police Department bureau; urged Council to order an independent investigation of APD to see how wide-spread the racist and anti-BLM attitudes are within the department: Carly Stadium-Liang, Alameda.

Expressed concern about distorted feedback; stated that he is an advocate of LPRs; many jurisdictions have a high success rate with LPRs; the reduction in traffic cops has led to a reduction in citations being issued; stated that he is a subscriber to the “broken window theory;” urged APD to give more tickets; stated Police living in the community will inherently build more trust with the community: Matt Reid, Alameda.

Expressed concern about APD not releasing information on Officers or staff involved in the Capitol insurrection and the peaceful protest on Martin Luther King (MLK) Jr. Day; stated it is imperative to ask questions around double standards; expressed support for keeping guns from those who should not have them: Laura Cutrona, Alameda.

Stated that he is an advocate for LPRs; Alameda is heading in the wrong direction; his wife was almost shot on Park Street; stated LPRs help and are important; outlined his experience witnessing crimes; questioned how many locals are committing crime versus

those from other cities; stated Alameda is an easy target; more Police enforcement is needed: Michael Murphy, Alameda.

Stated racist attitudes, comments, and actions by Police Officers are inexcusable; there is a problem with Police racism; any hint should be investigated; questioned the quality of life described by previous commenters; stated assertions of a decrease in quality of life are based on personal experiences and anecdotes and run counter to data; bringing more housing does not bring more crime; efforts that are discriminatory and damaging should not be duplicated: Josh Geyer, Alameda.

Expressed concern about LPRs and having an outside agency evaluate City data; stated that he is not convinced the LPRs will do anything to deter crime; expressed support for adequate steps being taken to prevent abuse of LPRs by Police Officers and other agencies; stated that he would like personal identifying information to be protected by any agency evaluating data: Jay Garfinkle, Alameda.

Vice Mayor Vella requested clarification relative to the armed individual at the MLK Day peaceful protest.

The Interim Police Chief stated APD is still looking for help from the public in identifying the suspect; the investigation is ongoing; urged anyone with information to call APD; saying APD has not taken the incident seriously is incorrect; available resources were sent to the scene; the handling of the matter has been discussed internally at APD to learn from; a call for de-escalation and restraint is needed at large group events; APD wants to bring the individual to justice.

Mayor Ezzy Ashcraft inquired whether APD would do anything differently should another similar event occur.

The Interim Police Chief responded appropriate response is part of the internal conversation; stated if Officers rush in, a shooting is possible; the argument can be made that Officers handled the event appropriately due to there being no active shooting; split second decisions are made by Officers in situations.

Mayor Ezzy Ashcraft stated the communication around an event is as important as what transpires; noted a Press Release was not issued until the evening after the event; expressed support for communication in real-time.

Vice Mayor Vella stated that she would appreciate updates; expressed support for communication with the community to the extent possible; stated there can be the perception of work not being done unless work is shown as it is being done; an absence of information causes confusion and distrust; there is concern about conflicting information and the Capitol insurrection; she would like clarification from City staff.

The City Manager stated that he has asked staff to look into any social media posts; no [Capitol insurrection] support has been found within current APD Officers; promotion of

criminal activity cannot occur from an Officer; personnel investigations are confidential due to State law; reports have been submitted; urged residents to share information about current Police Officers with City staff for investigation.

Vice Mayor Vella inquired whether the tweets from the former APD Officer have been reviewed; whether incidents occurred while on-duty; questioned whether the concerns are being addressed.

The City Manager responded the concerns will be looked into; stated that he had not previously heard about the incidents explained.

Vice Mayor Vella inquired whether the City Manager is the point of contact for such information to be shared by community members.

The City Manager responded in the affirmative; stated that he or the Interim Police Chief can be contacted with information.

Vice Mayor Vella stated regarding requests for data, raw numbers without context leads to a number of different conclusions; the way in which events are defined, the context provided and who is involved matters; expressed concern about different ratios in terms of who has historically been stopped in Alameda; stated the data is not definitive and more clarity on trends and the meaning of data will be helpful for all in making decisions; expressed concern about the lack of housing, transitional housing, and the impact of COVID-19; stated the trends are not specific to Alameda, many are National and regional; stressors are compounding and tolls are taken on members of the public due to economic and housing insecurities; 2020 has been an anomaly; questioned how to account for such an anomaly in the data to ensure that response is not just focused on one particular year; expressed support for looking at all underlying issues and overall trends relative to data.

Mayor Ezzy Ashcraft requested clarification related to the difficulties in job performance; stated there is a search for a new Police Chief; inquired how the City can attract, hire and retain good Officers while working in a challenging environment.

The Interim Police Chief responded that he has found APD employees are a good group, which is community-minded and service-oriented; APD is not perfect; however, no department is; Officers want the community to know they care about their job and what they do; the last year has been rough; APD Officers are looking for stability and understanding of what the community is looking for and what to expect going forward; the stability and understanding will be key in moving forward attracting new Officers; there will be a balance between Committee reports, residents, and business owners; Officers feel as though they are in the middle and are unclear.

Mayor Ezzy Ashcraft stated the Council will consider recommendations from the Steering Committee on March 16th; Council would like to hear from citizens prior to the March 16th meeting; noted a survey is being mailed to all households and needs to be

returned by February 21st; an online survey is available at: www.alamedaca.gov/policesurvey.

Councilmember Daysog expressed support for the Interim Police Chief; stated there have been increases in violent crimes; expressed support for having 88 sworn Officers; stated the temporary lull at 73 sworn Officers was supposed to be only until October 2020; any modifications contemplated should work and build off of institutions, protocols and procedures in place; if the City proceeds in modernizing the Police force from the current, stability will be provided to Officers.

Councilmember Herrera Spencer stated APD is in a divided community with a split Council; noted that she was not present when the Council decided to form a Subcommittee; stated the Subcommittee has not been a public process; this is the City Manager's Steering Committee, not Council's Steering Committee and subcommittees; expressed concern about the process not being public; stated the Council will have only heard from one group of people; comments and input provided from people outside the committees is as valuable due to the Subcommittees not having Brown Act noticed meetings; the public was not allowed to submit questions; outlined an armed home robbery and the minimum amount of Officers allowed on duty; stated that she will be looking to hear from law enforcement, not committee members; committee members are not members of trained law enforcement; noted that she does not want to wait until March to find out what will happen to APD; she does not want to be a victim of an armed home invasion; expressed support for having enough Officers to respond to calls in a timely manner; stated that she does not want to compromise responses to gun calls; expressed concern for Officer safety; stated people need to find a way to protect themselves as well as the community; that she needs to ensure that APD has the tools needed to provide responsible policing.

Councilmember Knox White requested clarification about the home invasion response from APD.

Councilmember Herrera Spencer stated there have been incidents when response time from APD has been to the best of their ability; not having enough Officers to respond to calls in a timely manner is a problem.

Councilmember Knox White stated that he would like to hear from the Interim Police Chief about response times and whether APD is waiting until the Steering Committee's report in March to make any needed changes; if any changes are needed to stop violent crime, APD should provide insight.

The Interim Police Chief stated response times are looked at often; APD has prided itself for a long time on quick response times; there is risk of a longer response time due to reduced staffing; he has not heard specific complaints related to violent crime or priority one calls with a delay in response time; stated APD has had discussions internally to address the need should demand outweigh the ability to deliver service, especially for violent crimes; the more Officers on the street, the more response to

matters.

Councilmember Knox White expressed support for having a discussion of LPRs brought back; stated that he would like the matter to include information about proven effectiveness; many neighboring cities which have installed LPRs have seen increases in crime after installation; stated that he has not found any good, well-documented effectiveness studies on LPRs in California; expressed support for an getting a time estimate on the traffic analysis in the coming months; stated Council needs the information to guide conversations; outlined injuries and deaths by cars; stated the greatest harm to the community is coming from those being hit by drivers.

(21-075) Recommendation to Provide Feedback on City Facility Naming Policy and Procedures. Not heard.

CITY MANAGER COMMUNICATIONS

Not heard.

ORAL COMMUNICATIONS, NON-AGENDA

Not heard.

COUNCIL REFERRALS

(21-076) Consider Establishing a New Methodology by which the Number of Housing Units are Calculated for Parcels Zoned C-2-PD (Central Business District with Planned Development Overlay). (Councilmember Daysog) Not heard.

(21-077) Consider Directing Staff to Provide a Police Department Staffing and Crime Update. Not heard. (Councilmember Herrera Spencer) Not heard.

(21-078) Consider Directing Staff to Provide an Update on a Previously Approved Referral regarding Free Public WiFi throughout the City. Not heard. (Councilmember Spencer) Not heard.

(21-079) Consider Directing Staff to Extend Webster Street Physical Improvements/ Beautification. Not heard. (Councilmember Daysog) Not heard.

COUNCIL COMMUNICATIONS

(21-080) Consideration of Mayor's Nominations for Appointments to the Housing Authority Board of Commissioners and Transportation Commission.

Mayor Ezzy Ashcraft nominated Randy Renschler.

(21-081) Announcement of Mayor's Appointment to a Council Subcommittee to Review

the City Council Meeting Rules of Order.

Mayor Ezzy Ashcraft stated that she and Councilmember Knox White would serve on the subcommittee.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 12:00 a.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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