

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -APRIL 6, 2021- -7:00 P.M.

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

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(21-201) Mayor Ezzy Ashcraft made an announcement regarding closed captioning and vaccine appointments for Alameda residents over 65 years old or persons with disabilities.

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

(21-202) The City Manager noted the Youth Council ordinance [paragraph no. 21-228] would not be heard and would return at a later date.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(21-203) Proclamation Denouncing Xenophobia and Anti-Asian American Pacific Islander Sentiment and Condemns Harmful Rhetoric and Racist Acts Arising Due to the Fears of the COVID-19 Pandemic.

Mayor Ezzy Ashcraft read the proclamation and made brief comments.

(21-204) Proclamation Declaring April 18-24, 2021 as Alameda County Victims' Rights Week.

ORAL COMMUNICATIONS, NON-AGENDA

(21-205) Sheryl Walton, East Oakland Stadium Alliance, inquired whether the City Council is aware of a draft Environmental Impact Report regarding the ballpark; discussed potential impacts.

(21-206) Dorothy Freeman, Alameda, discussed comments from a previous meeting; stated it was implied that Closed Session matters being disclosed; no one discussed Closed Session decisions; apologized to Councilmember Herrera Spencer for suspicions being directed at her; discussed the Zoom meetings regarding park land; stated the public has a right to speak out on any item which appears on the Closed Session agenda; Council decision should be made in public view.

(21-207) Matt Reid, Alameda, discussed the potential de-listing of 620 McKay Avenue; stated the language in Measure A permits reuse of vacant, Federal buildings; the facility was one of two training facilities for the United States Merchant Marines during World War II; the facility was the only training facility during the Korean War; discussed maritime use for the facility; stated the site has historical significance; urged historical integrity be respected.

(21-208) Erin Fraser, Alameda, discussed the dangers of allowing the sale of the armored vehicle and an article published in BuzzFeed News.

(21-209) Grover Wehman-Brown, Alameda, discussed a Freedom Of Information Act (FOIA) complaint filed by a reporter; stated the matter is consistent with others attempting to obtain information from the Alameda Police Department (APD); discussed an article published in BuzzFeed News; urged Council to make stronger direction to the City Manager to enforce transparency in APD policing, data and accountability and let people know how Council will be holding staff accountable; expressed concern about the decision to keep the armored vehicle.

(21-210) Jenice Anderson, Alameda, expressed concern over the revelations that APD is using facial recognition technology after Council voted against allowing it; questioned who is holding the Police accountable for their actions; discussed viewpoints held by a recently retired Officer; stated working with the subcommittees is not a substitute for an outside investigation; the incidents are a prime example of why the City should adopt a Citizens Oversight Commission; the Charter needs to be amended to give citizen oversight enforcement capabilities.

(21-211) Alexia Arocha, Alameda, discussed an article published in BuzzFeed News; questioned the message being sent with no accountability; stated APD had been told to sell the vehicle and did not; APD was told not to use facial recognition software and did; urged Council begin to hold APD and the City Manager accountable.

(21-212) Lynn O'Conner, Alameda, discussed Jean Sweeney Park; outlined a newspaper article; stated without being publicized, the border is being diminished from what was originally approved; the Park is being used; the parking lot is often full; the Park is a wonderful resource; she would like information to be publicized, with an opportunity for public comment; the City has the opportunity to purchase the land and increase the Park land to the original plan.

(21-213) Jennifer Rakowski, Alameda, stated it was disturbing to read on national news of a disregard for Council direction to not use Clearview Artificial Intelligence (AI) by APD; expressed concern about the use of free trials and equipment deteriorating the command structure of the City and basic civil rights; urged Council to look into the matter and provide a public report; stated all department should be expected to follow City Council policy direction.

(21-214) Mike Katz-Lacabe, Oakland Privacy, discussed APD's use of facial recognition software; stated Council approved a policy that banned the use of such software; the matter is a good argument using ordinances, which have the force of law; questioned the measures taken in order to hold APD accountable for its violations of policy; stated many policies can be violated at any time without Council knowledge; noted many APD policies are at the discretion of the Police Chief; urged Council to hold APD accountable and to pursue an ordinance in the future.

CONSENT CALENDAR

Discussed the bills for ratification; suggested more detail be provided on Housing Authority invoices: Matt Reid, Alameda.

Councilmember Herrera Spencer stated that should would be voting no on final passage of the grocery worker hazard pay ordinance [paragraph no. 21-226] and would have preferred it not be on the Consent Calendar.

Councilmember Knox White moved final passage of the ordinance.

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.

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

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

(*21-215) Minutes of the Special and Regular City Council Meetings Held on March 2, 2021 and the Continued March 2, 2021 Special Meeting Held on March 9, 2021. Approved.

(*21-216) Ratified bills in the amount of \$4,886,073.15.

(*21-217) Recommendation to Authorize the Purchase of a Floating Dock for the Grand Street Boat Ramp Replacement Project - Phase 2 in an Amount Not to Exceed \$90,785 from Topper Industries, Inc. Accepted.

(*21-218) Recommendation to Authorize the City Manager to Execute a Second Amendment in an Amount Not to Exceed \$50,000 with ECS Imaging, Inc., for Total Compensation Not to Exceed \$220,000, for Scanning and Archiving of Planning and Building Permit Documents. Accepted.

(*21-219) Recommendation to Authorize the City Manager to Negotiate and Execute a Two-Year Agreement in the Amount Not to Exceed \$168,619 for a Period of Two Years with Accela, Inc. for Accela Automation Land Management, and Enhanced Reporting Database. Accepted.

(*21-220) Recommendation to Authorize the City Manager to Execute a Third Amendment to the Agreement with Avineon, Inc. Extending the Term of the Agreement by Thirteen Months and Increasing the Compensation by an Amount Not to Exceed \$24,900 for an Aggregate Compensation Amount Not to Exceed \$160,640 to Develop an Integrated Highly Detailed Fiber Network Strand Database within the City's Fiber Network Mapping and Support Geodatabase Model. Accepted.

(*21-221) Recommendation to Authorize the City Manager to Purchase Ten Traffic Signal Controllers from Econolite Control Products, Inc. in an Amount Not to Exceed \$41,940 and Authorize Future Purchases of Up to 30 Additional Traffic Signal Controllers by the End of Calendar Year 2023, for a Total Cumulative Amount Not to Exceed \$146,790. Accepted.

(*21-222) Recommendation to Authorize the City Manager to Purchase Eleven (11) Traffic Signal Controller Cabinets from Econolite Control Products, Inc. in an Amount Not to Exceed \$123,495 and Authorize Future Purchases of Up to an Additional Twenty (20) Traffic Signal Controller Cabinets by the End of Calendar Year 2023, for a Total Cumulative Amount Not to Exceed \$348,495. Accepted.

(*21-223) Recommendation to Authorize the City Manager to Purchase Ten (10) Battery Backup Systems for Traffic Signals from JAM Services in an Amount Not to Exceed \$107,555 and Authorize Future Purchases of Up to Twenty (20) Additional Battery Backup Systems by the End of Calendar Year 2023, for a Total Cumulative Amount Not to Exceed \$322,665. Accepted.

(*21-224) Recommendation to Authorize the City Manager to Purchase Ten (10) Video Detection Systems for Traffic Signals from Econolite Control Products, Inc. in an Amount Not to Exceed \$199,950 and Authorize Future Purchases of Up to Twenty (20) Additional Video Detection Systems by the End of Calendar Year 2023, for a Total Cumulative Amount Not to Exceed \$599,850; Accepted and

(*21-224A) Resolution No. 15754, "Amending the Fiscal Year 2019-21 Capital Budget by Reducing Revenue and Expenditure Appropriations in Capital Improvement Program 91812 by \$779,448 and Increasing Revenue and Expenditure Appropriations for Capital Improvement Program 96012 by \$779,448." Adopted.

(*21-225) Resolution No. 15755, "Clarifying the Definition of Below Market Rate Units in Connection with Proceedings to Alter the Rate and Method of Apportionment of Special Taxes for Community Facilities District No. 17-1 (Alameda Point Public Services District)." Adopted.

(21-226) Ordinance No. 3298, "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." Finally passed.

[Note: The ordinance was approved by the following vote: Councilmembers Daysog: No; Herrera Spencer: No; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 3. Noes: 2.]

REGULAR AGENDA ITEMS

(21-227) Presentation by Friends of the Alameda Animal Shelter (FAAS) - Annual Progress Report.

John Lipp, FAAS, gave a Power Point presentation.

Mayor Ezzy Ashcraft stated the program represents an important body of work.

Vice Mayor Vella inquired whether FAAS has any asks or a wish list for the thrift store opening on Webster Street.

Mr. Lipp responded a wish list has been put out and includes things such as a washing machine, dryer, refrigerator and a safe; stated the community is very generous; the items will be listed on the FAAS Facebook page and website; noted many people have sent e-mails asking to donate.

Vice Mayor Vella expressed support for FAAS and its volunteers.

(21-228) Introduction of Ordinance Amending the Alameda Municipal Code by Adding Section 2-14 (Youth Council) to Article II (Boards and Commissions) of Chapter II (Administration), Establishing a Youth Council and Prescribing Membership and Duties of Said Commission. Not heard.

(21-229) Recommendation to Review and Provide Feedback on Preliminary Goals and Strategies for the Homelessness Strategic Plan.

The Development Manager made brief introductions.

Amanda Wehrman and Aram Hauslaib from Homebase gave a Power Point presentation.

Councilmember Herrera Spencer stated that she would like more data presented regarding the unsheltered population pre-COVID-19 and current; questioned how much the parking lot is utilized at Alameda Point, who is utilizing it and whether people are being connected to services; stated the lack of data provided looks like the City is starting from zero, when the City is not; the City has had many programs; she wants to know the results of the current programs in place; expressed support for the responses to her inquiries be attached to the staff report; stated not having data is a problem; the community deserves an update about the effectiveness of the current policies as well as Steering Committee meeting information; expressed concern about members of the Steering Committee; stated many members are from agencies that receive money from the City, which is a conflict; expressed concern about the report's lack of data.

Discussed his experience with homelessness; stated the Safe Parking facility and individuals running the facility provided invaluable psychological support and kept him going; many individuals at the facility are in the same situation and have not previously been homeless; all participants want to be on a trajectory to get back to being self-sufficient; it is difficult to rely on social services; expressed gratitude for the services provided; urged Council continue to fund the services, which provide safe harbor for individuals; discussed finding a temporary place to live; expressed concern about the scattered set of resources: George Perkins, Alameda.

Suggested the City consider establishing an independent citizen led committee; stated the committee could seek input from non-profit organizations while organizations remain independent from potential financial conflicts of interest; questioned the data compiled by the City regarding the number of individuals currently receiving assistance from local programs; further questioned how the City is evaluating the programs; discussed a Public Records Act request that she submitted; urged the City to seek the information and make it available to the public: Carmen Reid, Alameda.

Expressed support for the City's efforts; stated that he is concerned about the potential conflict by the stakeholders receiving public money from the process; urged the City to carefully look into the matter; stated there needs to be an independent group; optics are important; he is not concerned about the County; Council can only focus on City issues; having data is critical; without data, informed decisions cannot be made; expressed support for effectively supporting the homeless and helping those with mental health issues: John Healy, Alameda.

Stated that she appreciates the thoughtful planning going into both homelessness and preventing homelessness; urged the plan flesh out more housing, security and the prevention of homelessness; stated there has been unprecedented job loss under COVID-19; many who are homeless have lost over half of their income, are burdened with high rent, are people of color

and are have families; urged Council to keep the population in mind and look into things such as credit counseling and leveraging Federal dollars around rental subsidies to prevent homelessness and building stronger housing security: Jennifer Rakowski, Alameda.

Stated that she was surprised to learn Jean Sweeney Park is a cause of homelessness; there were many unhoused individuals living on Jean Sweeney Park land prior to construction; many unhoused did not have services, such as washing or bathing facilities; she is curious about how the Park created homelessness: Lynn O'Conner, Alameda.

Discussed his experience using the Safe Parking facility; stated the facility has been a Godsend and the people present are supportive; the resources and comradery provided is helpful; that he does not know where he would be without the services provided; discussed his experience as a single dad; stated that he has been hired to provide daycare services; expressed support for the positive treatment at the facility: Vincent Perrault, Alameda.

In response to Mayor Ezzy Ashcraft's request, the Interim Community Development Director stated staff previously issued a Request for Proposals (RFP) for an organization to help with the plan; Homebase was selected as the provider and proposed the idea of a Steering Committee; noted the Steering Committee was not intended to bring community members together; instead, the Steering Committee was intended to bring together those with particular expertise; stated some of the members are service providers and some do business with Alameda; staff considered members part of an elite group advising on best practices; staff went along with the consultants proposal due to best practices from a number of different cities and agencies; the approach has been successful.

Councilmember Herrera Spencer stated that she has concerns about the City creating a Steering Committee with service providers that are receiving money from the City; the problem is serious, especially when data is being received about the effectiveness of the programs; she strongly believes the City is well-intended in trying to address the problem; data and impartial analysis is needed; impartial analysis is not possible when half of the Steering Committee members are from agencies that receive money from the City; expressed concern about the Committee's composition; stated it is a problem that there is no data evaluating the programs' services.

Councilmember Knox White stated staff is off to a good start; staff has done a lot of outreach and work; he appreciates the key goals looking at housing first and bringing the community into programs; he has no recommended changes to the report; the guiding principles are good for the conversation ahead; there will be time to evaluate programs in the future; however, the data is not what is before Council and not where the process is currently; it is not necessary for Council to say which strategies are moving in the right direction; expressed support for ensuring a tight connection to the County plan and showing said connection; stated the County plan is solid and multi-tiered; some of the services provided by the County are only offered in Alameda as part of a larger and broader network; the City needs to look at how the systems are being built out to help residents and provide support for the region.

Vice Mayor Vella expressed support for Councilmember Knox White's comments; stated the program is a great start and is high level; questioned how the program fits into the regional strategy for the County and neighboring cities and how the program fits into all other services provided; stated homeless counts are performed Countywide and cities work together due to people moving; expressed support for addressing how the program fits into the regional

strategy; stated it is important to collect data; the City should not get bogged down in collecting very specific types of data; expressed support for spending funds on services; stated the ultimate strategy and goal is providing services; efficacy is difficult to determine and is dependent on the definition; she wants to be cautious in ensuring funding is going to direct services and housing.

Mayor Ezzy Ashcraft expressed support for City staff; stated the personal testimony shared from lived experience at City facilities is a testament; the City needs to address and prevent homelessness; it is especially important now coming out of the COVID-19 pandemic; eviction protections will expire at some point; the City should provide assistance with back-utility payments; a homeless count was not conducted last year due to COVID-19; the numbers are surely higher; she wants to ensure a discussion of funding sources for proposed programs will occur around the time for the budget; expressed support for information shared by individuals with lived experience; stated that she has no qualms over the individuals and organizations represented; measurable objectives are important; she is satisfied hearing how the Steering Committee was put together; many Mayors in the area are working with the County to address homelessness on a regional basis; it is a success when housing is able to be found for an individual living in an encampment; regional solutions have are important; expressed support for more information about the form of the public education campaign; stated that she supports the idea of matching local employers with individuals experiencing housing instability to find jobs and strengthen the housing navigation process; expressed support for the efforts to look out for seniors; stated that she wants to ensure seniors are kept from sliding into homelessness and housing insecurity; non-congregate type housing is important during the COVID-19 era; many unsheltered individuals prefer non-congregate housing; expressed support for Alameda Municipal Power (AMP) considering adding a voluntary fee for a low-income assistance fund.

Councilmember Herrera Spencer inquired how much money the City is spending per month on the Safe Parking program.

The Community Development Manager responded the contract with Village of Love/Creative Build is \$150,000 for 9 and a half months.

Councilmember Herrera Spencer inquired whether the cost includes payment for Safe Parking staff.

The Community Development Manager responded in the affirmative; stated the provider leverages existing services and contributions from other groups; faith based programs and food banks provide meals; there is a lot of leveraging from existing programs, including outreach and case management.

Councilmember Herrera Spencer expressed support for the data that she received being shared for public benefit; stated there are 28 adults and 10 children; 38 people have been served in six months through the program; it is important to share the information; the Safe Parking program offers 25 spaces each evening; 10 to 12 of the available spaces are used nightly; there are concerns about people sleeping in their cars throughout Alameda as opposed to using the Safe Parking spaces; she would like to know what efforts are being made to communicate the availability of space; people need to be encouraged to use the available space and services; expressed support for the personal testimony about services which are working; stated Council needs data in order to know what is working and how to make improvements; there is an opportunity to help; expressed support for WiFi being offered at the Safe Parking site; stated the

goal is to ensure services are available and known; expressed concern about public meetings without data; stated it is government's job to come up with data and do the utmost to help those in need; expressed support for data analysis of the program; stated there must be a way to evaluate what is working and what is not; she does not want to continue funding agencies that do not show results.

Mayor Ezzy Ashcraft stated that she is pleased the City is providing Safe Parking for people who have to sleep in their cars; the situation is not ideal and housing needs to be provided; more housing must be built especially for low-income people; the City does not operate in a silo; everything is connected.

The Community Development Manager stated outreach is a continuing effort; the homeless hotline phone number: 510-522-4663 being provided to those who need it is a great start; people can be instantly enrolled in the Safe Parking program; providers continue to promote the program; staff would like to collect more data; roughly 14 different programs have started because of the Homeless Emergency Aid Program (HEAP); prior to HEAP, very few programs were offered in Alameda for those experiencing homelessness; the contract with Operation Dignity was the longest City contract due to displacement of homeless people living in the Jean Sweeney Park; the majority of Alameda programs began when HEAP started; data can now be collected from HEAP funded programs; staff will collect and tabulate data to provide to the public; she would like to get more testimonies from people using the program; staff has more work to do related to connecting the dots in the outcomes and successes of programs; staff will include the information in the final strategic plan report.

Councilmember Daysog inquired the ways the strategic plan aligns with the Housing Element and General Plan update process.

The Development Manager responded staff has been working closely with the Planning Department to ensure goals are considered; stated there is a proposed strategy in the preliminary goals and strategies related to looking at zoning policies and ensuring removal of as many barriers as possible to the construction of housing for the formerly homeless and other facilities for unsheltered neighbors.

Councilmember Daysog inquired what happens if there is any conflict between the underlying zoning and the Housing Element.

The Development Manager responded the goal is to make sure staff is working together now to avoid any potential conflict; stated staff will have to work with the Planning Department if any conflicts arise.

Councilmember Daysog inquired whether there are conflicts due to particular zoning of an area; questioned whether the General Plan Housing Element would take precedence.

Mayor Ezzy Ashcraft requested clarification of Councilmember Daysog's inquiry.

The City Attorney stated under State law, the Zoning Ordinance and General Plan cannot be in conflict with each other for long; generally, the Zoning Ordinance will have to be brought into conformance with the General Plan; State law allows for time in order to conform.

Councilmember Herrera Spencer expressed support for coordinating with the Alameda Housing Authority to assist with the problem long-term and for adding homeless services information to the home page of the City's website.

Vice Mayor Vella stated that she appreciates the connection that providing housing keeps people housed; one of the data points known is that it is more expensive to get people the services needed after the trauma of losing housing occurs; Council will be looking at the information already collected and will review outcomes; many more services are required after someone becomes unhoused; many viewpoints will be represented; Council has done a lot to provide relief through programs; expressed support for knowing the demand for needs as well as how much money has been provided for rent relief to-date and for hearing from AMP about how many accounts are past-due or falling behind.

Mayor Ezzy Ashcraft stated that she is proud of the City for undertaking the initiative; the matter is important and there is a role for the public to understand and be part of the solution; inquired the plan for public education.

The Development Manager responded the plan is still in development; stated the community is interested in learning about homelessness in Alameda; a webinar will be hosted Thursday, April 8th at 6:30 p.m. to address the root causes of homelessness, discuss what the City is doing to help and provide resources; staff recognizes the effort will not be a one-time event and will request topics for future webinars.

Mayor Ezzy Ashcraft inquired whether the webinar is listed on the City's website, to which the Development Manager responded in the affirmative.

Mayor Ezzy Ashcraft called a recess at 8:52 p.m. and reconvened the meeting at 9:05 p.m.

CITY MANAGER COMMUNICATIONS

(21-230) The City Manager announced Alameda County entered into the Orange Tier last week allowing businesses to further open; stated there is a slight increase in COVID-19 cases in the Bay Area; discussed vaccines; stated approximately 55% of people 16 and older and have received at least their first shot; Oakland Coliseum vaccine site continues to remain open with Federal Emergency Management Agency (FEMA) support; announced a Webster Street Tube closure; discussed an upcoming webinar for "unsheltered in Alameda."

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

(21-231) Consider Directing Staff to: 1) Provide an Update on Alameda Police Department (APD) Social Media Protocols and Communication Goals and Resume APD Social Media; 2) Resume Use of Crime Mapping or a Comparable Alternative; and 3) Provide Any Necessary Direction on the Issues. (Councilmember Herrera Spencer)

Councilmember Herrera Spencer gave a brief presentation.

Mayor Ezzy Ashcraft inquired whether a motion is desired.

Councilmember Herrera Spencer responded that she is happy to make a motion; stated that she would appreciate an update for APD's plan.

Discussed a training bulletin posted with a policy; stated the policy is lacking and reads like a social media strategy instead of a policy; the default Lexipol policy is also lacking; however, it goes into more detail than what is proposed; the policy does not get into the depth of what is expected to be covered for the content being created; the policy reads as though the strategy is to obtain more followers; expressed support for the creation of a policy: Zac Bowling, Alameda.

Stated that she understands the need for APD to post on social media; she does not follow APD on social media for a number of reasons; she has no knowledge of emergencies or local incidents unless the City sends out a Nixle alert or posts on a local Facebook group; she should not have to follow APD specifically in order to be updated about supposed safety issues in the City; she hopes Cold Pro media advisors is getting its money worth for suggestions, such as using emojis; much of the policy content reads like having fun: Jenice Anderson, Alameda.

Stated the policy lacks teeth; the purpose of the policy is to stop specific types of posting and to be more real about the types of posts made; the policy is more of a guide about how to get more followers and be a great Instagrammer or social media poster; she is sure the policy is not the type of social policy desired; urged Council to dig deeper and do better; this policy is not good enough: Melodye Montgomery, Alameda.

Stated the policy lacks teeth and reads as though there is an attempt to gain followers; the discussions around policing, equity and justice make the policy seem tone deaf; the community is calling for a more robust policy; urged Council take a second pass at the matter; stated this type of policy should be run through a Police Oversight Committee; APD cannot be trusted to be accountable even based on Council recommendations, which is concerning: Laura Cutrona, Alameda.

The City Manager stated crime mapping, which is different from APD social media, was taken down due to a software update; APD is moving to a different system; APD is in the middle of converting data to the new system and the new map is projected to be up by next week.

Councilmember Herrera Spencer stated it would be nice to have an update on the status of Nixle; she agrees that people should not have to follow APD's social media to receive alerts; there are multiple concerns about the rigor of the proposed social media policy; expressed support for encouraging specific language being submitted for staff review; she will defer to staff about when the matter can be updated; she will no longer move forward with the Council Referral.

Councilmember Knox White stated that he is unsure how the proposed bulletin interacts with the other policies currently in place; it is clear that more than one person will be posting to social media; it is unclear what will be communicated; the City social media speaks on behalf of the City and Council; expressed support for looking at communications goals to ensure topics being communicated are helping to inform the public; stated there are good examples about people needing to be located; however, the matter becomes unclear when talking about posts related

to specific crimes that have already occurred; there needs to be clarity as to the reason things are being posted; due to posts, residents think assaults are up this year; however, they are down from the previous year; car theft has gone up; Council should be discussing how to prevent car thefts; the communications goals as-written are mostly great; he does not know how staff members can be expected to know what the City is asking to have communicated; expressed support for providing direction that communications goals be fleshed out more in alignment with public comments and Council priorities.

Councilmember Daysog stated Council can depend on the professional judgement of the Police Chief and Command staff, as well as the City Manager; he does not think it is a role of City Council to micromanage social media posts; expressed support for Councilmember Herrera Spencer putting on the pressure for APD to have the social media account up; noted there had been an indeterminate amount of time when APD's social media posts would be down; many residents have shared their opinions about the matter; APD is paid a lot of money to do their jobs; Council needs to focus on policy instead of telling the City Manager and Police Chief how to post to social media.

Mayor Ezzy Ashcraft requested clarification about how long APD social media posts were down and why posts returned.

The City Manager stated the policy direction was approved by the City Manager's Office and authorization was given to put APD's social media back up last week.

Vice Mayor Vella stated data and oversight was just requested for people providing essential services to prevent homelessness; she is shocked to hear a desire for extensive oversight for homeless services and no oversight for APD; expressed concern about the type of information being shared and to whom; stated posts impact public perception and can cause people to become worried about things unnecessarily; Council should be careful about the information shared to ensure fear is not being caused when there is no reason to raise alarm; it is Council's job to weigh-in and create policies to ensure people are not misusing social media or following accounts that are propagating misinformation; there could be more to the proposed policy; the policy is a step in the right direction; sections of the proposed policy are a huge improvement from what existed before; there is no clear direction about which accounts to follow or which posts to like and retweet; it is difficult to develop concise social media policies due to constantly changing platforms; Council needs to have a more coherent overall structure City-wide for all social media.

Councilmember Herrera Spencer stated that she appreciates the APD social media posts related to crimes because assaults are up 9.7% according to the Interim Police Chief; robberies are up 19%; auto thefts are at a 35 year high up 16% over the previous year; shootings are up dramatically; APD tips are helpful for the public to be aware of robberies, shootings and violent crimes; numbers are significantly up and the data from the Interim Police Chief should be used.

Councilmember Knox White stated data is important when contextualized; in the previous year, assaults were the second lowest in 35 years; a year to year increase can occur; it is possible for increases from the lowest point; trends should be tracked; trends differ from posting about 14 assaults, which makes Alameda appear to be under a siege of assaults; Council can agree that people need to be informed about what is happening; having the context to understand the information is important; he would rely heavily on the Police Chief and APD staff to provide both; currently, APD does not put out the information and context; outlined his push to have crime

reports included on the City's website; questioned how to provide information in a way which is useful.

Mayor Ezzy Ashcraft stated that she agrees in part with her Councilmembers; there are valid points about the need to inform residents of crimes and how people can protect themselves; only a fraction of attacks on Asian and Pacific Islander (API) are reported; expressed support for a framework on reporting; stated there is a place for all good suggestions; Council has provided direction to staff and that she looks forward to an updated policy coming back for further review.

(21-232) Consider Directing Staff to: 1) Obtain All Emails Sent to apdreforms@gmail.com; 2) Create Protocols for the Website, Email and Social Media; and 3) Provide Training to All Employees who Post on the Website or Social Media or Staff City Bodies. (Councilmember Herrera Spencer)

Councilmember Herrera Spencer gave a brief presentation.

In response to Mayor Ezzy Ashcraft's inquiry, the City Clerk stated that her office has experienced a higher than regular volume of Public Record Act (PRA) requests; many requests have an extremely high volume of documents to produce; noted the City Clerk's Department performs e-mail searches; stated there were under 40 email searches last year and are already over 20 this year; e-mail searches are one of the most involved record requests received.

Mayor Ezzy Ashcraft inquired whether there is any hope on the horizon for PRA requests.

The City Clerk responded new PRA software is being reviewed to help streamline the PRA process; rolling out the software will take a little time; the software is used by the City of Oakland and City of Berkeley.

Mayor Ezzy Ashcraft inquired whether the software will help with duplicative requests.

The City Clerk responded in the affirmative; stated the software has many features such a keyword search, which will help the public search for information as a request is being submitted.

The City Attorney stated the number of PRA requests received by the City Attorney's office are astronomically high; there has been an increase from an average of 50 requests per year to over 100; this years' request are already at 100 with 25 pending requests, each containing thousands, if not tens of thousands of documents to review; staff is doing the best they can with the limited resources available; requests will be responded to in a timely manner to the extent possible on a first come, first served basis; the requests will take a lot of time, especially due to multiple requests each day containing thousands of documents; he asks for the public's patience in the process.

Discussed the Open Government Commission (OGC) meeting; stated the balancing test for PRA requests determine whether or not releasing the records contributes to the overall public discussion; there has been discussion about redacting records pertaining to minors; urged the City to be cautious in releasing records that can potentially make people in the community targets or more vulnerable to Police harm, especially minors; Jenice Anderson, Alameda.

Stated that she understood the subcommittees would report directly to the City Manager or to the Steering Committee; the subcommittees did not fall under the Brown Act; a continued request for e-mails is questionable: Melodye Montgomery, Alameda.

Discussed his experience as part of the Jackson Park Renaming Committee; stated that he was surprised to see his name and other names on a Next Door thread post related to crime; the post indicated the park renaming and crime were related; discussed a threatening sign posted at the park directed at him; stated that his understanding of the PRA requests is not so much about what is shared, but how; he is disappointed that a Councilmember posted names; he is curious to know the intention behind the actions; urged people be safe and balancing is done with people's privacy and safety; expressed support for effective government without making voluminous requests to slow down processes: Rasheed Shabazz, Alameda.

Councilmember Daysog stated it seems there are two separate motions embedded in the Council Referral; one has to do with e-mails to a gmail account; the second is having a policy going forward; expressed support for having two motions.

Mayor Ezzy Ashcraft inquired whether Councilmember Daysog is making a motion, to which Councilmember Daysog responded in the negative; stated that he will defer to Councilmember Herrera Spencer.

Councilmember Herrera Spencer moved approval of creating training and a protocol for the City's website, e-mails and social media; stated it is important to use a City e-mail for City business.

Councilmember Daysog seconded the motion.

Under discussion, Councilmember Daysog stated it is still his position that Council should not dig into the weeds of the website; the matter is similar to the social media item; he will not oppose the motion; however, he will need to remain consistent.

On the call for the question, the motion failed by the following roll call vote: Councilmembers Daysog: Abstain; Herrera Spencer: Aye; Knox White: No; Vella: No; and Mayor Ezzy Ashcraft: No. Ayes: 1. Noes: 3. Abstention: 1.

Councilmember Herrera Spencer stated that her understanding is staff is making efforts to get e-mails compiled; she wants to ensure that all e-mails are included in the request.

Councilmember Knox White requested clarification about the e-mail production; noted the City received the e-mail account information.

The City Manager stated staff has received the e-mail information and downloaded all e-mails from the gmail account; the e-mails are going through the PRA review process in the City Attorney's Office; there are e-mails to staff for information requests; staff e-mails are already going through the PRA review process; the gmail account was used in order to have a centralized place; most of the City Boards and Commissions do not have a City e-mail and use a personal e-mail; staff recommended a centralized account due to the sensitivity of the Committee; the e-mail copied the City Manager e-mail account in correspondence.

The City Attorney stated staff has received over 2,000 e-mails plus innumerable attachments;

the matter is in line to be reviewed and is in the back of the queue due to the amount of documents; it will be quite some time before staff is able to get to the request.

Councilmember Daysog inquired whether staff has informed Councilmember Herrera Spencer about having the e-mails.

The City Manager responded in the affirmative; stated he communicated to both Councilmember Herrera Spencer and the other PRA request after the Council Referral was submitted.

Councilmember Herrera Spencer stated it has not been confirmed whether or not e-mails have been deleted; she would like e-mails retrieved if emails were deleted; staff has not addressed the point about deleted e-mails, which is a concern; a gmail account is not a City e-mail account; when PRA requests are made, the City needs access to all records; there has been no statement from the City about whether or not e-mails have been deleted.

Vice Mayor Vella expressed concern about where the matter is leading; stated members of various Boards and Commissions are volunteers; questioned whether there will be PRA requests for members' private e-mail accounts; discussed members deleting personal e-mails; questioned whether a member of the public has a right to file a PRA request for access to information from personal e-mail accounts related to matters presented at the OGC, Planning Board or any other Board or Commission; questioned how to go about verifying whether or not e-mails have been deleted from personal accounts; stated the matter seems to be a slippery slope; requested clarification from the City Attorney about where the matter is leading Council; stated there are many volunteers working in civil engagement on Boards and Commissions that are not given a City e-mail address and documents are received by said volunteers at times; inquired the implications.

The City Attorney responded staff's recommendation for conducting City business is to use a City e-mail address; stated a City e-mail is the easiest way for the Information Technology (IT) Department to download information; staff recognizes there are times where City officials end up using private e-mails; outlined a City of San Jose case; stated when City officials receive City information on private e-mails, the Supreme Court made clear that the City may make a request to the private individuals private e-mail for information asking the public official to certify that they have provided all information to the City; the subcommittee gmail address is a novel issue of law; the gmail address is not associated with any individual and was created for one purpose: City communications; the City has requested the password so that all e-mails may be downloaded; the City Attorney's office is happy to review all information received.

Councilmember Daysog stated the gmail address was posted on the City's website; the issue raised by Councilmember Herrera Spencer is unique to the situation; the issue raised by Vice Mayor Vella is separate; the City Attorney has reflected that City officials may have to provide private e-mail transmittals to the extent that the transmittals have public aspects; the information is valuable; expressed support for providing the e-mails; Council is depending on the City Manager and staff to properly vet certain situations; he prefers not to tell people website protocols or how the website should look; the case being raised is valid; the account created should not have been a gmail account; a City e-mail account should have been created with clear rules regarding the public's ability to access information and should have been an obvious choice.

Mayor Ezzy Ashcraft stated there is a process ongoing to obtain the e-mails; PRA requests are also voluminous and records will not be produced instantaneously.

Councilmember Herrera Spencer stated that she is looking forward to staff ensuring the issue does not happen again and fulfilling the PRA request.

(21-233) Consider Directing Staff to Provide an Update on the Status of Banning Gas Leaf Blowers in Alameda. (Councilmember Herrera Spencer)

Councilmember Herrera Spencer gave a brief presentation.

The Assistant City Manager stated the Climate Action and Resiliency Plan (CARP) includes banning gas powered leaf blowers as a one to two year priority, which implementation of the ban in years three and four; the matter is on the list of things to do; however, it has fallen down the list for a number of reasons; staff is working on building electrification; the General Plan update is happening; staff is also working on a number of Transportation Planning objectives; with respect to climate action and the greenhouse gas impacts coming from different topic areas, the ban is quite small; however, it does not mean the matter is non-consequential; there are quality of life and air quality matters; staff could move the matter up the list after building electrification; building electrification work will come before Council in May or June.

Vice Mayor Vella inquired whether the matter is under the CARP, which was voted on by Council in the previous month.

The Assistant City Manager responded the CARP annual report was presented; however, the ban is not prioritized in the annual report; staff is going after bigger greenhouse gas emission areas; the CARP has multiple phases; staff members are working on a range of climate related items; phasing was designed around a different staff level; staff is trying to take big bites where possible in order to make larger impacts; the matter is a quality of life issue for many people and comes with equity and small business impacts as well; the process will require significant outreach and communication with a phased approach to manage impacts over a period of time.

Councilmember Herrera Spencer inquired whether the City uses gas powered leaf blowers.

The Assistant City Manager responded that he does not know; stated City contracts with some private landscapers.

Councilmember Knox White stated that he has spoken with the Recreation and Parks Director and has been told the City does not use gas powered leaf blowers; the City does use gas powered lawn mowers; use was discontinued roughly a year and a half ago; the matter was part of the conversation about the CARP work plan last month; he is not inclined to re-order Council priorities; he has spoken numerous times with the Assistant City Manager and understands Council will see something near the end of the year, unless Council finds other things a higher priority; expressed support for moving forward sticking with the already outlined priorities.

Councilmember Daysog stated that he regularly hears from residents about gas powered leaf blowers, which is a concern for residents; there is an issue about when leaf blowing begins in the morning; expressed support for proceeding however Councilmember Herrera Spencer would like.

Councilmember Herrera Spencer inquired when the City of Alameda anticipates the start of a ban.

The Assistant City Manager responded staff is trying to get new building electrification work completed, which will allow staff to turn to the next priority; if Council takes action on new building electrification this Summer, staff can move onto gas powered leaf blowers and other priorities in the CARP.

Councilmember Herrera Spencer inquired whether the ban will begin in fall.

The Assistant City Manager responded staff can start the process later in the year; the matter will come down to how Council wants to proceed in terms of timing; staff will work with the Planning, Building and Transportation Department; there will be a lot of community concerns; he does not want to put a date on the matter; however, the process will start later this year and move forward as efficiently as possible.

Councilmember Daysog stated after the building electrification work is complete, Council should direct staff to focus efforts on the leaf blower issue.

Vice Mayor Vella stated Council is now trying to place the leaf blower ban ahead of the Active Transportation Plan, the General Plan update and parking ordinance amendments; Council discussed the matter last month and came up with an ordering of priorities; she understands Council is hearing from people; however, Council is also hearing about issues related to safe, multimodal transit and the need for housing; she is not inclined to change the order of priorities Council set last month.

Mayor Ezzy Ashcraft stated that she would like clarification; noted Council might be discussing responsibilities of different departments; inquired whether the matter cuts across departments; stated Council will have to take a vote in order to reorder Council-set priorities.

The Assistant City Manager responded the matter falls under the Planning, Building and Transportation Department; stated the matter will come through as an ordinance and will need to be regulated by Code Enforcement going forward; Vice Mayor Vella is correct; the annual report prioritized other topics ahead of gas powered leaf blowers; noted due to staff time and efficiency, staff prioritized gas powered leaf blowers lower; staff hears the Council concerns; placing gas powered leaf blowers higher as a priority would take away from other priorities being handled by the Department.

Councilmember Daysog stated the matter was originally raised and approved in 2018; the matter has not been followed up on; looking at the matter from said vantage point shows other matters cut ahead in priority.

Mayor Ezzy Ashcraft stated Council must look at the matter from a number of different vantage points; there is more to consider than just chronological order; Council must consider what is known about global warming and climate change; buildings are a larger source of greenhouse gas emissions; significant progress in reducing greenhouse gas emissions can occur the sooner building electrification begins; the Department is not as large as they could be and does a lot; Council will make smart choices.

Councilmember Knox White stated some things take longer because they are a lower priority;

Council sets priorities; four Councilmembers placed the matter in the CARP in 2019; Councilmember Herrera Spencer voted against the annual report; however, four Councilmembers approved the work plan the Planning, Building and Transportation Department has a lot on its plate with big projects that have been worked on for years; Council needs to respect the timelines put forth by staff; the matter is in the CARP; there is a commitment to have the work start by the end of the year; there will be workshops in the coming months to allow priorities to shift if needed.

Councilmember Herrera Spencer stated that she has heard that staff hopes to look at the matter by the end of the year; some Councilmembers have concerns; she hopes Council will support the Assistant City Manager's comments about starting the process by the end of the year and providing an update.

Councilmember Herrera Spencer moved approval of the matter returning to Council sometime in the fall with an update on implementation.

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.

COUNCIL COMMUNICATIONS

(21-234) Councilmember Herrera Spencer discussed the Coast Guard and National Guard helping to provide vaccinations at the Oakland Coliseum; announced that she is eligible to receive the vaccine and used the myturn.ca.gov website to make an appointment.

(21-235) Councilmember Knox White stated the BuzzFeed article raises significant and continuing concerns that Council and the City need to address; discussed staff leaving the City; stated that he would like to see a plan or report come back in the next month about how the City and Council are going to address clear, repeated and continuing concerns of staff not following City policy, not honoring City values and things which are troubling that have happened in the last year; Council has a good opportunity with the new Police Chief hire to be chosen in the near future to reset and refresh; discussed problems with former Command staff posting troubling content on social media, facial recognition software being used after Council passed a policy not to use it and Council unanimously deciding to sell an armored vehicle while the vehicle continued to be used; stated a former Police Chief changed protocols for responses to community concerns; stated there needs to be a stand down to get everyone on the same page; Council cannot continue to allow policy to be ignored; the issue is big and needs to be addressed.

(21-236) Councilmember Daysog stated that he hopes City staff does not move forward on anything until a Council Referral is brought; a lot of things might be incorrect and some things might be correct; the comments made have been an explosive and point a damning finger at APD; it would be incorrect for the City Manager or staff to move forward on the comments made; if a Councilmember wants to do anything about matters discussed, a Council Referral should be brought forth; discussed former President Roosevelt and congress in the years leading up to World War II.

Mayor Ezzy Ashcraft noted Council is getting into Brown Act territory if three Councilmembers discuss the same topic.

(21-237) Vice Mayor Vella discussed Youth Activists of Alameda and others who helped address the rise in hate crimes and violence against the Asian-American Pacific Islander (API) community during a vigil; stated community members do not feel comfortable or safe moving throughout the community and all over the Country due to being targeted; outlined her experience with micro and direct aggressions relative to her race; expressed support for response from the City related to comments made at the meeting.

(21-238) Mayor Ezzy Ashcraft displayed posters from the Alameda County District Attorney's special hate crimes task force; stated the head of the task force came to the first rally in front of City Hall; posters are available in Chinese, English and Spanish and are available by e-mailing: shenry@alamedaca.gov; made an announcement about a vaccine clinic on April 17th at Mastick Senior Center.

(21-239) Councilmember Herrera Spencer expressed gratitude for City staff in efforts to serve the community; stated it is important to thank staff for their work.

(21-240) Mayor's Nominations for Appointments to the Housing Authority Board of Commissioners and Recreation and Park Commission.

Mayor Ezzy Ashcraft nominated Philly Jones and Alice Nguyen for appointment to the Recreation and Park Commission.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 10:45 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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