

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -MARCH 16, 2021- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:04 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

(21-153) Mayor Ezzy Ashcraft announced that she would like to propose hearing the Council Referral Urgency Ordinance [paragraph no. 21-169] after the Consent Calendar; noted the matter is time sensitive.

Vice Mayor Vella moved approval of hearing the Council Referral Emergency Ordinance after the Consent Calendar.

Councilmember Knox White seconded the motion.

Under discussion, Councilmember Herrera Spencer stated that she is disappointed in the motion; noted there are two very important matters on the Regular Agenda; stated the Regular Agenda is anticipated to take all of the meeting time; outlined the matters on the Regular Agenda; stated Council has received many e-mails on the matters and there have been months of community-led meetings; it is important that the matters be heard in their entirety; the Council Referral is new to the agenda with four prior Referrals.

Councilmember Daysog stated that his understanding of the agenda is that items cannot move once set; noted that he previously attempted to move Council Referrals up in the agenda and had been told that moving Council Referrals is not allowable; stated there are many Council Referrals in the pipeline with one being agendized since December 2020; Council Referrals should be taken in the order received.

Mayor Ezzy Ashcraft stated the particular matter is time critical and has bearing on people's lives.

The City Clerk stated Council may consider reordering matters on the agenda the evening of a Council meeting; the Council may not change the order of set items on the agenda when it is published; an agenda may not be created with matters listed in a different order; the agenda order is set by resolution; however, the night of the meeting, Council can consider changes and make any desired amendments.

Vice Mayor Vella stated at a previous meeting, a motion was made to hold a Special Council Meeting to hear all the Council Referrals; if the Special Meeting motion had

passed, the Council Referrals could have been heard; expressed support for calling the question.

Councilmember Knox White stated that he understands the concerns raised; stated Council should not make a regular practice of jumping matters in the agenda; the Council Referral is timely.

Mayor Ezzy Ashcraft expressed support for a Special Meeting to hear the Council Referrals.

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.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(21-154) Season for Non-Violence Word of the Day: Compassion.

Councilmember Knox White read a quote.

(21-155) Proclamation Declaring March 2021 as Women in History Month.

ORAL COMMUNICATIONS, NON-AGENDA

(21-156) Denyse Trepanier, Bike Walk Alameda, stated two ghost bikes will be installed at two locations where bicyclists have been killed; discussed the intersections, driver speed and road changes.

(21-157) Venecio Camarillo, Alameda, encouraged the use of auto-generated closed captions or sign language interpreters at Council meetings.

(21-158) Jay Garfinkle, Alameda, inquired about changes to the City Council meeting Rules of Order regarding public comment on the Consent Calendar.

(21-159) Rasheed Shabazz, Alameda, read from the March 16, 1943 minutes, which state: "At the request of Mayor Godfrey, the City Manager reported on the problem of the increased Negro population which is a result of the influx of shipyard workers in the City of Alameda and the housing shortage attended thereto; the City Manager stated the City, with the cooperation of the Alameda Housing Authority would endeavor to control as much as possible, the number of Negroes wishing to reside within the City of Alameda, within limitations set forth by government acts and regulations; Mayor Godfrey stated this matter would receive the unceasing vigilance of the Council and the Alameda Housing Authority; it is believed the problem will not grow to be as serious as rumor has implied;" stated actions by Mayor Godfrey helped initiate segregation in Alameda's projects during World War II.

CONSENT CALENDAR

Expressed concern about the final passage of ordinance amending Municipal Code Chapter 30 [paragraph no. 21-]; stated that he thinks it is inappropriate for the matter to be on the Consent Calendar: Jay Garfinkle, Alameda.

Councilmember Herrera Spencer request final passage of the ordinance be removed from the Consent Calendar.

Councilmember Knox White moved approval of the remainder of the Consent Calendar.

Vice Mayor Vella 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.]

(*21-160) Minutes of the Special and Regular City Council Meetings Held on February 16, 2021. Approved.

(*21-161) Ratified bills in the amount of \$4,676,437.54.

(*21-162) Recommendation to Authorize the City Manager to Execute a Five-Year Agreement with SLR International Corporation (SLR) to Provide Groundwater Investigation and Monitoring Services for the Jean Sweeney Open Space Park for an Amount Not to Exceed \$178,120. Accepted.

(*21-163) Recommendation to Authorize the City Manager to Execute a One-Year Agreement with Keyser Marston Associates, Inc. in an Amount Not to Exceed \$150,000, with the Option to Extend for up to Two Additional Years for a Total Compensation of \$450,000 for On-Call Economic and Financial Consulting at Alameda Point. Accepted.

(*21-164) Recommendation to Authorize the City Attorney to Bind Pollution Legal Liability Insurance Coverage for 10-Years for Alameda Point with Ascot in an Amount Not to Exceed \$529,776. Accepted.

(*21-165) Recommendation to Authorize the City Manager to Accept the Improvements Completed by Alameda Point Partners, for Tract 8336, Site A, Phase 1, at Alameda Point. Accepted.

(*21-166) Recommendation to Authorize the City Manager to Pre-Purchase a Modular Restroom Building from CXT, Inc. in an Amount Not to Exceed \$225,941.35; and Authorize the City Manager to Execute an Agreement with NBC Construction & Engineering, Inc. for Alameda Point Modular Restroom Building, No. P.W. 09-20-36, in an Amount Not to Exceed \$336,580. Accepted; and

(*21-166A) Resolution No. 15752, “Amending the Fiscal Year 2019-21 Capital Budget by Defunding Revenue and Expenditure Appropriations in Capital Improvement Program 960093 by \$361,000 and Increasing Revenue and Expenditure Appropriations for Capital Improvement Program 91857706 by \$361,000.” Adopted.

(*21-167) Resolution No. 15753, “Authorizing the City Manager, Retroactively, to Apply for and Receive up to \$292,000 in Grant Funds from the Alameda County Transportation Commission’s 2022 Comprehensive Investment Plan to Construct Multi-Use Pathway Connectors to Close Gaps in Accessing the Cross Alameda Trail in Jean Sweeney Open Space Park; and Allocating \$158,000 In Matching Funds, Should the Grant Be Awarded.” Adopted.

(21-168) Ordinance No. 3297, “Amending the Alameda Municipal Code Chapter 30 (Development Regulations) to Amend Section 30-12.2 Requiring a Distance Separation of 1,000 Feet between Bars in Alameda to Allow No More than Three (3) Bars within 1,000 Feet of Each Other and to Require Annual Review of Conditions of Approval, Following a Recommendation by the Planning Board.” Finally passed.

Councilmember Herrera Spencer stated Hunter bar is hoping to move into the previous Paradise Pub; noted the City’s ordinance allows for one bar within 1,000 feet of another bar; stated grandfathering does not apply to this scenario; staff has been asked to measure the distances between Wally’s bar, Hunter bar, and Fireside Lounge; noted the report has a supplement exhibit attached which shows the three bars are within 1,000 feet of each other.

Councilmember Daysog inquired whether a bar would be allowed to open within 1,000 feet of another; whether a bar could have two bars located to the south and two bars to the north.

The City Attorney responded in the affirmative; stated the ordinance provides that three bars can exist within 1,000 feet of another; there cannot be four bars within a 1,000-foot radius.

The City Manager stated two bars to the north and two to the south of another bar would not be allowed under the ordinance.

Councilmember Daysog stated Wally’s is the outlier and is the northernmost bar; questioned whether another bar would be allowed to open within 1,000 feet to the north of Wally’s.

Councilmember Knox White stated Wally’s has five bars within 1,000 feet and therefore is breaking the limit of three bars within 1,000 feet rule; no three bars can be within 1,000 feet of a fourth bar.

Councilmember Daysog stated should there be a bar north of Wally’s, the new bar must be further than 1,000 feet.

Councilmember Herrera Spencer moved approval of the staff recommendation [final passage of the ordinance].

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

COUNCIL REFERRAL

(21-169) 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. (Vice Mayor Vella and Councilmember Knox White)

Vice Mayor Vella gave a brief presentation.

Mayor Ezzy Ashcraft requested clarification about the size of stores covered under the ordinance.

Vice Mayor Vella stated the ordinance has a square footage requirement and is geared towards large grocery stores; the ordinance would not impact a corner store or convenience mart; the store has to have 500 employees or more.

Mayor Ezzy Ashcraft inquired whether the ordinance has a sunset.

Vice Mayor Vella responded the ordinance is not intended to continue forever; stated the ordinance is set to sunset either when the pandemic State of Emergency end or when Alameda enters the Yellow Tier; there are a few clauses which provide protection; the matter is timely and time restrictive; expressed support for the ordinance being passed as an urgency ordinance.

Stated the matter is concerning; there has been considerable pushback against the matter; the matter is selectively rewarding employees of large grocery stores and many other essential workers are not being given bonuses; the matter is attacking large companies; discussed funding sources; stated the matter is a feel-good measure and is inappropriate: Jay Garfinkle, Alameda.

Discussed representation; stated essential worker's risk their life every day due to exposure to COVID-19; grocery stores are reaping increased profits; grocery workers have a one in five chance of contracting COVID-19; urged Council to adopt the ordinance: Becky Rhodes, Alameda Labor Council.

Councilmember Herrera Spencer inquired whether litigation has been brought against any of the cities that have implemented the wage increase.

The City Attorney responded in the affirmative; stated most, if not all, cities implementing a similar ordinance have been sued; only one case in Long Beach, California has proceeded fairly far in the litigation process; the Federal Trial Court denied a motion for preliminary injunction; the matter is pending; no orders hold that such an ordinance would not pass constitutional muster.

Councilmember Herrera Spencer inquired the costs of the associated risks and potential legal proceedings.

The City Attorney responded most cases have requests for takings as damages against the cities; stated none have been awarded; litigation is ongoing.

In response to Councilmember Herrera Spencer's inquiry, the City Attorney stated the City Attorney's Office will vigorously defend any action the Council adopts.

Councilmember Herrera Spencer inquired whether companies are legally required to maintain health insurance for their employees or whether any employee benefits have been cancelled.

The City Attorney responded there are many factors; stated the matter depends on the company; there may be one jurisdiction which may have made an alteration with respect to spousal coverage.

Councilmember Herrera Spencer inquired whether any cities have had any grocery stores close after passage of a similar ordinance.

The City Attorney responded the Long Beach litigation involves two store closures.

Councilmember Herrera Spencer inquired which specific stores the ordinance would apply to within Alameda.

The City Attorney responded the ordinance will likely apply to big box retailers which engage in grocery sales, such as Albertsons type of stores.

Mayor Ezzy Ashcraft stated the draft ordinance lists the store information.

Vice Mayor Vella outlined page six of the ordinance.

Councilmember Knox White stated Lucky's, Safeway, and Nob Hill stores will be affected; noted Target and CVS stores would not be included.

The City Manager stated that he will need to check whether Target is eligible for the increase; noted Trader Joe's is under the 15,000 square foot requirement.

Councilmember Herrera Spencer inquired whether union teamster representation for Lucky's, Safeway and Nob Hill is available.

Mayor Ezzy Ashcraft responded there are no union representatives present.

Councilmember Knox White stated all three stores should have representation.

Councilmember Herrera Spencer expressed support for confirmation of representation.

Councilmember Daysog stated the matter refers to six sites; outlined locations on Alameda and Bay Farm; inquired whether an analysis of environmental consequences is needed; stated the matter has triggered a number of store closures in southern California and Seattle; in the land use field, grocery stores hold a special place in understanding policy implications and environmental consequences; the City should be ahead of the curve in understanding the environmental impacts.

Mayor Ezzy Ashcraft requested clarification about the term environmental impacts; stated the term indicates California Environmental Quality Act (CEQA), which is not related.

Councilmember Daysog stated the term does indicate CEQA; an element of CEQA includes the potential of foot traffic generating store closures; questioned the environmental repercussions of a foot traffic generating store closure; stated the analysis is called urban decay, which is seen in Walmart and Costco stores; questioned the potential for others stores being affected; stated there needs to be an understanding of impacts due to store closures; outlined lease hold issues for grocery closures; stated the wiser course of action is to understand environmental consequences and provide analysis.

Vice Mayor Vella stated the matter is not related to a Walmart coming to Alameda; the ordinance did not result in other cities' store closures; stores have been closed even with record profits; the duration of the increase is limited and will not run as long as other cities; the matter relates to frontline workers; discussed grocery store unions; stated grocery workers have a one-in-five chance of getting COVID-19; noted the court rulings on challenges to the wage increase is telling.

Vice Mayor Vella moved adoption of the urgency ordinance.

Councilmember Knox White seconded the motion.

Under discussion, Councilmember Daysog stated that he will not be supportive of the motion; Council needs to measure twice and cut once and understand the environmental consequences in an analysis prior to approving; stores have closed following the adoption of related policies.

Councilmember Herrera Spencer stated that she agrees with Councilmember Daysog; noted low-income housing funding opportunities often question the location of grocery stores; stated grocery workers are essential; expressed concern about the closure of any stores resulting in ineligibility for affordable housing funding opportunities; noted grocery workers have been eligible and prioritized for the COVID-19 vaccine ahead of many people; stated unions negotiate; expressed concern about health insurance being cut as a result of the COVID-19 pandemic and for the City being involved in a negotiated contract where employers have the option to reduce or remove benefits, including healthcare; stated many essential employees do not have union representation, are low pay and have high risks; however, the raise is not being considered for all essential employees; noted Amazon, postal service employees and bankers are excluded and at high COVID-19 risk; many essential workers are women of color; stated there are many things to think about when being asked to consider an increase for one group.

Mayor Ezzy Ashcraft expressed support for broadening the scope of the ordinance; stated there is a reason the ordinance is limited to larger employers; larger employers are able to absorb some of the costs; expressed concern for residents and those that work in Alameda; stated Councilmembers have been receiving e-mails expressing concern about COVID-19 exposure; assisted care providers are in line to receive the COVID-19 vaccine; the vaccine is being distributed as quickly as possible; grocery workers have been far more likely to contract COVID-19 than the rest of the population; expressed support for looking out for those most vulnerable; stated the matter is entirely appropriate and will likely be of short duration.

Vice Mayor Vella expressed support for any request to broaden the scope of the matter not limit the current proposal going forward on an urgency basis.

On the call for the question, the motion, which required four affirmative votes, failed 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.

Councilmember Knox White moved approval of introduction of the ordinance.

Vice Mayor Vella seconded the motion.

Under discussion, the City Attorney stated the effectiveness section of the ordinance will be updated to strike the language "immediate upon adoption" and add that the ordinance will be effective 30 days after final passage.

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.

REGULAR AGENDA ITEMS

(21-170) Recommendation to Accept Report from the Community-Led Committee on Police Reform and Racial Equity and Provide Staff Direction on Next Steps.

Mayor Ezzy Ashcraft stated 11 items were brought forth in the report from the Steering Committee and Subcommittees; Council will go through the list and vote on which matters will move forward.

(21-171) Councilmember Knox White moved approval of waiving the nine minute Council discussion time limit.

Mayor Ezzy Ashcraft expressed support for a specific time limit; stated that she will not support an open-ended discussion time.

Councilmember Knox White stated that he would like to know how much time is allowed prior to presentations and public comments.

Councilmember Herrera Spencer expressed support for Councilmember Knox White's proposal; inquired how much time staff and the Committee will be presenting.

The City Clerk responded the Committee has 10 minutes to present, unless Council suspends the rules of order; stated there is no staff presentation.

Councilmember Knox White moved approval of allowing Council 20 minutes, with 5 additional minutes if Councilmembers are reaching the limit.

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

Councilmember Herrera Spencer moved approval of allowing Council 15 minutes and allowing Council to vote to add 5 minutes.

Councilmember Knox White seconded the motion.

Under discussion, Mayor Ezzy Ashcraft inquired whether a vote would be needed to add more time, to which Councilmember Knox White responded in the affirmative.

On the call for the question, the motion 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.

Steering Committee Members Cheryl Taylor, Christine Chilcott, and Al Mance gave a Power Point presentation.

(21-172) The City Clerk stated a motion is needed to allow the presentation to go beyond 10 minutes.

Councilmember Knox White moved approval of allowing the presentation to be completed.

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.

Mr. Mance and Jolene Wright continued the Power Point presentation.

Mayor Ezzy Ashcraft inquired whether bi-annual training represents an occurrence every two years or twice per year.

Mr. Mance responded every two years.

Councilmember Daysog inquired the Committees' expectations; stated there is a lot of analysis; questioned whether the desire is to have Council move forward to have staff provide further analysis and frame the issues to return with a staff report and recommendations.

Mr. Mance responded the desire is to have Council instruct staff; stated many cities are taking similar actions; the work being done as volunteers is provided happily; noted professional help is necessary; one of the recommendations is for Alameda to hire professionals to continue the work moving forward; the recommendations provided by the Committees are sound and good; the Committees do not have the collective experience; noted the recommendation is to instruct staff to write a report regarding implementation of professional help; another recommendation being made is to have specific, dedicated staff implementing recommendations to ensure matters do not fall by the wayside; discussed a 1991 commission; stated not much came from the previous 1991 commission; the truly difficult work is ensuring the changes actually occur; the opportunity is fantastic; Alameda is a great town where people are involved; there is opportunity for a conversation between the public and the Police; disinterested parties need to be involved to help bridge the gap.

Ms. Chilcot stated the recommendations presented are limited; noted there are recommendations in-full from all Subcommittees.

Councilmember Herrera Spencer expressed support for a discussion related to additional recommendations.

Urged Council to direct staff to accept all the recommendations from the Subcommittees; stated it is important to review and remove all the laws that criminalize

survival in Alameda; expressed support for unbundling services; stated for someone who is experiencing a mental health crisis, it is better for a mental health crisis team to show up rather than an armed response team; urged Alameda Police Department (APD) Officers receive better training, including cultural diversity training; expressed support for a community-led Police Accountability and Oversight Board: Melodye Montgomery, Accountability and Oversight Subcommittee.

Discussed her Subcommittee experience; stated Councilmembers have the power to take action and continue the work; outlined her experience with Police and moving to Alameda; stated that she has questioned the system she once believed in; public safety is not contingent on the Police force, but upon the condition of the community itself; marginalized communities are the most under-resourced; the community is best served when an investment is made in people, social services, housing, and community-based programs; urged Council take action and direct staff to create a mobile health crisis unit: Debra Mendoza, Unbundling Services Currently Delivered by the Police Department Subcommittee.

Discussed her experience with mental health struggles, treatment programs and Police responses; stated that she was uncertain whether she was being arrested or hospitalized; her experience with a mobile crisis treatment team felt like a medical emergency, which could be improved with treatment; urged Council to stop the criminalization of mental illness and direct staff to being the process of creating a Crisis Assistance Helping Out On The Streets (CAHOOTS) type model response team for mental health crisis calls: Beth Kenny, Unbundling Services Currently Delivered by the Police Department Subcommittee.

Expressed support for unbundling of services and for the CAHOOTS program; urged de-escalation training be provided; stated that she wants her children to feel safe around APD; expressed support for the Civilian Oversight Board: Lelia Richardson, Alameda.

Stated the matter has been of concern for a long time; expressed support for the recommendations provided; urged Council to direct staff to explore the opportunities around a department of racial equity and the Civilian Oversight Board; discussed correspondence that he submitted to Council in December 2017; noted concerns previously raised related to oversight are being accounted for; stated a Crime Analyst can provide facts and regular oversight can provide a feeling of safety; discussed his experience with the Police Captain: Rasheed Shabazz, Alameda.

Discussed the rise in justifying increasing funds for Police or law enforcement; public comments falsely equate community safety towards banded measures, such as increased enforcement; gave a statement from Asian Americans Advancing Justice; urged Alameda do a better job in: investing and facing its community, releasing statements publically condemning racially based acts of violence against Asian individuals and following verbal commitments with tangible action; stated that she would like a victims compensation fund, an increase in language accessibility or an offering of

culturally sensitive services; urged Council continue to direct staff, resources and funds towards the work: Amy Gong Liu, Laws that Criminalize Survival Subcommittee.

Urged Council to approve the recommendations provided; stated a lot of hard work has been done; noted that she does not feel safe around APD; stated that she hopes to see real change in Alameda: Nairobi Taylor, Accountability and Oversight Subcommittee.

Expressed support for the recommendations provided; stated the Citizens Oversight Board would help with accountability and rebuilding trust between law enforcement and members of the community; discussed the CAHOOTS program; stated that she is impressed with the amount of volunteer hours from the Steering Committee and Subcommittees: Meredith Hoskin, Alameda.

Discussed comments provided by previous speakers; stated that he has had the privilege of learning about racism versus living with racism; many of the recommendations make a lot of sense; urged Council to take the recommendations seriously and to direct staff to implement: Seth Marbin, Alameda.

Stated the matter is the culmination of a community outcry for change; the recommendations are reflective of a community that cares; expressed support for the Committee making a direct ask for Council approval of all recommendations; stated the matter may require further advancement and analysis by professionals; urged Council to adopt the recommendations: Amos White, Alameda.

Stated that he cannot add much should the life experiences of other commenters not show the need for change; noted APD Officers are happy to have mental health calls responded to by mental health professionals; stated a CAHOOTS type model would be fantastic; discussed Petaluma's CAHOOTS type model; stated a mental health crisis team is needed; law enforcement can focus on crime; urged Council to take action: Jono Soglin, Unbundling Services Currently Delivered by the Police Department Subcommittee.

Expressed concern about APD's hiring plan; stated APD is actively trying to hire more Officers; white supremacists have infiltrated law enforcement in the Bay Area and across the country; questioned how City staff will mitigate the risks; urged Council to move forward with clear intent to implement the subcommittees recommendations to ensure the work continues, consider including truth and reconciliation work, and grant APD the desire to narrow the scope of work: Laura Gamble, Alameda.

Discussed systemic racism throughout the country; stated racism is a culture; outlined mental health calls; stated incidents are not related to the condition of the caller, but the condition of the Officer responding; mindsets have been set; the racism of APD is a foundational condition: Kyle Hunt.

Urged Council to create and establish a mental health crisis unit; discussed the deaths of Christian Hall and Angelo Quinto and victims of APD; questioned who to call with a

mental health crisis; expressed concern about the lack of trust in APD's de-escalation tactics; stated the City needs trained professionals for mental health crises; urged Council to take action: Venecio Camarillo, Unbundling Services Currently Delivered by the Police Department Subcommittee.

Discussed her experience moving to Alameda; stated that she is working to be a better ally after the mistreatment of Mali Watkins; racism has created a disconnect and a lack of trust between the Police Department and the community; a process needs to be created for internal Police Department actions to address Officer conduct; expressed support for the hope to build knowledge and recommend changes to policies and procedures as needed: Emily Langworth, Review of Police Department Policies and Procedures Subcommittee.

Stated it is critical to confront history and institutions honestly even when difficult; urged the adoption of recommendations, which have the most potential to hold Police accountable and reduce the interactions with vulnerable members of the community; expressed support for the creation of a Citizens Police Accountability Board; stated Board members should be paid for their time; unbundling services is the right thing to do; funds should be moved from APD to contract with trained professionals and organizations; expressed support for using APD's budget to form a CAHOOTS type program: Laura Cutrona, Alameda.

Stated Oakland has passed a resolution to implement a macro program through their Fire Department; mental health emergencies are best addressed by unarmed, trained professionals; there is an opportunity to create an emergency response alternative; expressed support for assisting neighboring cities with mobile mental health units and crisis medics; not providing these would be a disservice; the matter will be one of the most impactful; urged Council not to let the opportunity pass by due to misinformation: Jenice Anderson, Alameda.

Discussed her experience fielding mental health calls; stated the recommendations are important for all; outlined the experience of her brother being wrongfully accused of stealing his own vehicle; stated the experience should not have occurred; urged Council to implement cultural competency trainings for Officers, a mental health crisis unit and the additional recommendations provided: Pravda Wright, Systemic and Community Racism/Anti-Racism Subcommittee.

Urged Council accept the report and proposed recommendations, particularly the recommendations dealing with unbundling, oversight and the social media policy; stated the hiring efforts of APD should weed out white supremacy: Zac Bowling, Alameda.

Expressed concern about funding; stated that she has not heard funding options for the recommendations being presented; the matter should be voted on at another time by the entire City, not during a pandemic: Anonymous.

Discussed subcommittee recommendations; stated a Code of Conduct has been recommended; noted the Code should reflect the community; stated all recommendations have a reflection of the community in mind and as a collaboration; procedural justice should be a foundation of the Police Department; procedural justice relates to how someone is treated and spoken to; urged Council to consider a Police Oversight Board: Julie Norris, Review of Police Department Policies and Procedures Subcommittee.

Stated Alameda can create a Police Accountability Board; there is value of a Police Officer doing their job with diligence and compassion; discussed her experience as a mother of a missing child; stated that she sees those affected by Police use of force; noted an encounter with the Police and her daughter left mental scars; urged Alameda fund mental health crisis response teams; outlined her experience with mental health crisis calls; urged Council bring justice and care to Alameda: Jennifer Rakowski, Accountability and Oversight Subcommittee.

Stated that she hopes all have taken the time to go through the full reports provided; noted the reports do not fully show the level of care and thoughtfulness behind each recommendation; expressed support for moving forward with every recommendation and providing the necessary resources for implementation; urged Council to begin the process of creating a mental health response team; outlined her experience as a bi-racial Latina woman: Teresa Whinery, Unbundling Services Currently Delivered by the Police Department Subcommittee.

Stated that she has dedicated time to fighting for racial justice and change; she has had to sacrifice some of her young years to ensure future young adults are able to experience life the safest way possible; expressed concern for her actions have been in vain; stated the community and Police need to be held accountable for systemic issues; the community has the opportunity to change; noted that she does not get to ignore racism due to inconvenience; urged people not to ignore racism; expressed support for all recommendations provided: Raquel Williams, Systemic and Community Racism/Anti-Racism Subcommittee.

Urged Council to approve the recommendations provided, particularly the recommendations for an Accountability Review Board; stated many communities across the United States do not have substantive community input; expressed support for a focus on mental health and de-escalation training; urged the City to find a way to treat people with mental health illnesses safely and with dignity; stated it is imperative for the community to be involved in the process of creating a Code of Conduct: Perry Green.

Stated mental health crisis calls for service involving substance abuse and interactions with people experiencing homelessness do not need to have Police involvement; involving Police in mental health crises has led to the death of at least two people in Alameda and permanent disability of one other; Alameda should explore a model like CAHOOTS; urged Council to direct staff to begin the process of creating a CAHOOTS style mental health response team; noted the majority of Police calls for service are not

for crimes in progress; urged Council to begin the process of unbundling all services provided by the Police which do not involve a part one crime in progress, including traffic; stated real change is owed: Erin Fraser, Unbundling Services Currently Delivered by the Police Department Subcommittee.

Urged Council to begin directing staff to implement a Civilian Oversight Board; stated unbundling services is critical; mental health crises do not need to have Police involved; expressed support for the CAHOOTS program; urged Council to accept the proposed recommendations and begin implementing the items and to act with urgency; stated people's lives depend on these recommendations being implemented: Sarah Neubauer, Alameda.

Expressed support for Council accepting all proposed recommendations; expressed concern about the recommendations which will lead to increased funding for APD or related to training; stated racism cannot be out-trained; change is needed now; some of the recommendations can immediately be implemented; expressed support for looking at other communities operations and pushing recommendations a bit further; discussed decreases and re-routing of funding; noted one-third of the City budget is spent on APD; stated resources should be focused on access to resources outside of the Police; urged Council focus on the methods which are immediately implementable: Alexia Arocha, Alameda.

Mayor Ezzy Ashcraft called a recess at 9:33 p.m. and reconvened 9:49 p.m.

Mayor Ezzy Ashcraft proposed Council go through the list of recommendations provided to prioritize and add matters for discussion.

Councilmember Herrera Spencer expressed support for training to the public similar to the American Civil Liberties Union (ACLU) "Know Your Rights" training; stated there are elements which are helpful for many; expressed support for providing Police training, including District Attorney (DA) and detentions and consensual contact, to prevent events similar to the Mali Watkins incident from occurring in the future; expressed support for APD staff being present in order to work collaboratively; noted there is a Community Paramedicine pilot program; stated Alameda has done good work in laying the foundation for medical programs; the City has a committee with the Alameda Fire Department (AFD) and Alameda Hospital; expressed support for adding APD and Alameda Family Services to the existing committee; stated the meetings will be publically noticed and accessible; expressed support for making complaints and concerns about any City staff accessible and available to all; noted the survey provided good information and analysis; outlined her experience as an attorney and a Latina woman who grew up in Los Angeles; stated APD should not be held accountable for incidents that arose in other cities or across the country; it is important to recognize Alameda-specific incidents; expressed support for trainings, an increase in Police presence and License Plate Readers (LPR's); and for a change in culture; noted the

community responses in the survey included related asks; stated it is important for Council to consider how to work together with APD and other partners; many months have passed since the Mali Watkins incident and the time for specific action is now.

Councilmember Knox White inquired whether members should go down the list to discuss matter by matter, to which Mayor Ezzy Ashcraft responded that she has tallied her list during public comment; stated many topics will give rise to discussion.

Councilmember Daysog stated that he would like to add consideration of deploying the City Attorney's Office on the topic of not criminalizing poverty; stated many issues regarding criminalization of poverty occur at the prosecutorial stage; questioned whether the City Attorney's Office can be deployed to engage in matters which criminalize poverty, specific to non-moving, vehicular violations; noted oftentimes, non-moving vehicular violations are due in part to poverty and income status; stated there could be options for an Officer to provide the alternative to a fine or ticket should the violation be cleared within 90-days; many matters rest at the court-level.

Councilmember Knox White stated expressed support for the Committees and staff; noted it is not easy to perform the requested tasks; comments provided trend toward systems and situations; the work being performed is appreciated; there is a problem with incarceration in the country; the problem is well documented; policy makers are the first step in the pipeline and should changes not be made, the problems will continue; there have been a number of anecdotes stating those with Black Indigenous, and People of Color (BIPOC) friends will not visit Alameda; anecdotes are data; arrest and traffic citation data shows the backup for the anecdotal stories; Council needs to listen to the anecdotes and make changes; should changes not be made, there will be problems; changes have not yet been made since the Mali Watkins incident, which took place almost one year prior; challenged the City and APD to consider where to go from here; questioned whether the City will remain a place where community members consider anecdotes as loudmouths or will the City figure out how Alameda will no longer be a City where people are afraid to go; outlined former Police Chief actions on social media and a 1992 report on a problem, which required training; expressed support for training; stated training will not solve the issues being faced; expressed support for all proposed recommendations; stated a community committee is needed whose goal is to listen to all the people in the community and report back to the City; the committee can report back to the City Manager's Office and may begin to discuss a truth and reconciliation process for Alameda; expressed support for Council providing direction to stop using the City of Alameda's communication platform through the Police Department until a clear and defined communications strategy is in place; noted the current platform is misinforming the community; stated there have been posts related to APD not hiring staff, but those hired within the past six months have not been discussed; due to the lack of information related to hiring, the community is shown that APD is not hiring people; crime related ideas are being promoted even though crime rates are not elevating in all areas; expressed support for Universal Basic Income (UBI); stated the cause of violence is income inequality; no amount of policing will cause change; discussed *A Peculiar Indifference* novel by Elliot Currie; stated that he would

like the City to look into joining a regional program; expressed support for looking into catalytic converter theft control; stated the City should offer a rebate program for catalytic converter protective cages; the City can take action to help stop theft rather than fielding angry calls from those experiencing theft.

Mayor Ezzy Ashcraft expressed support for UBI.

Vice Mayor Vella stated the job performed will not be a thankless job; changes will be made; expressed support for the proposed recommendations; stated the real work gets down to the implementation and details; noted the big picture will not matter, if the City does not implement correctly; expressed support for shifting responsibility of all mental health crises to other departments which are unarmed; stated that she does not want to confine the direction to staff to just mental health crises, all health crises should be considered; noted Oakland and San Francisco have both focused on the change; stated Alameda has a foundational structure for the change; expressed support for looking into addressing the potential expansion of services and a who-to-call campaign; stated it is difficult for people to remember a long list and matrix of who to call when needed; people have been trained for so long to dial 9-1-1 in an emergency; outlined her experience as a representative for dispatchers; stated 9-1-1 is not going anywhere; expressed support for looking into getting trained mental health staff or crisis counsellors in the dispatch center or a transfer service; outlined soft hand-offs of cases; stated Council needs to look at a model where no matter is turned away within the dispatch structure; the solution is not easy; thinking about how to handle calls is key; the matter of dispatch calls has been discussed by the Subcommittees at length; expressed support for considering underlying conditions; stated addressing underlying issues is helpful when getting at root causes; discussed a shoplifting diversion incident within a business district; stated that she has seen cases of stolen food; programs should be made available to ensure people have money for essential items and do not have to resort to crime; expressed support for transitional housing, a provision for affordable housing, and fully funded school-based mental health services; stated the considerations are part of preventing people from having to engage in acts of survival which are criminalized.

Councilmember Daysog stated the Committees have taken the community a great distance from where the City had been several months back; the proposed recommendations are specific and actionable lists, which Council can implement; noted that he would like to separate his recommendations between what the Police should be doing and how the Police should be doing; expressed support for a clear delineation of enforcement of law and prosecution; expressed concern about the criminalization of survival and poverty; stated the matter appears to be open-ended and suggests that certain criminal acts are okay; noted criminal acts are not okay; stated the Police still need to enforce the law and rules at all levels, including misdemeanors; expressed support for a more fair process at the prosecutorial level; stated it is important to strive towards working within the existing frameworks and documents in place; expressed support for a Code of Conduct; expressed concern about the Code of Conduct being separate from the other documents that are part of Police training; stated there is a risk

for confusion in separating the documents and Officers knowing which policies are enforceable; that he would like to eliminate confusion by modifying the procedures and documents currently in place with respect to the issues being raised and adding a highlight to the Code of Conduct; Council should proceed and recognize that enforcement of rules and laws are needed; however, a better system is needed when dealing with prosecution; expressed support for new changes to grow from existing framework and documentation.

Councilmember Herrera Spencer expressed appreciation for those who completed the survey; stated the data created has been valuable.

Mayor Ezzy Ashcraft stated a mail version of the survey has been sent out and responses are still being tabulated; expressed support for going through the list of proposed recommendations; stated one recurring theme is shifting responsibility for mental health crisis response and the CAHOOTS model; discussed meetings about the CAHOOTS model; stated the program has had great success and is part of the 9-1-1 dispatch system; noted the dispatchers are trained to differentiate which calls are sent to which programs; outlined Town Halls and County study sessions; stated crisis teams have been formed to respond to 5150 and other mental health crises calls; the County has launched Community Assessment and Treatment Team (CATT); emergency professionals are paired with a clinician and respond to calls; the CATT program provides a warm handoff; expressed support for a similar program to be considered in Alameda and directing the City Manager to find funding for such program; stated nearby cities have worked with CAHOOTS to set up similar models; expressed support for a robust dispatch system, which includes trained staff who can respond to mental health calls; stated the County can be a source for mental health funding; funding is needed; expressed support for extending the Block by Block campaign; stated the campaign is recommended by the Committees and business districts; the Block by Block campaign is more than cleanup of refuse and trash left by unsheltered individuals, Block by Block staff is trained to work with unhoused individuals and are able to connect people with needed medical and mental health resources; proposed Council reconsider directing the City Manager to look for funding for the Block by Block program; stated the program is not inexpensive; however, there is also a cost in not addressing the issues; a bi-annual mental health and de-escalation training has been supported by many survey respondents and can only yield benefits; expressed support for a full-time Crime Analyst position under APD, which could be in charge of looking at statistics to help form the basis of additional programs.

Councilmember Daysog stated that he will need to know the level of staffing, the impact of funding on the types of changes desired and the cost for such programs; the staffing, costs and sustainability will determine the worth of programs; expressed support for a CAHOOTS model and Block by Block.

Mayor Ezzy Ashcraft stated Council can decide priorities by triage with a number of different revenue sources; the City does not have unlimited funds.

Councilmember Herrera Spencer stated that she would like to see an analysis of how much money the City has paid for in relation to staff hours and the rate of pay for Block by Block street staffing; expressed concern about the amount being paid to on-location staff; stated that she would like research on the program rate of pay; noted there are limited opportunities for bi-annual de-escalation trainings; expressed support for training on other matters; stated Police are professionals and should be treated as such.

Vice Mayor Vella stated that she would like to consider where the Analyst position would be housed; good auditing includes having things exist outside of the direct management structure; questioned whether the position could fall under the City Manager's Office and whether an audit will look at feedback coming in to create a system on a number of issues, not limited to APD, but all City services; expressed support for not just looking at housing matters solely within APD, UBI and access to healthcare; stated a number of cities support Cal Care, a Statewide single payer system, which is part of Assembly Bill (AB) 1400; as the City is having a discussion on underlying issues and access, Council can give staff direction to add support for AB 1400 or add it to the legislative priorities; noted by taking the stance that healthcare is a human right and looking into single payer access, the City can eliminate a lot of concerning funding issues.

Mayor Ezzy Ashcraft stated the Steering Committee came out with the recommendation for the City to continue to hire up to the 88 sworn Officers; inquired the role of the new Police Chief in the process; questioned whether the role will inherit tasks put in place or provide input.

The City Manager responded based on the interviews conducted and the timeline, a new Police Chief will arrive sometime in May; stated staff will likely be implementing certain parts of the Steering Committee's recommendations and the Police Chief will be involved with implementation, as well as providing input or recommendations.

Mayor Ezzy Ashcraft inquired whether there is anything to add to the funding and financing of some of the matters currently being discussed.

The City Manager responded if Council provides a few priorities, such as addressing mental health through a different form of services, a plan or strategy can be brought back with other priorities within six weeks and can include financing options.

Councilmember Knox White stated the City should look into how to utilize the Community Paramedicine program to support the development of a CAHOOTS type model; internal resources have been providing good services and should be considered; expressed support for the use of a Block by Block or a similar program; noted a street ambassador program can be considered to address homeless issues within business districts; expressed support for creating buckets and space for an ambassador and homeless programs in order to get to the end of Homeless Strategic Plan to ensure large, expensive programs are not being implemented without proper funding; noted economic development money for business districts can be spent on programs which

reduce Police calls as a way to ensure the City is being thoughtful; outlined traffic enforcement data; stated there have been 84 collisions and 74 citations in 2021; previous citation numbers would be in the tens of thousands and some should not have been issued; stated that he would like to see the Transportation Commission engaged in discussion around how to provide traffic safety; expressed support for staff being engaged in conversations around traffic safety in Oakland, Berkeley and other places.

Councilmember Herrera Spencer stated 63% of survey respondents expressed support for greater Police presence in neighborhoods; 5% stated there is too much Police presence; the survey results provide valuable information and should be considered; robberies and assaults are up 19% and 9.7% respectively; auto thefts are a 35 year high, up 16% from the previous year; stated shootings are up dramatically from 3 in 2019 to 17 in 2020; expressed support for a focus on crime; stated that she hears people do not feel safe; crimes are up and people do not want to be victims; she will be looking to Police to reduce crime; the Committee chosen by the City Manager is not representative of the community.

(21-173) Mayor Ezzy Ashcraft stated a motion is needed before 11:00 p.m. to consider any new items.

Councilmember Knox White moved approval continuing the meeting to hear the armored Police emergency response vehicle [paragraph no. 21-175] through its entirety.

Mayor Ezzy Ashcraft inquired whether the motion includes a meeting end time, to which Councilmember Knox White responded in the negative.

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

Vice Mayor Vella moved approval of hearing the vehicle item with the meeting ending at midnight with direction to schedule a special meeting if the item cannot be addressed tonight.

The City Clerk noted the specific date and time of the meeting must be approved if the meeting would be held with less than 12 days' notice.

Mayor Ezzy Ashcraft inquired whether the Council Referrals would be included to be heard at the continued meeting.

Vice Mayor Vella agreed to have the motion include Referrals.

Councilmember Daysog 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.

Under discussion, Vice Mayor Vella inquired whether the date needs to be specified now, to which the City Clerk responded the date needs to be specified before the meeting ends.

Councilmember Herrera Spencer stated part of her ask will be on each of the items; she wants to hear from APD in regard to reducing crime.

Councilmember Daysog stated one of the biggest asks is for an Accountability Board; that he is not ready for a City Charter Accountability Board as shown in the reports; expressed support for taking baby steps first; stated an Advisory Board can be formed after the baby steps are taken; Council can do something to move the ball on the issue.

Councilmember Herrera Spencer stated that she does not agree with confidential meetings; she disagrees that it was appropriate to have the meetings handled as they were; the community has been left behind; the meetings needed to be public; she does not consent to any more private meetings by the Subcommittee or Steering Committee; she does not believe private meetings match the spirit of the Brown Act; expressed support for having public meetings that allow for engagement; discussed an e-mail address: apdreforms@gmail.com, which was posted on the City's website; stated that she submitted a Public Records Act Request for e-mails related to the account; she would like immediate access to the e-mails; the City must ensure no e-mails have been deleted from the account to allow for public record keeping; she wants to know that the Steering Committee will cooperate with the City Attorney's office; the e-mails are City records and need to be maintained by the City; she does not want private e-mails posted on the City's website going forward.

Mayor Ezzy Ashcraft stated Council should see whether a vote can be taken on the items as the City Manager suggested to bring forward: two or three asks brought back with both a strategy for implementation and a funding plan in the next six weeks; that she has high regard for the Community Paramedicine Program, which is not the equivalent of CAHOOTS, but might work in conjunction with something like CAHOOTS; Oakland is doing something similar; she would like to see if direction can be given on a mental health crisis response program, which is a significant part of the unbundling process.

Councilmember Knox White stated the seven items recommended by the Steering Committee do not need to be prioritized or cut.

Councilmember Knox White moved approval of adopting the items as direction for staff to bring back: 1) facilitating the development of an Accountability Commission, without making the decision tonight about whether it needs to be in the Charter; nothing can be adopted tonight; Council can only accept and give direction; 2) the mental health crisis, with the direction that has been discussed; options can come back for that; 3) the "Who

to Call;” 4) clear and concise protocols for APD social media, with direction to stop using it until the protocols are in place; 5) City leaders to be notified; leaders are notified for the most part, but the Council can commit to that; 6) bring back as a part of the budget a Block by Block or similar funding request; and 7) supporting the business community, which seems very simple as well.

Mayor Ezzy Ashcraft stated regarding the Block by Block and homelessness ambassadors coming back, the City also contracts with Village of Love; there would be a little bit of overlapping, but more help can always be used; Village of Love goes into the business community and neighbors with a staffed van in addition to the work they do running the day center and the City’s safe parking.

Councilmember Knox White stated Block by Block does do some interaction, but staff indicated they are ambassadors and hand out masks; he wants to make sure it is not being prioritized as a homeless service.

Mayor Ezzy Ashcraft stated that she also discussed the issue with staff; the matter can be addressed by email or with the City Manager; she wants to clarify the first recommendation in the staff report was to create and staff a new City department focused on Police accountability and racial equity to determine the feasibility of a Police Citizens Accountability Board, which she does not support.

Councilmember Knox White stated that he was reading from the Steering Committee report, not the staff report, which just addresses development of the Citizens’ Police Accountability Commission; concurred with the Mayor; stated that he is not at the stage of creating a department either.

Mayor Ezzy Ashcraft inquired about adding the biannual mental health and de-escalation training.

Councilmember Knox White agreed to include the matter in the motion; stated it was not one of the first seven Steering Committee recommendations, but he is happy to add it.

Mayor Ezzy Ashcraft noted it was in the next four recommendations.

Vice Mayor Vella inquired whether the motion shifting responsibility for mental health crises would also include direction to look at different options, including building off of the City’s existing structure, to which Councilmember Knox White responded in the affirmative.

Vice Mayor Vella inquired whether the Who to Call campaign would also include direction to look at Dispatching protocol and procedure relative to things like the Community Assessment and Transport Team (CATT) program, to which Councilmember Knox White responded that he would be happy to add that to the motion.

Vice Mayor Vella requested the motion be amended to direct staff to look at adding AB 1400 to the City's Legislative Priorities; stated that she would specifically like to call out AB 1400; a bill has been proposed by Assemblymember Chiu; she would like the motion to direct staff to report back to Council on additional pending legislation relative to traffic; she would like to hear about the regional model and what people are shifting to that does not involve armed Officers.

In response to Mayor Ezzy Ashcraft's inquiry regarding which Assemblymember Chiu bill, Vice Mayor Vella stated that she is not necessarily supportive; it is AB 550 regarding using cameras to do automated traffic control; she would like a report back on non-armed options; stated that she would second the motion with the addition.

Councilmember Knox White stated that he is happy to add the direction to the motion; that his intent was not to have only one motion; rather than piling on, there can be additional motions on other items.

Councilmember Daysog stated the staff report that returns to Council should be fully detailed about the level of service needed to achieve the type of impact that the Council expects and the associated funding, as well as anything less that is necessary due to limited funding; the staff report should have programs that will achieve optimum success regardless of funding; City Council should not tell the Police what and how to post things on social media; what the Accountability Commission will be should not be prescribed; a key element should be to address the main issues that brought the City to this point, but he is not convinced it needs to be completely about that; he will support the motion, but he has his points of view; Police need to carry guns and be prepared.

Mayor Ezzy Ashcraft stated the social media post in the report was troubling; noted a picture of a person arrested, but not convicted was posted on the Police social media page; stated public help might be needed to locate someone who allegedly committed a crime, but it is of questionable value to post a photo between arrest and before trial.

Councilmember Daysog stated that he agrees, but the matter is a department head issue.

Councilmember Herrera Spencer requested the motion be repeated; stated staff should share the hourly rates and benefits of the Block by Block program employees; she wants to ensure people are being paid appropriately.

Councilmember Knox White stated the motion is to adopt the first seven items in the Steering Committee Report: 1) the Citizens' Police Accountability Commission, which is staff work to determine what it would look like and bring it back to Council for further discussion and direction; 2) shift responsibility for responding to mental health crisis from the Police Department to other City or County programs as recommended, including options reflected in the conversation tonight; 3) initiating a campaign to educate the public on Who to Call; 4) he did not ask for the protocols for APD social media to come back to Council, but until there are clear social media protocols and

communications goals, social media would be put on hold and what is adopted by staff should be shared; 5) City leaders to be notified; 6) come back in the two year budget with information on a Block by Block, or similar type of budget request, that could be considered or adopted, including funding for mental health; 7) supporting the business community; 8) legislative effort direction and updates on AB 1400 and 550, which he believes is already in the Legislative Agenda; and 9) regular mental health and de-escalation training as well.

Mayor Ezzy Ashcraft inquired whether the funding for mental health is a CATT type program.

Councilmember Knox White responded there was direction from Vice Mayor Vella about CATT like trainings for Who to Call; stated the mental health is for a CAHOOTS or Mobile Assistance Community Responders of Oakland (MACRO) program, which is more like Community Paramedicine; stated that he would still like to address the Steering Committee's other three recommendations and other Council recommendations.

Councilmember Herrera Spencer inquired whether the motion could include direction to disclose the pay of Block by Block employees, to which Councilmember Knox White responded that he takes it as staff direction, but absolutely given Block by Block is not being approved in the motion; Council is requesting information to come back.

Councilmember Herrera Spencer inquired regarding social media, what would happen if the Police Department is looking for someone who has committed a crime, to which Councilmember Knox White responded the City has its own well-followed social media account, which could be used.

On the call for the question, the motion 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.

(21-174) Councilmember Knox White moved approval of allowing each Councilmember to have 5 additional minutes.

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.

Councilmember Knox White stated before making another motion, he would be interested in hearing whether there is interest in hiring a Crime Analyst; expressed support for the Crime Analyst position; stated the City Manager should decide which department will house the position; Vice Mayor Vella made good points about the right place.

Councilmember Herrera Spencer requested clarification that Council would be supporting hiring up to 88 Officers; she would like specific training for the public on detentions and consensual contact; the American Civil Liberties Union (ACLU) has a Know Your Rights program; 100 Black Men in Oakland did a great program; she would like a public education component; she would like to hear from the Police that they are getting the training on detention and when people are free to leave; she would like to know whether other Councilmembers agree.

Mayor Ezzy Ashcraft stated that she supports the Crime Analyst position with the concept of where the position lives to be determined; she also supports the Steering Committee recommendation to continue having 88 Officers in the budget; inquired whether Councilmember Herrera Spencer would support posting a link on the City's website to the ACLU Know Your Rights program for the public.

Councilmember Herrera Spencer responded in the affirmative; stated the ACLU has a lot of information online and also have volunteers who teach the public; she is not sure if 100 Black Men in Oakland paid anyone; there could be an ongoing educational component; the City could work with the Schools; she would like to have it added.

Councilmember Knox White stated it is a good program; that he is a little uncomfortable tying it into the conversation; he knows the program is not about how to keep from being arrested; it is about knowing your rights; he is not clear about the ask or cost; questioned whether the Public Information Officer is able to arrange four events per year; stated perhaps the Police Crime Prevention Unit could bring the ACLU in as well; it is worthwhile; he does not understand what staff is being asked to do.

Councilmember Daysog stated Councilmember Herrera Spencer has a concept similar to the previous motion asking staff to return with information to flesh out the concepts.

Mayor Ezzy Ashcraft stated that she understands the concept but is not sure it belongs in this particular set of recommendations.

Vice Mayor Vella stated the concept seems a little outside what is being contemplated; she would like to focus on what is before Council; the current focus is what the City can do internally and which services the City can provide, not public training; she does not quite understand the request.

Mayor Ezzy Ashcraft stated that she is not hearing three votes in support of the ACLU training being included at this time.

Councilmember Knox White moved approval of items 1, 3, and 4 in the second set of the Steering Committee recommendations.

Mayor Ezzy Ashcraft requested the Councilmember Knox White specify each item.

Councilmember Knox White restated the motion: [Steering Committee Item] 1: reaffirm the number of APD authorized Officers is 88, [Steering Committee Item] 3: create a Code of Conduct for sworn Officers as described, and [Steering Committee Item] 4: hire a Crime Analyst; and providing direction that if staff can find ways to support a Know Your Rights training within Alameda, Council would be supportive; and requesting a report back on how many Officers have been trained as part of the DA's training on detentions, which could be off agenda and does not have to be at a meeting.

Councilmember Daysog inquired whether Council is asking for staff to come back to Council about how a Code of Conduct could be pursued, such as within the existing document or as the separate document the Committee discussed or as something else; inquired what is expected.

Councilmember Knox White responded in the affirmative; stated as long as both models are consistent with the Steering Committee's recommendation; the Steering Committee is saying the community should have some say in what Code of Conduct looks like; a corporation based out of Texas should not just be sending updates and saying this is the Code of Conduct.

Councilmember Daysog stated staff is going to filter the concerns raised by the Committee and try to put together a document that hopefully works.

Councilmember Knox White concurred.

Mayor Ezzy Ashcraft stated that she agrees the Code of Conduct should not come out of Lexipol; she also believes members of the Police Department need to provide input; she does not want to create an adversarial process of us against the Police; we are all community partners; people doing the job need to be asked what they hold to be a high standard of conduct; she would welcome community and Council input as well; a group of civilians should not be telling Officers how to do their job.

Councilmember Knox White stated the statements are 100% consistent with what he heard from the Steering Committee and the motion.

Mayor Ezzy Ashcraft stated if what she said matches the motion, she can support it.

Councilmember Herrera Spencer stated that she has concerns regarding the Code of Conduct; the Oath of Office should be looked at; read the Oath; stated the document is strong and should be reviewed; she would like to hear from the Union regarding this item in particular; if the Police are being asked to do this, Council should be looking at all City departments.

Mayor Ezzy Ashcraft stated the motion included the Know Your Rights training; discussion was it might be beyond what Council is trying to accomplish now.

Councilmember Knox White stated that the motion was just to give staff direction that if

they found opportunities to support the training, Council is supportive; a specific number or requirements are not being approved; he is trying to find a way to honor the fact that Council all seem to think it is a good project; if the Communications and Legislative Affairs Manager is planning something and Know Your Rights fits in, she should know the Council thinks it is a good project.

Councilmember Daysog second the motion.

Under discussion, Councilmember Herrera spencer requested the motion be repeated.

The City Clerk stated the motion is approval of the second recommendations from the Steering Committee report items: 1) 88 officers, 3) Code of Conduct, and 4) Crime Analyst position, with the addition of the Know Your Rights.

Mayor Ezzy Ashcraft added the motion includes how many Officers have been trained in the DA training.

The City Manager inquired whether staff could have the ability to keep the Social Media active until next Monday to allow for a transition period.

Councilmember Knox White responded while Council already approved that, it does not bother him.

On the call for the question, 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.

Councilmember Daysog stated that he would like the City Attorney's office involved with criminalization of poverty regarding prosecutorial matters, not on the enforcement side; he would like a staff report explaining whether it is logistically possible for the City Attorney's office to pursue the idea and how it might look; he understands if it is not possible since State or County Courts deal with the issue.

The City Attorney inquired whether Councilmember Daysog is referring to non-moving vehicle violations, to which Councilmember Daysog responded that he would prefer to relate it to things intimately related to poverty, but he leaves it to the City Attorney; non-moving vehicle violations seem to be related.

The City Attorney stated in an advisory capacity, the City Attorney's office can work with APD colleagues to address best ways not to have cases brought into the criminal justice system; similar to the County prosecutorial process; it is ethically problematic for the Council to give the City Prosecutor specific direction on whether or not to prosecute cases because Prosecutors represent the people, not the City; in an advisory role, the City Attorney could work with APD to address perhaps a class of cases that do not need tickets issued and maybe warnings could be given or some other process.

Councilmember Daysog stated that his request would be for the City Attorney's office to write a memo indicating areas in which advice could be given along the lines the City Attorney mentioned to begin to address the issue that was raised by the Committee members about the criminalization of poverty.

The City Attorney stated a section on the topic can be included when reports return to Council.

Councilmember Knox White stated an issue somewhat tied to the matter is diversion programs and traffic enforcement, such as whether tinted windows need to be enforced when other drivers are speeding.

Councilmember Knox White moved approval of directing staff to identify a traffic enforcement policy that focuses on safety related citations, as well as any diversion ideas within traffic enforcement and working with the Transportation Commission; in addition, he would suggest getting a report back on Universal Basic Income (UBI); he heard a lot of support for the conversation; he did not hear Council take up his idea for a catalytic converter rebate or other ideas to avoid crimes; noted the Review Committee will take a long time to get going and that he would like the City Manager to return with ideas in the short term about how the City will shift and change review of the practices of the Police Department so there is civilian review out of the City Manager's office; he does not know what it looks like and will leave it up to the City Manager; he would like a report back on the matter as well.

Councilmember Herrera Spencer stated catalytic converters are an important issue; she would like add that the City support making it so that catalytic converters cannot be turned in; other States are starting to do so and the legislature should be asked to look into making it illegal for scrap metal people to purchase catalytic converters.

Councilmember Knox White stated that he is happy to amend the motion to add the matter to the Legislative Agenda; he thinks there already are a lot of rules around it, but he is not an expert.

Councilmember Herrera Spencer expressed support for the catalytic converter shield rebate; stated that she is not sure if it was included in the motion.

Councilmember Knox White stated he left it in the motion as something staff could come back with and ideas how to do, along with other crime prevention ideas.

Councilmember Daysog inquired whether the intent for traffic related issues which are not safety related, such as non-moving vehicular violations, whether Officers would not enforce violations; stated his intent is that the Officer still enforces it, but per the advice coming from the City Attorney's office something other than issuing a citation can be done; the Officers still need to inform people about violations.

Councilmember Knox White stated his motion included direction for staff to come back

with a policy that focuses on safety related citations.

Councilmember Daysog seconded the motion.

Under discussion, Councilmember Herrera Spencer stated citations are given out for street cleaning violations; blocking driveways or parking in front of fire hydrants; there is also not paying the meter; she would like to hear back from staff; if the City is going to have meters, people need to park far or pay; she would not want to ask the Police not to enforce the law; she would like clarification; a clear message should be sent to the Police Department; there should be opportunities on ways to address penalties or an educational component.

Councilmember Knox White stated the motion was for traffic enforcement, not parking enforcement; parking citations are issued by separate employees; he does not see parking enforcement as part of the conversation; he agrees with writing citations for parking problems.

The City Clerk stated the motion is to direct staff to identify traffic enforcement policy focusing on safety related and diversion issues and working with the Transportation Commission; reporting back on UBI, catalytic converters and anything else to avoid crimes; while the Review Committee will take time, staff can review some other implementation; and one addition.

Councilmember Knox White stated the addition was legislation for catalytic converters; regarding the Review Committee, staff should bring back a report to Council on how they would proposed to move forward.

Councilmember Herrera Spencer inquired whether the Interim Police Chief would be part of the staff looking into matters, to which Mayor Ezzy Ashcraft and Councilmember Knox White responded in the affirmative.

Councilmember Daysog stated the first part of the motion is really about traffic; he and Councilmember Herrera Spencer were addressing vehicles whether moving or not, he would like to amend the motion to state vehicles, not just traffic; the City has ordinances implicated in the topic of criminalization of poverty that are vehicle related; it is not just moving traffic issues; inquired whether the motion could be amended to vehicle.

Councilmember Knox White stated if citations are not being written, people do not have to pay; data shows that is one of the big places of disparity; he is not supportive and thinks the City should be looking at safety and relate to Vision Zero.

Councilmember Daysog withdrew his second.

Councilmember Herrera Spencer provided an example of a vehicle towing; stated that she would like the matter to be addressed; inquired whether Councilmember Knox White would reconsider including it in the motion.

Vice Mayor Vella stated there was an issue with cars being towed at Summer House, but it was not APD related, it was related to the private tow operator; that she would like the issue addressed separately; the issue relates back to Vision Zero and making sure streets are being kept safe without disparately impacting people of Color or Black drivers more than others; the issue is about that, rather than all vehicle citations.

Mayor Ezzy Ashcraft stated Councilmembers Daysog and Herrera Spencer raise good points; this is not the end of the discussion; she wants to see a robust discussion of UBI come back; the two year study in Stockton just came back with impressive results; valid concerns raised about fees and fines impacting someone with lower economic means can be part of the discussion.

Councilmember Knox White stated that he would be happy to add a review of fines and penalties to the motion.

Councilmember Daysog seconded the amended 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.

Councilmember Herrera Spencer questioned whether any of the motions address use of cameras; stated, if not, she would move approval of staff looking into the matter and providing an update on the status.

Councilmember Daysog seconded the motion.

Under discussion, Mayor Ezzy Ashcraft requested the motion be repeated.

Councilmember Herrera Spencer stated the motion is to receive an update from staff on the status of the License Plate Readers (LPRs) and cameras.

Councilmember Knox White inquired whether the request is just about the status and whether it could be off agenda.

Councilmember Herrera Spencer stated that she would like to have a conversation about whether or not the Council wants cameras; there have been multiple meetings.

Vice Mayor Vella questioned whether the matter is properly agendized.

Mayor Ezzy Ashcraft stated the report does address cameras as alternatives means of enforcement relying more on technology.

Vice Mayor Vella stated it was part of the earlier motion, which was generalized; inquired why a specific motion is needed on the status; stated it was part of the first motion; questioned what Council is trying to achieve with the motion.

In response to Mayor Ezzy Ashcraft's inquiry, Vice Mayor Vella stated one of the points of clarification of the first motion that she requested was relative to Councilmember Knox White's comment that the City look at different regional changes being implemented regarding non-armed response, including use of technology which is part of the AB 550 legislation.

Councilmember Knox White stated that he supports the motion, with the understanding it is at the bottom of the priority pile.

Vice Mayor Vella and Mayor Ezzy Ashcraft stated the matter was contained as part of the first motion.

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

(21-175) Recommendation to Consider Options for the Alameda Police Department's Emergency Response Vehicle. Not heard.

CITY MANAGER COMMUNICATIONS

Not heard.

ORAL COMMUNICATIONS, NON-AGENDA

Not heard.

COUNCIL REFERRALS

(21-176) 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)

(21-177) Consider Directing Staff to Provide an Update on a Previously Approved Referral regarding Free Public WiFi throughout the City. Not heard. (Councilmember Spencer)

(21-178) Consider Directing Staff to Extend Webster Street Physical Improvements/ Beautification. Not heard. (Councilmember Daysog)

(21-179) Consider Directing Staff to Review an "Adopt a Spot" Traffic Triangle, Traffic Circle and Traffic Corners Program. Not heard. (Councilmember Daysog)

(21-180) Consider Directing Staff to Provide a Public Analysis of: 1) When the Brown Act Applies to Commissions and Committees, 2) Documents and Information Released

Pursuant to the Public Records Act, and 3) What is Privileged and How to Waive Privilege. Not heard. (Councilmember Herrera Spencer)

(21-181) Consider Addressing the Process for Potential Changes to the Jean Sweeney Open Space Park Design Development Plan, including Public Input. Not heard. (Councilmembers Herrera Spencer and Daysog)

COUNCIL COMMUNICATIONS

(21-182) Mayor's Nominations for Appointments to the Housing Authority Board of Commissioners and Recreation and Park Commission. Not heard.

ADJOURNMENT

(21-183) The City Council discussed the date to continue the meeting.

Councilmember Knox White moved approval of continuing the meeting to March 30, 2021 at 5:30 p.m.

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

At 11:58 p.m., the meeting was continued to March 30, 2021 at 5:30 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE CONTINUED MARCH 9, 2021 SPECIAL CITY COUNCIL MEETING
TUESDAY- -MARCH 16, 2021- -5:59 P.M.

Mayor Ezzy Ashcraft convened the meeting at 6:01 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.

The meeting was adjourned to Closed Session to consider:

(21-149) 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 to March 2, 2021 to March 9, 2021].

Following the Closed Session, the meeting was reconvened and the City Clerk announced that staff provided information and Council provided direction; the first motion failed by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Knox White: Abstain; Vella: No; and Mayor Ezzy Ashcraft: No; Ayes: 2. Noes: 2; Abstention: 1; the second 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.

Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 6:02 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -MARCH 16, 2021- -6:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 6:02 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.

The meeting was adjourned to Closed Session to consider:

(21-150) Conference with Legal Counsel – Anticipated Litigation (Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9); Number of Cases: One (As Defendant – City Exposure to Legal Action); Claim Number: (2021-0009/GHC0033180); Potential Plaintiffs: Greenway Golf Associates, Inc.

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding Anticipated Litigation, 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; the case involves a claim filed by Greenway contending that the lack of an events center at the Corica Park Golf Course has/will produce damages to Greenway in the range of \$15 million to \$50 million; the City has contended that plain wording of the contracts at the Park, both Greenway's and Jim's, do not provide for third party beneficiaries, thus Greenway has no right to assert such a claim against the City; nonetheless, in the interest of avoiding unnecessary litigation and to support a negotiated solution by Greenway and Jim's on the Course, the Council authorized the City Attorney to settle the pending claim by obtaining full releases for the City in exchange for the City's future consent of Jim's relinquishing and transferring certain food and beverage service rights at Corica Park to Greenway.

Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 6:30 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE SPECIAL JOINT MEETING OF THE CITY COUNCIL AND
SUCCESSOR AGENCY TO THE
COMMUNITY IMPROVEMENT COMMISSION (SACIC)
TUESDAY- -MARCH 16, 2021- -6:59 P.M.

Mayor/Chair Ezzy Ashcraft convened the meeting at 7:02 p.m.
Councilmember/Commissioner Herrera Spencer 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 Knox White moved approval of the Consent Calendar.

Vice Mayor/Commissioner Vella 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.]

(*21-151 CC/21-06 SACIC) Minutes of the Special Joint City Council and Successor Agency to the Community Improvement Commission (SACIC) Meeting Held on February 2, 2021. Approved.

(*21- CC/21-07 SACIC) Recommendation to Accept the Investment Report for the Quarter Ending September 30, 2020. Accepted.

ADJOURNMENT

There being no further business, Mayor/Chair Ezzy Ashcraft adjourned the meeting at 7:04 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk
Secretary, SACIC

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