

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -MARCH 2, 2021- -5:30 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:30 p.m.

Roll Call – Present: Councilmembers Daysog, Herrera Spencer, Knox White, Vella and Mayor Ezzy Ashcraft – 5. [Note: The meeting was held via Zoom. Vice Mayor Vella arrived at 5:36 p.m.]

Absent: None.

The meeting was adjourned to Closed Session to consider:

(21-119) Conference with Legal Counsel – Existing Litigation (Pursuant to Government Code Section 54956.9); Case Name: City of Alameda v. Union Pacific (Sweeney); Court: Superior Court of the State of California, County of Alameda; Case Numbers: RG18921261.

(21-120) Conference with Real Property Negotiators (Pursuant to Government Code Section 54956.8); Property: Alameda Point, Site A, Alameda, CA; City Negotiators: Eric Levitt, City Manager; Lisa Maxwell, Interim Community Development Director; and Debbie Potter, Special Project Analyst; Negotiating Parties: City of Alameda and Alameda Point Partners, LLC; Under Negotiation: Price and Terms. [Continued from February 16, 2021].

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding Union Pacific, staff provided information and Council provided direction 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; regarding Alameda Point, Site A, staff provided information and Council provided direction.

Adjournment

At 7:15 p.m., Council continued Alameda Point, Site A to Tuesday, March 9th, 2021 at 5:00 p.m. by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye; Ayes: 5.

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- -MARCH 2, 2021- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:31 p.m. Councilmember Herrera Spencer led the Pledge of Allegiance.

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

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(21-121) Season for Non-Violence Word of the Day: Justice

Vice Mayor Vella read a quote.

(21-122) Proclamation Declaring March 2021 as American Red Cross Month.

ORAL COMMUNICATIONS, NON-AGENDA

(21-123) Marilyn Rothman, Alameda, discussed an article related to the Alameda community paramedics; stated the use of community paramedics is a better use of funds.

CONSENT CALENDAR

Councilmember Herrera Spencer moved approval of the Consent Calendar.

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

(*21-124) Minutes of the Special Joint City Council and Successor Agency to the Community Improvement Commission Meeting, the January 19, 2021 Continued Meeting and the Regular City Council Meeting Held on February 2, 2021. Approved.

(*21-125) Ratified bills in the amount of \$3,394,083.00.

(*21-126) Recommendation to Authorize the City Manager to Execute a Three-Year Agreement, with the Option of Two One-Year Extensions for a Total Five-Year Compensation Amount Not to Exceed \$110,000 and No More Than \$35,000 in a Single Fiscal Year, with Resource Consultants to Provide CDBG and HOME Compliance and Program Management Services to the City of Alameda. Accepted.

(*21-127) Recommendation to Accept the Work of McGuire and Hester for Cyclic Sewer Replacement Project, Phase 15, No. PW 03-18-10. Accepted.

(*21-128) Recommendation to Accept the Semi-Annual Report for the Period of May 1, 2020 Through December 31, 2020, on 1) Litigation and Liability Claims Settlements, 2) Workers' Compensation Settlements, 3) Personnel Settlement, and 4) Whether Any Records Previously Withheld from Disclosure Have Now Become Available to the Public. Accepted.

(*21-129) Resolution No. 15748, "Authorizing Staff to Submit an Application for the Statewide Park Development and Community Revitalization Program Grant for Construction of Jean Sweeney Open Space Park - Western Phase." Adopted.

(*21-130) Resolution No. 15749," Continuing the Declaration of the Existence of a Local Emergency in Response to the COVID-19 Pandemic, Consistent with Government Code Section 8630(c)." Adopted.

REGULAR AGENDA ITEMS

(21-131) Mayor's State of the City Address.

(21-132) The City Clerk stated a motion is needed to suspend the Rules of Order to allow the presentation to be longer than 10 minutes.

Councilmember Knox White moved approval.

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

Mayor Ezzy Ashcraft gave the State of the City address.

(21-133) Resolution No. 15750, "Amending the Fiscal Year (FY) 2020-21 Budget and Authorizing the City Manager to Redistribute Budget Appropriations between Similar Capital Projects." Adopted; and

(21-133A) Resolution No. 15751, “Amending the Salary Schedules for the Management and Confidential Employees Association (MCEA) and for Executive Management Employees (EXME) and Approving Workforce Changes for FY 2020-21.” Adopted.

The Senior Management Analyst gave a Power Point presentation.

Councilmember Daysog inquired whether there are matters which preclude Council from altering the proposed amount of reserves set aside for the Other Post-Employment Benefit (OPEB) liability.

The City Manager responded Council approval of any change to the proposed OPEB amount should be contingent on the matter returning for final approval during the Council Study Sessions in May; stated nothing limits Council from reducing the proposed amount.

Councilmember Herrera Spencer inquired the assets seized as referenced in the report.

The City Manager responded the matter is defined in the mid-year budget adjustments as an exhibit; stated the funds came from an Alameda County Regional Narcotics Task Force; the funds go into a fund balance; Alameda Police Department (APD) requested further funds than initially appropriated; the request for \$21,000 is to increase the appropriation.

Councilmember Herrera Spencer inquired whether specific assets had been seized providing specific reimbursement.

The City Manager responded in the negative; stated the seizure of assets occurred prior to 2020; the funds are placed into the fund balance from the Regional Task Force.

Mayor Ezzy Ashcraft inquired whether the assets seized were under narcotics enforcement.

The City Manager responded the assets came from the Alameda County Regional Narcotics Task Force; stated APD no longer has a member on the Task Force.

Mayor Ezzy Ashcraft inquired whether the assets seized are known, to which the City Manager responded in the negative.

Councilmember Herrera Spencer inquired whether changes or modifications from staff occurred.

The City Manager responded there are no adjustments in the mid-year budget; stated adjustments are being evaluated for the annual budget process; recommendations will be presented based on reports to be provided.

Councilmember Herrera Spencer inquired whether the pay scale is different for the workforce reclassification from Senior Fire Code Compliance Officer to Fire Apparatus Officer.

The Human Resources Director responded in the affirmative; stated the Fire Code Compliance Officer is not a public safety position; the funds for the change were approved as part of the budget; staff is not asking for additional funding, just the workforce change.

Councilmember Herrera Spencer inquired whether the workforce change eventually results in the higher wage being paid, to which the Human Resources Director responded in the affirmative.

Discussed Steering Committee hours of work; expressed concern about the budget not anticipating costs related to implementing the Police Reform and Racial Equity Committees recommendations; stated final recommendations are forthcoming: Erin Fraser, Alameda.

Councilmember Daysog stated that his focus is on the policy which Council adopted in 2017 related to a certain portion of the [General Fund] reserves being set aside for unfunded and OPEB liability payment obligations; the City has an incredible amount of unfunded liabilities which need to be paid down; Council needs to review the policy in an effort to ensure the payment strategy is reasonable; noted the formula for payment is set at \$14,000,000; stated the amount is on top of the amounts proposed by California Public Employees' Retirement System (CalPERS); the City needs to pay more than what has been proposed; however, the formula being used has the City pay \$14,000,000; the policy is insane; many times a payment amount of the size is placed to a vote of the people; outlined previous years' payments; expressed concern about the amount paid not being voted on; stated payments toward unfunded liabilities must be made within the context of other matters; some people would like to expand Recreation and Parks; the City has spent \$40,000,000 cumulatively since 2017 without a vote of the people; the policy should be revisited and a top limit should be established; noted that he will not support the matter.

Councilmember Herrera Spencer outlined the Financial Impact section of the staff report; stated the report indicates a deficit increase in Fiscal Year 2020-2021; expressed concern that expenditures exceed revenues; stated the reserves are being decreased over time; noted that she would like to see biennial forecasts each time the budget is presented; expressed concern about the Fire Apparatus Officer position; stated budgeting performance has not always aligned with values and community needs; that she is not supportive of increasing pay until reports from the Subcommittees are presented.

Mayor Ezzy Ashcraft requested clarification about the formula used to calculate OPEB payments.

The City Manager stated last March, economic matters related to COVID-19 were discussed with Council; there were uncertainties related to the budget and conservative yearend projections were provided; noted an \$11 million surplus had been reported due to an excess in projections; the \$2 million deficit shown is due to budgeting conservatively; the actual budget is likely to have less deficit.

The Senior Management Analyst briefly presented calculations.

Councilmember Knox White stated the policy sets aside an amount over the reserve; half is used toward paying off costs that must be paid; paying pension costs now saves millions of dollars per year, which can go toward ongoing budget needs; previous Councils did not provide adequate pension payments and the current Council is currently stuck paying the unfunded pension liabilities over the next 30 years; Council has tried to lower the impact on the budget; outlined upcoming budget workshop sessions; noted the timing appears weird; stated the matter is a backward looking discussion.

Councilmember Knox White moved approval of the staff recommendation [adoption of the resolutions], with the City Manager's recommendation that Council hold a second vote once the real numbers are known on the pension pay down.

Vice Mayor Vella expressed concern about taking a fiscally irresponsible stance; stated the reason a surplus exists is due to thoughtful budgeting and priorities; a pandemic is not the time to consider cutting emergency services; the [unfunded liability] costs are not going away; the more that can be paid down earlier, the more that will be saved in the long-run; changing the policy is a one-off; the policy has been adopted by Council and should be agendized separately in order to be changed; the impact of Federal aid is still unknown; expressed support for the proposed budget recommendation; stated Council will be making budget and priority decisions and budgets can be amended when needed.

Mayor Ezzy Ashcraft stated that she is excited projections were higher than anticipated; questioned whether transient occupancy taxes (TOT) will increase; outlined the origin of the [unfunded liability] formula; stated the City has already saved millions on finance charges for the balance owed; expressed support for the current formula; noted the policy may return for Council consideration; outlined staff's recommendation to contract with a firm that will help build a financial model; stated a deeper dive will be taken into what is needed to manage the pension and OPEB obligations; the actions taken thus far have been smart; noted the Block by Block program has been successful; stated that she would like the City Manager to recommend additional funding in order to continue the Block by Block program.

Councilmember Daysog stated the budget information has been provided in an open and easily understood manner; noted that his lack of support is not due to information provided by staff; stated roughly \$35 million has gone toward unfunded liabilities over the past four years; the choice is not between spending zero dollars or \$35 million;

however, the formula could provide an amount somewhere in the middle to allow the funding to be used for other services; noted the Police Department is understaffed, parks are underfunded, and the Alameda Library should be open more; expressed concern about the current formula.

Vice Mayor Vella 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.

The City Manager stated the Block by Block program was not included in the proposed funding; Council would need to amend the resolution to include it.

Mayor Ezzy Ashcraft expressed support for including Block by Block.

Councilmember Herrera Spencer outlined the alternatives section from the staff report; noted the amount provided in the report is different than presented.

Mayor Ezzy Ashcraft requested clarification about the amount proposed to fund Block by Block program; inquired whether the funding covers the remainder of the Fiscal Year, to which the City Manager responded in the affirmative.

The Senior Management Analyst stated the amount is for the remainder of the Fiscal Year; the \$498,000 shown in the report did not include Block by Block; to include Block by Block, an additional \$178,000 is needed.

Councilmember Herrera Spencer stated that since she did not support the budget motion, she should not support a single additional funding request; requested clarification about the vote.

The City Clerk stated the amounts are listed in the resolution; the resolution would need to be amended in order to approve the amount.

The City Attorney stated due to the matter being an amendment to the budget resolution, Councilmember Herrera Spencer will likely vote no on the Block by Block program to remain consistent; the ability to change her vote is still possible; however, the vote will be for the entire budget resolution.

Vice Mayor Vella moved approval of including the Block by Block program in the budget resolution.

Councilmember Knox White seconded the motion.

Under discussion, Councilmember Knox White inquired the reason staff has not recommended funding for the Block by Block program.

The City Manager responded due to a projected deficit, choices needed to be made and

other homeless programs were selected as a higher priority; the amount paid for Block by Block compared to other programs, caused the other programs to be a higher priority.

Mayor Ezzy Ashcraft stated it is important to get those who have recently become homeless in contact with services and Block by Block helps provide contact; more money is often spent when certain problems are not able to be solved in an expeditious manner; great results have been seen and many have been moved into transitional housing while Block by Block has operated; expressed support for adding Block by Block to the resolution.

Vice Mayor Vella stated the matter goes hand-in-hand with helping the business districts and providing the alternative to people outside of calling the Police; expressed support for extending the program to the end of the Fiscal Year; stated the matter will be revisited in June; noted Council will hear from the Policing Subcommittees in the meantime and will provide recommendations which could impact the upcoming budget cycle.

The City Manager stated the program is important, which is the reason it is an alternative in the staff report.

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

(21-134) Recommendation to Review and Accept the Annual Reports on the General Plan, Climate Action and Resiliency Plan (CARP), and the Transportation Choices Plan.

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

Councilmember Daysog stated that he would like two to three bullet points which illustrate the equity portion of the CARP.

The Assistant City Manager stated the social vulnerability assessment has been included in the CARP and looks at people's socioeconomic conditions, making sure that the City is putting capital improvements in areas where people are less likely to adapt on their own to get the help needed; staff is looking at resiliency hubs that allow for community groups to be more resilient in areas by working together; research from an internship collaboration with Community Action for Sustainable Alameda (CASA) has been posted to the City's website.

Commended the City's efforts to implement the CARP; encouraged continued efforts to require all electric for construction on City-owned lands, further research and support for de-carbonization of existing buildings through incentives and new requirements, and investment in the urban forest: Ruth Abbe, CASA.

Councilmember Daysog move approval of the staff recommendation.

Vice Mayor Vella seconded the motion.

Under discussion, Councilmember Knox White stated all three reports show not just a commitment to the subject matter, but also the commitment to actually do the significant work; the commitment is strong; expressed support for continuing to focus heavily and quickly on the issue of groundwater; stated the City has a Green Team of staff and the public; expressed support for encouraging staff to ensure the team is built of community members which represent people in the social vulnerability analysis; noted paying people for efforts is plausible; stated there has not been a pause on the Transportation Plan; a tremendous amount of work has been done in the past year; the City needs to keep pushing to achieve climate and transportation goals; questioned the primary policies of the City for the coming year; stated the first priorities are Vision Zero and safety; climate and greenhouse gas reductions are an existential need; economic development should also be considered; there is no policy allowing a program to stop if disliked; Council must listen to the community; Council has guiding policies which show priorities for active transportation planning; staff should continue to bring matters of the highest level; expressed support for mutually beneficial scenarios.

Vice Mayor Vella stated there has been a significant decrease in the number of socially vulnerable constituents taking advantage of weatherization assistance due to COVID-19; inquired the steps taken by the City to address the issue in Alameda; noted the Alameda County Joint Powers Authority (JPA) is working to extend funding and allow more qualifying assistance; stated many in-home projects could not happen due to COVID-19; the matter is concerning as a parent; expressed concern about instances of people choosing between clean air and lowering the temperature of their homes.

The Planning, Building and Transportation Director expressed appreciation for the matter being brought to staff's attention; stated staff will be looking into the matter; the timing is right; the matter will be considered during the Housing Element update; now is the time to be addressing these issues.

Vice Mayor Vella stated many people are not aware of the resources available; landlords and tenants can utilize services; Alameda is one of the cities of the JPA and qualifies for services; noted the Healthy Homes Department has also indicated a number of people are turning down services due to COVID-19; the information is worth tracking.

Mayor Ezzy Ashcraft noted the Alameda County Mayor's Conference can be draft a letter of support.

The Assistant City Manager stated staff has discussed equity issues with the Public Utilities Board (PUB) members; the PUB is performing strategic planning work.

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

(21-135) Recommendation to Endorse Commercial Streets, Slow Streets, and Paid Parking COVID-19 Program Next Steps.

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

Stated the direction and guidance to prioritize safety and climate change has continued; some projects have pivoted; the public is supportive of the programs; a comprehensive parking policy is needed prior to Seaplane Lagoon opening; commercial and slow streets will be part of the Active Transportation Plan (ATP); discussions about how to morph the current configuration need to happen: Denyse Trepanier, Alameda.

Expressed support of expanding slow streets to include Orion Street, which is used by a lot of children and has speeding traffic; stated the inclusion would be a step towards equity; discussed car show activities at Alameda Point: Doug Biggs, Alameda Point Collaborative.

Expressed support for Mr. Biggs statement; stated the request has been pending for 7 months, which is concerning; stated the matter is an equity and safety issue; a further traffic calming measure will be presented to the Transportation Commission: Heather Reed, Systemic and Community Racism Subcommittee.

Expressed support for continuing the commercial streets program: Kathy Weber, Downtown Alameda Bossiness Association.

Stated walking in the middle of designated slow streets containing many residents is not safe; many people are not utilizing the extra space due to safety concerns; urged the block of Chestnut Street and Park Street slow streets be removed from the program; expressed concern about the turn at San Jose Avenue and Willow Street intersection: Carmen Reid, Alameda.

Expressed support for Mr. Biggs and Ms. Reed's comments; discussed his experience living near Orion Street; stated there has been dangerous racing and high speeds in the area; the area should be a slow street due to children and education centers being present: Vinny Camarillo, Alameda.

Councilmember Herrera Spencer stated that she previously inquired whether staff has had a City Engineer sign-off on the commercial and slow streets programs; noted safety concerns have been raised by the public and by her personal experience; stated the response provided by staff related to parklets is that encroachment requests do not require an engineer-signed plan; encroachment permits requires the applicant to indemnify the City and name the City as an additional insured on insurance policies; there have been accidents at the parklets; expressed support for the business district

communities; expressed concern about not requiring an engineer-stamped plan and for slow streets not having engineer-stamped or signed temporary traffic control plans; stated the slow streets are not consistent with California traffic control devices design standards; that she would like more information about the lack of a need for engineer approvals for road modifications; expressed concern about safety and collisions.

The Public Works Director stated the striping plans for commercial streets at Park Street and Webster Street have design plans; parklets require an encroachment permit; each applicant for an encroachment permit is required to submit their design; the design is not an engineer-designed plan; the City Attorney's office provided Council information related to risks and concerns; slow streets have temporary traffic control plans, which are not signed by the City Engineer; as staff moves toward consideration of permanent measures, the plans will become engineer-designed and stamped.

The Senior Transportation Coordinator stated each parklet goes through an approval process by getting an encroachment permit; the permits list items that are allowed and not allowed, which are reviewed by Public Work's engineering staff prior to permit issuance; staff has recently received interest from businesses for roofs over permits; any overhead structure is also reviewed by the Building Official and required to be designed and stamped by an engineer.

The City Engineer stated the Public Works Department reviews each parklet request for an encroachment permit; the temporary nature is the difference between having a registered Civil Engineer approval; should a permanent public improvement be designed, a Civil Engineer's design and review would be needed; the structures have been viewed as temporary and were needed in an expeditious manner.

In response to Councilmember Herrera Spencer's inquiry, the City Engineer stated that he is a registered Civil Engineer in the state of California.

Councilmember Herrera Spencer inquired whether there is a reason for him not to stamp the designs.

The City Engineer responded that he has not been presented with a design to approve; stated that he would have no problem providing his stamp after reviewing the permits and plans for the parklets.

Councilmember Herrera Spencer expressed concern about not requiring an engineers' stamp of approval; expressed support for engineers' stamps of approval sooner rather than later; stated placing roofs on parklets might impact airflow during COVID-19; inquired whether parklets receiving an engineer's stamp of approval are deemed safe to be in the street near moving vehicles.

The Planning, Building and Transportation Director stated roofs can be placed on parklets; the goal is to ensure structures do not have too many walls; as long as there is good airflow, a roof may be placed on a parklet; the purpose of the program is to help

the business community survive the COVID-19 pandemic; staff is trying to be as flexible as possible, while keeping everyone as safe as possible.

The City Engineer responded there are varying degrees of safety; stated structures can be built to be completely bulletproof; however, that is not the expectation; noted there is risk involved anytime one is in a public space; stated the Public Works Department takes safety extremely seriously; the reduction of roads, addition of barricades, reflectors, striping, and signage all naturally slows down cars; the plan is reasonable due to how slow streets are; there should be constant review of the plans in place.

Councilmember Herrera Spencer inquired whether the stamp speaks to the safety of the entire area or just the roof; stated there are multiple levels of safety; noted that she is confident when an engineer places a stamp on a design it is safe.

The City Engineer responded when a roof is involved, the parklet must go through a building permit review process to look at the structure, supports and roofing material to ensure safety; the sides are not required to be traffic barriers; however, as part of the encroachment permit review, staff is looking at barrier positioning and other safety devices on a case-by-case basis.

Councilmember Herrera Spencer expressed concern about the safety aspect of a car hitting the parklets; questioned whether the City is making any statement on the safety of the parklets once a stamp is placed on the design.

The City Engineer responded the question is tricky to answer; stated there is inherent risk in putting people in the street adjacent to cars; the reasonableness of the parklet is a judgement call; it is important to implement reflective surfaces and barricades; there is not a need for building reinforced concrete railings; there is not a guarantee of a problem never occurring; however, it is not likely; the level of acceptable risk is up to community decision makers; there is no national standard for parklet design which ensures traffic safety under all conditions; should a higher level of security be desired, a discussion from City decision makers needs to take place.

Councilmember Herrera Spencer stated that she has not heard an assurance of any safety; it is important for the community to know; expressed support for posting signs that structures have not been approved by an engineer; stated that she has had concerns about slow streets; some streets are not being used; noted staff has ordered signs about slow streets being used in a COVID-19 compliant manner; discussion closing Alameda Avenue to through traffic; stated that she would like to see safe designs; proposed having staff look into parking at night on Webster Street.

The Senior Transportation Coordinator stated the City has installed water-filled barriers to protect the parklets as a safety measure.

Councilmember Knox White questioned whether he heard the City Engineer state the parklets are deemed relatively safe, however, paperwork has not been signed, to which

the City Engineer responded in the affirmative.

Councilmember Knox White expressed support for slow streets continuing; stated getting Alameda Point up and running is important; the City has a small staff with very little time and where time is spent is where values are shown; he would like to ensure the City is challenging itself to ensure equity needs are being met; if slow streets are implemented in April at Alameda Point, removal of said streets may be slated for October; he would like to avoid discussions about extending the slow streets program in October and would like to decide which matters will remain permanent earlier; many people are grateful to have these spaces available; the City should be designing streets for safety and for people to use; expressed support for speed humps and roundabouts being explored using pilot money.

Councilmember Daysog stated that he shares concerns about slow street strategies deployment at Alameda Point; expressed support for temporary measures which will encourage people to slow down as they drive around Alameda Point, such as temporary speed humps; many people living near Alameda Point are sending e-mails with concerns about loudness and the volume of cars speeding; stated the slow streets strategies for the long-term should involve resident input; outlined resident concerns about slow streets on San Jose Avenue; stated slow streets are positive and provide a level of comfort; outlined people using slow streets; stated the pandemic does require the City to deploy some kind of slow street strategies; long term plans should receive input from residents; concerns raised by San Jose Avenue residents are due to the streets being dense; some areas and streets are less dense and work better than others; the concerns for safety of the parklets are spot-on; the City is trying to balance many things during this time in providing vital businesses aid, while maintaining safety; expressed support for an ongoing effort to improve safety; stated the safety solutions are not perfect; judgement calls must be made; expressed support for parklets; stated that he would encourage staff to continue looking at ways to improve the defense of the parklets.

Vice Mayor Vella stated people have gotten used to accessing slow streets in many ways; the City should codify the program in a way which shows intent; there has been enough time to think about improvements and safety for the long-term; noted that she has heard safety concerns; stated the City wants to ensure safety; there are trade-offs; discussions for short, medium and long term goals have occurred, in addition to staff capabilities; Council direction helps staff achieve safety implementations; it is not possible to create a 100% safe parklet without erecting permanent structures or semi-permanent barricades; the City has implemented a number of different safety mechanisms; road diets automatically help calm traffic; expressed concern about reckless driving by residents at slow street intersections; stated that she would like to see options which curtail unsafe behavior; expressed support for informational campaigns to promote expected safety behavior; stated streets need to be made for everyone; expressed support for urgently implementing the slow streets on Orion Street; noted original concerns about Alameda Point slow streets related to bus route access.

Mayor Ezzy Ashcraft stated the City looks at ways to mitigate risks; expressed support for implementation mitigating risks moving forward; stated cities around the Bay Area are providing the same programs as a way to help support businesses and provide a place to safely congregate; outlined a presentation from the Alameda Point Collaborative; stated Orion Street is part of the Alameda County (AC) Transit Line 96 bus route; AC Transit has requested the City not divert the bus route; the solution will not be simple; however, staff is working toward slow streets at Alameda Point; noted many e-mails have been received in relation to an auto event at Alameda Point; expressed support for stopping auto-centric events at Alameda Point; stated San Jose Avenue slow street is one of her favorite slow streets; noted there are fewer cars on San Jose Avenue due to slow streets; expressed concern about removing portions of slow streets; stated more must be done to ensure slow streets are not misused; additional signage is being planned moving forward; slow streets have been well-used in Alameda and other cities; City streets are being made safer and more user friendly for all modes of transportation; expressed concern about increasing the 15-minute limited parking spaces; expressed support for more signage directing people to parking lots; stated that she would like to continue outdoor dining with parklets in as safe a manner as possible.

Councilmember Herrera Spencer noted the staff report notates linked concrete barriers.

Councilmember Knox White moved approval of accepting staff's recommendation on parking, slow streets, and commercial streets next steps.

Vice Mayor Vella seconded the motion.

Under discussion, Mayor Ezzy Ashcraft inquired whether the motion includes parking space limitations.

Councilmember Knox White responded that he trusts staff has heard and will implement Council direction.

Councilmember Herrera Spencer questioned whether overnight parking should be reconsidered.

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

Mayor Ezzy Ashcraft called a recess at 10:21 and reconvened the meeting at 10:35 p.m.

(21-136) Public Hearing to Consider Introduction of Ordinance Amending Alameda Municipal Code Chapter 30 (Development Regulations) to Delete Section 30-12.2

Requiring a Distance Separation of 1,000 Feet Between Bars in Alameda, as Recommended by the Planning Board. Introduced.

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

Councilmember Herrera Spencer inquired whether there are other ways to address the matter without completely getting rid of the 1,000-foot ordinance; expressed support for allowing three bars within the 1,000-foot limit.

The Planning, Building and Transportation Director responded Council can revise the ordinance; stated the 1,000-foot radius can be removed with a reliance on the use permit process; the ordinance can be amended to allow one bar within 1,000 foot of another bar, but not two, which would disallow three bars from coinciding within 1,000 feet; staff recommends a simpler approach of relying on the permit process; the permit process provides Council with the needed discretion in the event many bars try to co-locate; Council has the ability to deny and cite negative impacts; staff considered Alameda as a whole and decided not to spread bars out every 1,000 feet across the Island; there is a desire to concentrate bars on Park Street and Webster Street; limiting the bars to a 1,000-foot distance seems counterintuitive.

Expressed support for the change; stated The Hunter has to move and is already located within 1,000 feet of Fireside; business associations are supportive of the change: Former Councilmember Jim Oddie, Alameda.

Councilmember Daysog stated that he is not supportive of encouraging any more bars; residents on the West End have been concerned about the proliferation of bars; a number of bars are nice-looking and inviting; however, some bars could use more work; a strategy for Webster Street is needed; there has not been a discussion of co-locating or concentrating bars on Webster Street; that he will not support the recommendation; an alternative should be considered and the approach should be more tailored to the illustrative issue at hand; Webster Street has come a long way; there are many restaurants that make an effort to be a community watering hole inviting to people of all ages; noted a new bar is slated for Atlantic Avenue and Webster Street; expressed concern about opening the floodgates to more bars on Webster Street; stated the recommendation should be tailored to keep the 1,000-foot limit and allow the existing bar to move into a space that used to be a bar is acceptable and will allow for no net increase in the number of bars.

Mayor Ezzy Ashcraft requested clarification about whether concerns are strictly for Webster Street.

Councilmember Daysog stated the same applies to Park Street.

Councilmember Herrera Spencer moved approval of allowing Hunter to move into the space of a prior bar.

Councilmember Daysog seconded the motion.

Councilmember Knox White stated the discussion appears to be changing the rules for a specific business and seems problematic from a policy standpoint; expressed support for the concept of no more than a certain number of bars within 1,000 feet; stated the concept provides guardrails; both business districts are supportive; food and drink establishments are the future of retail; inquired whether a requirement for annual reporting can be added as a condition to the permit.

The Planning, Building and Transportation Director expressed concern about bending the rules for existing businesses, but not new businesses; stated staff can create a provision of no more than three bars in the 1,000 foot distance; responded staff could track the request should Council desire a report on nuisances or complaints generated by bars in Alameda.

Councilmember Knox White stated that he would like to ensure the conditional use permit requires for a revocation of the license should nuisance problems occur.

The Planning, Building and Transportation Director stated the condition is standard operating procedure for a use permit of a bar; the City always has the ability to revoke a use permit through an annual review process.

Councilmember Knox White stated the concerns raised can be addressed; noted that he cannot support the motion as proposed; however, he could support a no more than three bars within a 1,000-foot distance.

Mayor Ezzy Ashcraft inquired whether applying the waiver or suspension of the rule for a single business is lawful.

The City Attorney responded Council is not legislating for single, particular businesses; stated the proposed motion has to do with existing businesses versus new; should Council adopt the motion, a first reading is not recommended; staff will return with a new first reading that will effectuate Council's direction.

Mayor Ezzy Ashcraft inquired about adding time to the process for the applicant and whether second reading would not happen at the next Council meeting.

The City Attorney responded the matter will return sometime in April for first or second reading with the 30-day period following second reading.

Councilmember Herrera Spencer withdrew her initial motion and moved approval of having two bars within 1,000 feet [introduction of the amended ordinance] and adding annual reporting; stated Council can revisit and look at increasing to three bars in the future.

Mayor Ezzy Ashcraft inquired whether the motion allows for a first reading.

The City Attorney responded in the affirmative; stated the change is minimal and is allowable for first reading.

(21-137) Mayor Ezzy Ashcraft stated a motion is needed to proceed past 11:00 p.m.

Councilmember Daysog moved approval of continuing the meeting until 12:00 a.m.

The motion failed for lack of a second.

Councilmember Herrera Spencer moved approval of completing only the regular agenda by 12:00 a.m.

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

Councilmember Knox White moved approval of hearing the rest of the agenda, ending at 11:59 p.m. and any matter not heard will be placed on a special meeting agenda on March 9th at 7:00 p.m.

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

Councilmember Daysog seconded the motion.

Under discussion, Councilmember Daysog stated that he would like the more restrictive motion proposed earlier; the current motion is an alternative and poses less concerns, but is not ideal; Council can consider adding a third bar in the future with a potentially larger strategy for business districts; expressed support for the motion.

Mayor Ezzy Ashcraft expressed support for looking to strategies which help business districts develop; stated the use permits provide a good safeguard; noted the motion adds an additional requirement of annual reporting; stated Hunter has received rave reviews and has great amenities which helps attract people to Webster Street.

Councilmember Knox White stated there are non-compliant bars on Webster Street; inquired whether the City will run into a problem where other locations have more than two bars within 1,000 feet of each other.

The Planning, Building and Transportation Director responded in the negative; stated staff will look into the matter; the 1,000-foot distance only addresses bars, not taverns or restaurants; staff has not received an application for a bar in a long time; should a

problem arise from review, staff will not bring the matter back for second reading.

Councilmember Knox White expressed support; stated three bars could be the magic number; however, two is fine; expressed support for a future broader conversation including cannabis.

Vice Mayor Vella stated the other bar is located at Lincoln Avenue and Webster Street; the location should be looked into; inquired whether the same assessment is to be performed on Park Street as well to ensure compliance.

The Planning, Building and Transportation Director responded staff is not looking to changing the location of existing bars; stated there are currently bars within 1,000 feet of each other; the restriction applies to new bars; noted the limit of two bars within 1,000 feet will not work based on input from staff; stated Wally's Corner, Fireside and Hunter will all be within 1,000 feet of each other.

Councilmember Herrera Spencer stated that she is willing to modify her motion; expressed concern about allowing three bars within the space creating a total of five bars on the block of Webster Street.

The Planning, Building and Transportation Director responded a motion for three bars will solve the distance issue and allow all three businesses to remain.

Councilmember Herrera Spencer modified her motion to approve no more than three [bars] within 1,000 feet of each other [introduction of an amended ordinance] and annual review of the use permit.

The Planning, Building and Transportation Director stated the annual reporting will be a requirement of all new bars.

Councilmember Daysog stated the distance between Wally's and Fireside needs to be evaluated.

The Planning, Building and Transportation Director expressed concern about the turnaround time.

Councilmember Knox White seconded the motion.

Under discussion, Councilmember Herrera Spencer noted the distance between Fireside and Wally's.

Vice Mayor Vella noted Fireside is between Wally's and Hunter causing the distance issue.

On the call for the question, the motion carried by the following roll call vote: Councilmembers Daysog: No; Herrera Spencer: Aye; Knox White: Aye; Vella: Aye; and

Mayor Ezzy Ashcraft: Aye. Ayes: 4. Noes: 1.

(21-138) Recommendation to Consider Options for the Alameda Police Department's Emergency Response Vehicle. Not heard.

CITY MANAGER COMMUNICATIONS

(21-139) The City Manager announced the upcoming one-year anniversary of the COVID-19 pandemic; stated the March 16th Council meeting will include the report from the community-led committees; staff will provide perspective and Council will provide direction on moving forward.

ORAL COMMUNICATIONS, NON-AGENDA

(21-140) Vinny Camarillo, Alameda, discussed his concerns about violence against Asian Americans and being verbally attacked; stated more attention is needed regarding the matter.

(21-141) Melodye Montgomery, Alameda, expressed concern about releasing the names of people interested in serving on the Park Renaming and Police Reform subcommittees; stated the location where the names were released is concerning; expressed concern about the release of youth names; stated the City Council is responsible for protecting citizens.

COUNCIL REFERRALS

(21-142) 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). Not heard. (Councilmember Daysog)

(21-143) Consider Directing Staff to Provide an Update on a Previously Approved Referral regarding Free Public WiFi throughout the City. Not heard. (Councilmember Spencer)

(21-144) Consider Directing Staff to Extend Webster Street Physical Improvements/ Beautification. Not heard. (Councilmember Daysog)

(21-145) Consider Directing Staff to Review an "Adopt a Spot" Traffic Triangle, Traffic Circle and Traffic Corners Program. Not heard. (Councilmember Daysog)

(21-146) Consider Adoption of Urgency Ordinance or Introduction of Ordinance Amending the Alameda Municipal Code by Adding Section 4-61 (Grocery Worker Hazard Pay) to Require Large Grocery Stores in Alameda to Pay Employees an Additional Five Dollars (\$5.00) per Hour in Hazard Pay during the Novel Coronavirus (COVID-19) Pandemic and to Include Enforcement of Emergency Hazard Pay to Grocery Employees. Not heard. (Vice Mayor Vella and Councilmember Knox White)

COUNCIL COMMUNICATIONS

(21-147) Mayor's Nominations for Appointments to the Housing Authority Board of Commissioners and Recreation and Park Commission. Not heard.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 11:20 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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