

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -SEPTEMBER 21, 2021- -5:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:04 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:

(21-569) Conference with Labor Negotiators (Pursuant to Government Code Section 54957.6); City Negotiators: Eric Levitt, City Manager; Gerry Beaudin, Assistant City Manager; and Nancy Bronstein, Human Resources Director; Employee Organizations: Alameda Fire Managers Association (AFMA), Alameda Police Officers Association (APOA), and Alameda Police Managers Association (APMA); Under Negotiation: Salaries, Employee Benefits and Terms of Employment.

(21-570) Conference with Labor Negotiators (Pursuant to Government Code Section 54957.6); City Negotiators: Eric Levitt, City Manager; Gerry Beaudin, Assistant City Manager; and Nancy Bronstein, Human Resources Director; Employee Organizations: (All Labor Units) International Brotherhood of Electrical Workers, Local 1245 (IBEW), Electric Utility Professional Association of Alameda (EUPA), Alameda City Employees Association (ACEA), Alameda Police Officers Association Non-Sworn Unit (PANS), and Alameda Management and Confidential Employees Association (MCEA), International Association of Firefighter, Local 689 (IAFF), Alameda Fire Managers Association (AFMA), Alameda Police Officers Association (APOA) and Alameda Police Managers Association (APMA), Executive Management Employees (EXME) and Alameda Municipal Power Unrepresented Management Employees (AMPU); Under Negotiation: Salaries, Employee Benefits and Terms of Employment.

(21-571) 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, Community Development Director, and Louis Liss, Base Reuse Manager; Negotiating Parties: City of Alameda and Alameda Point Partners; Under Negotiation: Price and Terms.

(21-572) Conference with Legal Counsel – Potential Litigation, Initiation of Litigation (Pursuant to Government Code Section 54956.9, subsection (d)(4)); Number of Cases: One (As Plaintiff – City Initiating Legal Action); Potential Defendant: Sustainable Technologies, 1800 Orion Street, Suite 101 (Building 163) and 1820 Orion Street, Alameda Point (Building 414). Not heard.

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding Labor, staff provided information and Council provided direction by the

following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye; Ayes: 5; regarding All Labor Units, staff provided information and Council provided direction with no vote was taken; and regarding Real Property, staff provided information and Council provided direction with no vote taken.

Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 7:16 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 THE ALAMEDA PUBLIC FINANCING AUTHORITY (APFA)
TUESDAY- -SEPTEMBER 21, 2021- -6:59 P.M.

Mayor/Chair Ezzy Ashcraft convened the meeting at 7:33 p.m. Councilmember/Authority Member Daysog led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers/Authority Member Daysog, Herrera Spencer, Knox White, Vella and Mayor/Chair Ezzy Ashcraft – 5. [Note: Vice Mayor/Authority Member Vella joined the meeting at 7:36 p.m. The meeting was held via Zoom.]

Absent: None.

CONSENT CALENDAR

Councilmember/Authority Member Knox White moved approval of the Consent Calendar.

Councilmember/Authority Member Herrera Spencer seconded the motion, which carried by the following roll call vote: Councilmembers/Commissioners Daysog: Aye; Herrera Spencer: Aye; Knox White: Aye; and Mayor/Chair Ezzy Ashcraft: Aye. Ayes: 4. [Absent: Vice Mayor/Authority Member Vella – 1.] [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*21-01 APFA) Minutes of the Special Alameda Public Financing Authority Meeting Held on July 16, 2019. Approved.

AGENDA ITEM

(21-573 CC/21-02 APFA) City Council Resolution No. 15815 and APFA Resolution No. 21-26, “Authorizing the City of Alameda and the Alameda Public Financing Authority to Commence Proceedings in Connection with the Substitution of the Letter of Credit relating to the Alameda Public Financing Authority Variable Rate Demand Revenue Bonds, 2003 Series A and Series B (Alameda Point Improvement Project).” Adopted.

The Finance Director gave a brief presentation.

Councilmember/Authority Member Knox White moved approval of the Consent Calendar.

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

ADJOURNMENT

There being no further business, Mayor/Chair Ezzy Ashcraft adjourned the meeting at 7:39 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk
Secretary, APFA

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -SEPTEMBER 21, 2021- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:39 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

(21-574) Councilmember Knox White moved approval of hearing the Council Referral on unnecessary animal surgery [paragraph no. 21-575] first.

Mayor Ezzy Ashcraft requested an amendment to the motion to move up the nominations [paragraph no. 21-576].

Councilmember Knox White accepted the amendment to the motion.

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.

COUNCIL REFERRAL

(21-575) Consider Adopting Resolution No. 15816, “Calling on the State Legislature to Implement a Ban on Medically Unnecessary Animal Surgery, Such as Declawing of Cats.” (Councilmember Knox White). Adopted.

Councilmember Knox White gave a brief presentation.

Mayor Ezzy Ashcraft expressed support for the matter.

Urged Council to vote yes and ban the act of cat de-clawing; discussed the procedure causing life-long pain and suffering to felines; stated an affirmative vote will ensure safety for cats, education of the public and proof that Alameda takes animal rights seriously; Alameda will lead the way: Ella Halisky, Alameda.

Vice Mayor Vella moved approval of the referral [adoption of the resolution].

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.

COUNCIL COMMUNICATIONS

(21-576) Mayor's Nominations for Appointment to the Commission on Persons with Disabilities and Housing Authority Board of Commissioners.

Mayor Ezzy Ashcraft nominated Lisa Hall, Jennifer Roloff and Kathryn Beehler for appointment to the Commission on Persons with Disabilities.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(21-577) Proclamation Declaring September 15 through October 15, 2021 to be National Hispanic Heritage Month.

Mayor Ezzy Ashcraft read the proclamation.

(21-578) Proclamation Declaring October 3 through 9th, 2021 as Public Power Week.

ORAL COMMUNICATIONS, NON-AGENDA

(21-579) Dorothy Freeman, Alameda, discussed the Beltline Initiative; stated previous Councils have supported the Jean Sweeney Open Space Park; discussed Union Pacific land being part of the design for final build-out and Council discussions being held in open session; stated Council has gone beyond actions considered as good government policy; outlined an offer from Union Pacific; discussed Council authorizing \$1.9 million for 0.55 of an acre; stated decisions about zoning and housing should be held in open session with public discussion; attempts to bring the discussion to the public have been blocked.

(21-580) Paul Foreman, Alameda, discussed 2014 and 2016 Council meetings related to the Jean Sweeney Master Plan; stated Council filed an Eminent Domain action at an open Council meeting on September 4, 2018 to secure 2.8 of the 4.52 acres of land; Council has directed a settlement agreement, which conveys a little over one half acre with easements for utilities and access; outlined open and closed meeting processes; stated authorizing final settlement for a case involving substantial downsizing of a publically approved park expansion requires a meeting with full public notice and ability for comment; a Sunshine Ordinance complaint has been filed in order to seek placement of the matter on a Council regular agenda; urged Council place the matter on the October 5th regular agenda.

(21-581) Jennifer Rakowski, Alameda, expressed support for Mayor Ezzy Ashcraft's public letter regarding rental assistance; stated the need, availability and access to rental assistance has been accessed by families in Alameda; more needs to be distributed.

CONSENT CALENDAR

Councilmembers Herrera Spencer and Daysog recorded a no vote on the ordinance amending the Sunshine Ordinance [paragraph no. 21-588].

Councilmember Daysog moved approval of the Consent Calendar.

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

(*21-582) Minutes of the Special City Council Meetings, the Continued July 6, 2021 Meeting and the Regular Meeting Held on July 20, 2021. Approved.

(*21-583) Ratified bills in the amount of \$6,483,038.57.

(*21-584) Recommendation to Consent to the Public Utilities Board's Request to Auction Surplus Vehicle 432, a Digger-Derrick. Accepted.

(*21-585) Recommendation to Accept the Work of Bayside Stripe & Seal, Inc. for Fiscal Year 2020- 21 Sign and Striping Maintenance Project, No. P.W. 02-20-13. Accepted.

(*21-586 Ordinance No. 3304, "Authorizing the City Manager to Execute a Second Amendment to the Lease with Dreyfuss Capital Partners, a California Limited Liability Company to Extend the Term for Fifty-Nine (59) Months for Building 29, Located at 1701 Monarch Street, at Alameda Point." Finally passed.

(*21-587 Ordinance No. 3305, "Authorizing the City Manager to Execute a Second Amendment to the Lease with Small Size Big Mind, Inc., a California Corporation, Substantially in the Form of Exhibit 4, to Extend the Term for One Year with One 12 Month Extension Option for Building 35, Located at 2450 Pan Am Way in the Main Street Neighborhood at Alameda Point." Finally passed.

(*21-588 Ordinance No. 3306, "Amending the Alameda Municipal Code, Including Article VIII (Sunshine Ordinance) of Chapter II (Administration) to Clarify Enforcement Provisions and Provide for Other Updates and Enhancements to the Sunshine Ordinance." Finally passed.

Note: Councilmembers Daysog and Herrera Spencer recorded a no vote, so the item carried by the following vote: Ayes: Councilmembers Knox White, Vella and Mayor Ezzy Ashcraft – 3. Noes: Councilmembers Daysog and Herrera Spencer – 2.

REGULAR AGENDA ITEMS

(*21-589 Resolution No. 15817, "Appointing Robert Lattimore as a Member of the Golf Commission." Adopted;

(21-589 A) Resolution No. 15818, "Appointing Dimple Kanji as a Member of the Library Board." Adopted; and

(21-589 B) Resolution No. 15819, "Appointing Sara Strickler as Members of the Library Board." Adopted.

Councilmember Knox White moved adoption of the resolution.

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; and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

The City Clerk administered the Oath of Office and Mr. Lattimore, Ms. Kanji and Ms. Stricker made brief comments.

(21-590) Presentation by the Chief of Police.

(21-591) Mayor Ezzy Ashcraft suggested the Police Chief be given 20 minutes or his presentation.

Vice Mayor Vella moved approval of allowing 20 minutes for the presentation.

Councilmember Knox White 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.

The Police Chief gave a Power Point presentation.

Councilmember Herrera Spencer requested clarification about the use of the term "clearance."

The Police Chief responded clearance is the term used to describe when clearing a case through arrest; stated an investigation is conducted and the case is cleared when an arrest is made.

Expressed support for the clarification of the term "clearance;" questioned the clearance numbers reported for domestic violence cases; discussed her experience as a domestic violence victim; discussed probation and court ordered violations; expressed support for Alameda Police Department (APD); questioned why repeat violators of probation are not being arrested: Teresa Guarino.

Expressed support for the organizational aspects of the report; discussed correspondence sent related to the challenges experienced by the Fernside Marina; stated the new program and organization takes serious and appropriate steps in

resolving problems; discussed a neighborhood watch program; expressed support for the Police Chief and for the proposed recruitment process; urged Council to support APD in all ways: Bill Garvine, Alameda.

Urged the continuation of APD providing content-heavy presentations; stated that she is pleased to hear the changes have been made to the Police Policy Manual; expressed concern about page 84 referencing excited delirium; the reference is made to a concept which has been rejected by American Medical Association (AMA) and not recognized by the American Psychiatric Association (APA) nor the World Health Organization (WHO); urged the Policy Manual be focused on science based medical relevance; urged the public be engaged to update beat boundaries; expressed support for increased public participation in key policing decisions: Jennifer Rakowski, Alameda.

Stated deaths under Police supervision do not appear under the list of statistics; discussed the Mario Gonzales case; questioned the details being released for the Mario Gonzales case; expressed support for clarification being provided for the Mario Gonzales case: Marilyn Rothman, Alameda.

Expressed support for the distinction between legality and procedural justice; stated legality should be the floor of Police conduct with residents; questioned the boundaries of procedural justice; expressed support for working with the Police Chief in fleshing out the commitment to equity and ways in which to remain accountable: Josh Geyer, Alameda.

Expressed concern about the presentation not including information related to the Mario Gonzales case; stated that she would like more information on how new Officers will be properly trained; she is concerned to see many proposed new Officers and promotions to fill vacancies; the presentation did not provide much information related to bias and correcting a legacy of racism within APD; she is concerned about the emphasis on data; the presentation has not addressed preventing the criminalization of Black and Brown folks and civilian deaths at the hands of APD; discussed rape clearance rates; noted the public has been asking for less Police interaction: Alexia Arocha, Alameda.

Stated there is a need for additional transparency and policy reforms; discussed a social media abuse case; stated two Officers were found guilty of violating social media policies and manipulating social media; noted the two Officers had been fired from one jurisdiction and hired by an alternate jurisdiction; expressed concern about the possibility of one of the Officers being hired at APD; stated there is a need for investigation at the Council level: Beth Kenney, Alameda.

Stated the murder and manslaughter report on the presentation is incorrect; discussed the Mario Gonzales case; stated the City cannot look away from the irony; the City omitting information is providing the opposite of accountability and trust: Laura Cutrona, Alameda.

Stated a silent majority of people are upset with Council; discussed a lack of Council

support for APD; stated crime is increasing; noted people want to move out of Alameda due to crime and lack of support for APD; discussed recent armed thefts: Wayel Fare, Alameda.

Expressed support for the data-driven approach to the presentation; stated that she would like the public to be able to access the information provided; questioned how catalytic converter thefts are being addressed; stated that she would like additional Officers patrolling between the hours of 1:00 a.m. and 4:00 a.m.; expressed concern about a recent death on Fernside Boulevard; urged Police presence in potentially problematic areas to serve as a deterrent: Carmen Reid, Alameda.

Discussed social media; stated there has been no indication of an investigation around Officer social media related to the January 6th insurrection; questioned what APD is willing to give up in order to budget more for neighbor survival needs: Jenice Anderson, Alameda.

Councilmember Daysog expressed support for the Police Chief and the presentation; stated the presentation demonstrates a new focus and key ways to address challenges; the Police Chief is changing the culture of the organization to address wider types of issues being faced by the community and nation; he is eagerly looking forward to the implementation of the Police Chief's vision in keeping Alameda a safe place; expressed support for the change in focus and boundaries; stated the Police Chief is responding to the data presented; expressed support for directed patrols; discussed previous Officers patrolling for speeding on Otis Drive; expressed support for the strategy used to develop staff and fill vacancies within APD.

Councilmember Herrera Spencer stated that she previously submitted a Council Referral for a presentation; the community has provided many comments and concerns; she is hopeful an update will be provided every six months or once a year; inquired whether the Police Chief would respond to any of the public comments received.

Mayor Ezzy Ashcraft stated public comments included themes of topics, including inappropriate social media use, possible hiring of Officers terminated from other organizations and approaches for catalytic converter thefts.

Councilmember Herrera Spencer stated that her inquiry is to have the Police Chief respond to any of the public comments received or provide a method in which people can receive responses; noted the APD website includes updates.

The Police Chief stated regarding the question related to domestic violence incidents, the presentation numbers are from 2020; the number of domestic violence cases for 2021 is 31 so far; he will follow up on the question related to page 84 of the Policy Manual; Officers terminated for misconduct from other jurisdictions are not being hired.

Councilmember Herrera Spencer expressed support for the presentation data; stated that she agrees with the sentiment of increased crime; outlined incidents of people

being followed and held up and someone shooting into a house; stated shooting into a house is a serious problem; expressed concern over assaults, rapes and violent crimes.

The Police Chief stated the rape assault clearance numbers show that the offenders are known to the victim in all incidents; it is difficult to put a number on crimes in relation to public safety in Alameda; hearing people's stories is important; he intends to take a qualitative and quantitative approach to the incidents; he has given direction to staff to inform him about incidents in order to meet with families to discuss the importance and seriousness of crimes; he is unable to place value on gun crimes; anytime a person is shot at, there is trauma.

Councilmember Herrera Spencer expressed support for comments related toward bias, racism and equity; stated the matters are important to the community; discussed the armored vehicle; stated that she understands a temporary policy has been in place for the vehicle; inquired when the policy would be returning to Council for discussion.

The Police Chief responded the matter should come before Council after October.

Councilmember Herrera Spencer stated the armored vehicle discussion is important; expressed support for the matter returning to Council for policy adoption; inquired whether the Police Chief plans to bring forth a staff recommendation for License Plate Readers (LPR's), to which the Police Chief responded the matter will come to Council October 19th.

Councilmember Knox White expressed support for the approach brought by the Police Chief; inquired the steps being taken by Officers and APD to stop shootings.

The Police Chief responded most shooting incidents are not random in occurrence; stated disturbances which escalate in a family or neighborhood will need steps taken early to intervene and provide mediation to address underlying issues; there are opportunities to mitigate crimes that are not random; incidents where the use of a firearm to commit a crime are challenging due to offenders looking for the perfect opportunity to commit a crime; offenders are looking for a victim and a location; eliminating crimes means eliminating one of the three elements: offender, victim and location; offenders generally look for a location which is not well-lit and a victim who has been watched and is assumed to have valuable items; Police presence has some deterring effect; however, the issue is part of a bigger discussion; people are committing robberies due to being desperate; lack of opportunities tend to influence people's decision; people are willing to take more of a chance when less hope is present; victims should be more vigilant, be aware of surroundings, protect belongings and take additional prevention steps; APD has provided several tips through social media and the City's website; the tips minimize the opportunity for crime.

Councilmember Knox White expressed support for the Police Chief acknowledging the trauma associated with gun crimes; noted the presentation shows robberies are down 20% in the last year; inquired the role of APD in ensuring the community understands

risk and is not unintentionally being driven to believe that things are getting out of control when random robbery numbers are going down.

The Police Chief responded the approach must be balanced; stated community members need to be aware that robberies are down; however, robberies are always a possibility; when robberies occur, victims are encouraged to cooperate and remain vigilant on the front-end; retaining as much information as possible is helpful for Police follow-up; a balanced approach is key; numbers provide an indication; however, there is value to both understanding robbery numbers are down, yet incidents are still traumatic and unacceptable.

Councilmember Knox White expressed support for continuing to encourage the City and APD to consider how to balance the messaging in order to convey both stories; stated the result will show a dedicated APD that is doing a great job of clearing cases; urged Councilmembers to convey the same message to avoid unintentionally feeding the story of being out of control when robberies and assaults are at a near historic low; expressed support for APD looking at data and what is known from the data; shootings are mostly random from a policing standpoint; urged the Police Chief and City Manager to review the list of Council priorities related to LPRs; stated the LPRs are the last priority; noted traffic stop policies and the armored vehicle have been prioritized; expressed concern about LPR correspondence received driving Council discussions instead of Council-set priorities; LPRs barely had Council support at the time of setting priorities; he would like to ensure Council is focusing on a more holistic picture; expressed support for staff working with the body of Council versus responding to the loudest voices in the room.

Vice Mayor Vella expressed support for the thought put into the presentation, for ensuring APD is the department both wanted and needed and for the fresh perspective; stated the domestic violence and rape numbers are high; the crimes are typically ones where the victim knows the attacker; inquired the follow up procedures for referral services; questioned whether people and victims are getting needed services and whether delays are present; inquired what is being done to expand and provide resources in a timely manner; stated that she is interested in finding out options for instances where the victim knows the attacker; many times services are not needed for related cases; often times the victim needs to cut ties financially, especially during a pandemic; questioned whether the City is providing all alternatives and whether there are places, based off referrals provided, where the City can do more for people; stated the City can find housing for people or alternatives; the situations are difficult for people and cause repeat offenses due to the difficulty in separating and stabilizing family interactions and due to economic and housing pressures; discussions related to defunding Police are meant to also ensure funding for services needed, such as mental health services and housing; there are cycles and different ties to crime data; expressed support for using data to make a concerted effort to collect the information to see where a positive disruption can occur; noted the Mario Gonzales case is an active investigation; the Police Chief has taken a proactive approach in engaging the community; urged continued engagement with the community by the Police Chief in order to address underlying concerns and questions; stated that she and Council will

provide support to the Police Chief; Council has prioritized many things and many priorities are being placed on APD; Council has ranked priorities; however, sometimes the squeaky wheel gets addressed in a more timely manner; she would like to ensure that any questions related to the priority list be reviewed; members of the public have spent a lot of time making recommendations and timeline updates would be helpful.

Mayor Ezzy Ashcraft inquired whether the Police Chief should respond to the question related to resources available to domestic violence and rape victims.

Vice Mayor Vella responded in the affirmative; stated that she would like to know the efficacy of the resources and whether more resources are needed.

The Police Chief responded APD regularly contacts social services and provides three day follow-ups on domestic violence cases; stated APD's violent crimes unit meets quarterly with a task force that supports domestic violence victims in order to understand any underlying themes; the task force comes up with creative ways to help victims' basic needs through hotel vouchers, prepaid phones and access to Uber and Lyft rides; APD takes a support role in providing the mentioned resources; the lead role should be taken by social services; he does not currently have efficacy data; however, he will follow-up and look into the numbers; repeat domestic violence cases denote a continuing occurrence; however, the underlying causes or factors can be unknown; Vice Mayor Vella's inquiry provides an indication of things to continue reviewing.

Mayor Ezzy Ashcraft stated the City and APD are fortunate to have the Police Chief; inquired whether more information can be provided related to increases in speeding.

The Police Chief responded APD has a role in speeding and traffic problems; stated Grand Avenue and Otis Drive is an example of an environmental design approach to address speeding problems; the intersection previously had many collisions and issues with public safety; the City has done a good job of addressing traffic; data is one way of viewing the problem, but is not the only way; fatalities and collisions are on a downturn; the City is taking a holistic approach to the problem; environmental design has an impact; APD supports the matter by enforcing the California Vehicle Code; with directed patrols, APD will patrol areas where complaints are received and issues are known to occur; all agencies can participate in supporting and mitigating problems; APD is also providing education via social media, signage and presence; he does not believe citations and ticketing will clear the problem; an approach from all angles will help; approaches and responses have lifespans, which require adjustment.

Mayor Ezzy Ashcraft inquired the control held by APD over the District Attorney's report and Coroner's report in relation to the Mario Gonzales case.

The Police Chief responded the case is an active investigation; the investigation itself cannot be commented on; control over the investigation is not held by APD; the investigation is held by the Alameda County Sheriff's Office; the Coroner's report is being prepared by the Alameda County Coroner; APD no longer has anything to do with

the investigation.

Mayor Ezzy Ashcraft noted a public comment referenced Council not supporting APD enough in stopping crime; inquired the ways which Council can further support APD.

The Police Chief responded that he has felt supported since his arrival at the City; stated everyone needs to work together and approach safety in Alameda as a group; staffing challenges are contributing to the issue; direction is needed; he clearly provides direction to APD; it is too early to make requests of Council at this time; APD is headed in a good direction and he feels Council support; he will be seeking guidance and will make requests as time progresses.

Mayor Ezzy Ashcraft stated Council does need to stop and realize that the Police Chief's first day was June 8th; the 90-day update takes time to prepare; the first 90 days have been exciting and ambitious; Council looks forward to hearing more from the Police Chief.

Councilmember Herrera Spencer stated the previous Interim Police Chief reported a total of 17 shootings for 2020; inquired the current number of shootings for 2021, to which the Police Chief responded 16.

Councilmember Herrera Spencer stated the amount of shootings is why people feel as though there is an issue; the jump from 7 shootings in 2019 to 17 in 2020 is a problem; she hopes the amount of shootings for 2021 does not break the record; the City is at the highest amount in four years; inquired the amount of assaults for the year.

The Police Chief responded assaults are up 215% through July 31; stated August numbers are up 194%.

Councilmember Herrera Spencer stated the numbers are a significant increase; robberies are shown at a negative 8.8% year to date; inquired how many of the robberies included guns; noted not every robbery includes a gun.

The Police Chief responded the elements of robbery are the theft of personal property by use of force or fear; stated the instrument can be hands, brandishing a weapon or making threatening remarks; thefts by use of force are categorized as robberies; he does not have the breakdown for the robbery data; reports are generated and rank crimes higher than others; if someone commits a shooting and a robbery, the crime will be listed as a shooting.

Councilmember Herrera Spencer expressed support for the Police Chief sharing the data for 2021 shootings being 16.

The Police Chief stated the amount reported is through July 31; the number will be higher going through August.

Councilmember Herrera Spencer outlined the previous Interim Police Chief's shooting report for prior years; stated that she believes there is a reason to be concerned about the number of shootings.

The Police Chief stated the numbers show a significant increase as opposed to prior years.

Councilmember Herrera Spencer expressed support for future reports including the current number of shootings.

Councilmember Knox White stated traffic fatalities have gone down from the previous year; however, last year's traffic fatalities were a 10-year high; the trend is not down, the trend is up; the likely way for someone to be injured or killed in Alameda is to be hit by a car; public safety needs to include a focus of resources on places where the greatest harm will be; the Police will not be able to stop shootings; Alameda is doing a great job in following up on matters; the City is working regionally; expressed concern about speeding; stated that he would like to ensure Council is not losing focus leading to the greater harm in the community by chasing down numbers and not paying attention to what can be done; expressed support for a maintained focus on safety and creating safety.

Mayor Ezzy Ashcraft stated the increase in shootings and automobile-related deaths are terrifying; there are more interventions to perform on the auto-related injuries and fatalities; inquired whether there are ways for APD to prevent shootings other than Council taking action on gun control legislation; noted California already has strong gun control; it is fair to say too many guns are present; inquired how APD can address the issue; questioned whether it is better to apprehend individuals that commit crimes using guns.

The Police Chief responded the approach is multi-faceted; stated a shooting is less likely to happen when a Police Officer is present; APD has a finite number of Officers; Officers cannot be placed everywhere in order to prevent all shootings from happening; people make calculated risks when choosing to use a firearm in a crime; planned shootings usually take calculated risks; some people are less thoughtful about risk in the heat of the moment; those with the propensity for violence can be taken and held accountable through enforcement, which prevents re-offending; the solution is not as simple as saying the Police can solely resolve it; a multi-faceted approach must be taken; the Police can take a role by being present and preventing crimes from happening; however, Officers cannot be in every location at all times; those involved in shootings can be held accountable; underlying issues causing people to choose crime might include social issues; people are desperate and chances will be taken when hope is lost; social services being available as an option can help change choices; some people will not make the choice even when social services are made available; expressed support for trying every effort to ensure resources are available to people so that they are less likely to offend; enforcement is an option to hold people accountable.

Councilmember Daysog expressed support for having a good number of Officers on the streets enforcing traffic laws or deterring gun violence; stated Officers cannot be in front of every home; a message of strong deterrence is sent when enough Officers are able to investigate and track down people who shoot a gun in anger; the question is not about having enough Officers to deter gun violence; the City needs to improve the amount of Officers on the street; he is confident that the Police Chief and City Manager are working to increase [APD] staffing numbers; the issue is not about stopping crime before it happens, but being able to follow-up and track down perpetrators of crime; nearby cities have a lot of crime which is not followed-up on due to capacity issues; Alameda's history has been to be able to track down people that commit violent crimes; discussed a killing at Washington Park; stated APD Officers have been able to track down perpetrators of violent crimes as soon as possible; it is important to continue to work to increase APD's staffing.

Mayor Ezzy Ashcraft called a recess at 9:48 p.m. and reconvened the meeting at 10:11 p.m.

(21-592) Recommendation to Authorize the City Manager to Negotiate and Execute an Agreement with Alameda Family Services for an Amount Not to Exceed \$500,000 for One-Year, with an Option to Extend for an Additional Year for an Amount Not To Exceed \$1,000,000 for Two-Years, to Provide for Mental Health Services Related to the City's Alternative Response to Calls for Mental Health Crisis Support Pilot Program.

The Assistant City Manager gave a Power Point presentation.

Mayor Ezzy Ashcraft expressed concern about the proposal not being ready for a number of reasons; stated Council is being asked to approve allowing the City Manager authority to enter into a Service Provider Agreement (SPA); the agreement provided references services to be performed in Exhibit A, which is not included; noted there was not enough time to put together the exhibit; County approvals were cause for delay; expressed concern about the Request for Proposals (RFP) being generic and put together by the Alameda Fire Department (AFD) that does not have experience with the services; AFD is awaiting training; the RFP yielded one response, which is also concerning; outlined Santa Clara County's Mental Health Response; stated Santa Clara County staff agreed to meet with Alameda City staff; proposed that the agreement be done with an emphasis on correctness, not speed; expressed support for having the RFP re-issued in consultation with a firm that has relevant experience; County Behavioral Healthcare Services can provide assistance; respondents can apply or re-apply to the new RFP; a new Fire Chief will be starting in the next month; AFD executive staff could be part of the selection process; the matter is premature and staff should be given more time; getting the services right is more important than in getting the program running fast; expressed concern about Alameda Family Services (AFS) not working with people who are violent or engaged in criminal activities; stated there is a wide gap in services; a service provider with clinical experience is needed.

Councilmember Herrera Spencer requested clarification about the Council discussion process; stated the current time is typically reserved for Council clarifying questions; expressed support for proceeding with the item as agendaized.

Mayor Ezzy Ashcraft stated that she raised concerns at the outset due to any Brown Act or Open Government Commission violations.

Discussed Council meeting rules; expressed support for the City engaging with AFS; stated the proposal is an important first step; further delay will be an unjustified extension of the status quo, which is unacceptable; discussed death in Police custody; urged Council to act: Erin Fraser, Alameda.

Expressed support for the pilot with AFS; discussed her experience with Alameda Unified School District (AUSD) as a Principal for Island High School; stated her experience with AFS has shown there would be an effective partnership for a pilot program; AFS is uniquely positioned to respond to the needed wrap around support; AFS has worked to divert youth from the justice system and has helped intervene and support with families dealing with gun violence, addiction, domestic violence and other mental health needs; the program will require a provider that knows the community with deep ties and established history; AFS is plugged into the needs and resources in the community in a way that no other agency has; AFS has multicultural staff, which supports equitable access to the community: Alysse Castro, Alameda.

Stated that she is astounded to hear support for further delay of the program; discussed previous support for the Felton Institute; stated further delays will result in more harm to the community; she appreciates the detailed proposal from AFS; AFS has shown more detail and care than the previous proposal, which included double the budget; the need for a program like this is present and not just Monday through Friday from nine to five; she hopes the proposal will be considered and is part of the beginning of efforts to limit Police contact with vulnerable neighbors; expressed concern over the budget for the program being too low; stated the City can prevent another Mario Gonzales case from happening; urged Council to do the right thing: Jenice Anderson, Alameda.

Stated the program has to be 24 hours, 7 days a week; the proposed hours are not long enough; many problems occur when most people are sleeping; the program would help the prevention of crime; noted crime increases are due to the pandemic and the lack of housing and work; Alameda needs a strong non-Police response to incidents: Marilyn Rothman, Alameda.

Expressed support for the proposal; stated that he is part of the Board of Directors for AFS; he also served on the subcommittee for unbundling Police services; the subcommittee made the initial recommendation to remove mental health calls from the purview of APD; the next step is to engage a mental health provider; the City could not do better than AFS; AFS has decades of experience with proven excellence in mental health services for the City; AFS has many partnerships nearby; the weaknesses in the

RFP are bounced out by the robustness provided by AFS; it is time for the City to make the program happen; urged Council to support the proposal: Jono Soglin, Alameda.

Stated strong mental health programs and support are wanted; the program should be rooted in the community with strong and consistent local ties; staff has been directed to listen to the necessity for 24 hour, 7 days a week response; the proposal has improved in order to create a strong and fiscally sound response; expressed support for the proposal: Jennifer Rakowski, Alameda.

Expressed support for the pilot program; stated there is a need for the service the City should be thankful to have a qualified, community-based organization; AFS has risen to the occasion; issuing another RFP does not make sense; the City needs 24 hours, 7 days a week program with \$1 million in funding each year; the alternatives to Police need to continue to grow; delaying the program would be a miscarriage of justice; urged Council to approve the pilot program and swiftly do the right thing: Debra Mendoza, Alameda.

Expressed support for the AFS proposal; discussed his experience working with AFS; stated AFS has highly competent staff, experienced leadership, a continuum of services and strong relationships with both the community and other providers; he is confident that AFS will provide effective crisis mental health services; discussed his involvement with the Justice and Mental Health Task Force; stated the community needs the proposed program: Matthew Madaus, The Behavioral Health Collaborative of Alameda County.

Stated the program will not work without everyone being able to access services; Council must stop delaying; the City does not have any more time to wait; Council has the opportunity to do something; a pilot program is a pilot for a reason; the program is unique and will provide more than the County; the City is attempting something which is a new way of living that will help everyone; the specifics and nit-picky details might be warranted, but will not save lives; performing the work will help save lives; the need has been communicated to Council many times; AFS offer critical support to the most vulnerable within the community: Savanna Cheer, Alameda.

Stated that she is tired of waiting and delays; the program is a pilot and should begin; changes and fixes can be made along the way; nothing can be fixed when nothing is started; expressed support for the proposal; urged Council to vote yes on the matter: Melodye Montgomery, Alameda.

Stated now is the time to act; the program is a pilot and does not have to be perfect; urged Council to approve the AFS proposal; stated AFD cannot be critiqued for putting forth the RFP; critiquing the RFP is disingenuous; discussed Felton Institute's application; stated any organization could have applied at either point; opening another RFP would only cause further delay; the program restricts handling people who are violent or criminal; the program is not meant to send case workers to serve as backup for law enforcement; there is no reason for delay; the AFS proposal is sound and

comprehensive; urged Council award the contract to AFS: Carly Stadum-Liang, Alameda.

Stated the need for these services has greatly increased during the pandemic; the program needs to happen in order for the City to have an alternative response team; the program needs to contain mental health clinicians to be effective; urged Council to support the staff recommendation and accept Options 1A and 1C; stated the program is a pilot which can be adjusted; it is more important to have a program in place than to have something perfect: Beth Kenney, Alameda.

(21-593) Mayor Ezzy Ashcraft stated a motion is need to consider new items after 11:00 p.m.

Vice Mayor Vella moved approval of continuing the meeting until midnight while trying to get through as many remaining agenda items as possible.

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.

Vice Mayor Vella stated the details of the program matter; the program is a matter of life and death; Council is providing a set of services where people will call in for assistance; expressed concern about Council not currently providing services; noted AFS clinicians will receive a stipend for the 24 hours, 7 days a week on-call service; inquired whether clinicians would be bound to not be drinking by agreeing to be on an on-call shift.

The Assistant City Manager responded in the affirmative; stated the City's expectation with the contract is to have trained, medical, clinical professionals and clinicians able to administer services at any given hour; the professionals will be on-call similar to any other professional working on behalf of the City.

Mayor Ezzy Ashcraft outlined paragraph four of page 8 titled: "Ability to Provide Behavioral Health Professional Services;" stated the response time listed is 90 minutes; expressed concern about 90 minutes being a long response time; stated the details of the program are important.

Katherine Schwartz, Alameda Family Services, stated under no circumstances will a clinician do anything which would inhibit their ability to perform job functions while being on-call and paid via stipend; clinicians will be paid hourly when activated by call; clinicians will either be prepared to respond in-person or by phone; the expectation is to have a clinician call back and respond within 15 minutes; noted the RFP indicated an acceptable response time of 90 minutes; stated the 90 minute response time would likely be the longest response time period possible.

Vice Mayor Vella inquired whether the call back includes interaction with the first responder and whether there will be an opportunity for clinicians to speak with the individual calling in for service or whether all communication will be limited to first responders.

Ms. Schwartz responded in person requests for service are expected to engage with the requestor; there is an opportunity for clinicians to speak with callers having a crisis; a clinician's response will depend on the situation; clinicians will use judgement and work in collaboration with first responders to determine the best course of action.

Vice Mayor Vella inquired whether the clinician or the first responder will be the one to determine whether or not AFS response will be in-person.

Ms. Schwartz responded the determination will be part of a discussion; stated a first responder could call AFS and determine in-person services are needed based on the situation; the clinician could also make the determination for in-person services based on information provided by the first responder; the clinician will use judgement based on information received.

Vice Mayor Vella inquired whether there will be a scenario where first responders will ask for a clinician to respond in-person and the clinician will deny the response, to which Ms. Schwartz responded in the negative.

Vice Mayor Vella stated if a first responder would like a clinician present, the clinician will arrive without question; the 90 minute response time is assumed to allow for travel time; inquired whether the first responders will remain on the phone in the interim or whether the clinician will check-in with the first responders; questioned the process and communication for calls for service.

The Interim Fire Chief stated AFD has asked AFS to provide support to the program; several situations will expect assistance from AFS; one situation will be a tele-health connection between an AFD first responder and an AFS clinician; AFD will have an opportunity to put the client on the call in order to speak directly to the clinician when warranted; first responder units will remain on the scene until the completion of the call; the second situation would be requesting a clinician to respond directly to the scene; AFD will remain with the caller until AFS arrives.

Vice Mayor Vella inquired whether the City has been working with Alameda County.

The Interim Fire Chief responded in the affirmative; stated staff has been working with the County on program development, protocols and additional response criteria.

The City Manager stated the proposal includes wrap around services and referral to the correct agencies for follow-up, which is a critical component.

Vice Mayor Vella stated a proposal on paper can be different than the walk-through of

services; AFD is currently responding to calls for service; AFD has an understanding of needs for calls for service; expressed support for receiving input from the Deputy Fire Chief; stated that she understands the City discussing County requirements; inquired whether language should be included in the agreement or if any changes or modifications to the agreement need to be made; outlined the County providing program requirements not currently outlined in the proposed agreement; inquired whether the language needs to be negotiated at the present time.

The Deputy Fire Chief responded AFD is currently working with Alameda County Public Health (ACPH) and Alameda County Emergency Medical Services (ACEMS); AFD works under the County Medical Director; one of the things ACPH requires in order to initiate 5150 calls by telemedicine is oversight from a licensed clinician; AFD would need access to a licensed, on-call clinician able to assess a situation and provide input and consultation; APD is not currently required to have a licensed clinician on-call; ACPH does not want to expand the right for people to invoke 5150; ACPH would like to limit the amount of 5150 calls being placed and overwhelming the system; outlined the 60-hour training completed by nine paramedics; stated if AFD responds to calls above what can be handled, staff will have clinician and Crisis Intervention Team (CIT) training in order assess whether to initiate an AFS clinician; the calls may take a long time; the clinician can be present to provide expertise, complement the program and provide a team effort to calls for service.

Mayor Ezzy Ashcraft inquired how often AFD is able to use telemedicine for some of the calls received; stated many references to the Mario Gonzales case have been made; questioned whether telemedicine would have been used in the Mario Gonzales case and the parameters.

The Deputy Fire Chief responded that he cannot second guess the Mario Gonzales case; stated that he was not part of the call for service; crisis mobile units would likely be present in situations where APD would be moved back to deescalate; if AFD is not able to successfully deescalate a situation, an AFS clinician will be called in to assist.

Mayor Ezzy Ashcraft inquired what occurs when the person is violent.

The Deputy Fire Chief responded any violent individual requires APD to be present for safety purposes; noted AFD and AFS will be working as a team in order not to have people in harm's way.

Vice Mayor Vella inquired whether de-escalation in a similar scenario would require AFD to come in and be the first face of the interaction to ensure the interaction is different from APD.

The Deputy Fire Chief responded in the affirmative; stated that his hope is to have AFD out first with two people on a low profile crisis unit; the response will not include a Fire engine and ambulance or APD response; the response will include two people in a vehicle, dressed casually, to engage with the patient; APD may be present in the

background of the engagement process; AFD has held discussions with APD in order to convey proper roles; AFD will work to de-escalate situations; if a weapon is involved or an individual is violent at the onset, AFD will need to ensure the safety of the scene and allow APD to secure the area; AFD has been transporting mental health patients since 1982; the transport process is not new to AFD; the program allows AFD to expand options and get people to the correct place; AFD's options are not limited to 5150 calls with transport to psychiatric facilities; under the pilot program, AFD will now have options which include treatment and release; AFD can refer and release known clients through AFS handling a caseload and providing follow-up; outlined various issues AFD will potentially encounter; stated an office space for AFS is already available in the community paramedic office and a clinician will be in the office Monday through Friday.

Vice Mayor Vella inquired whether the clinician being present will allow AFD to provide follow-up and ensure the client has been seen as part of the refer and release program.

The Deputy Fire Chief responded in the affirmative; stated the presence will be a large part of the success of the program; there is currently no follow-up care for clients being taken to a psychiatric ward on a 5150 call; the proposed program will be one of a kind for California and the area; San Francisco is providing a similar program with a high success rate.

Vice Mayor Vella expressed support for the program breakdown; stated the details provide a more digestible understanding; she would like to ensure the Quality Assurance Board does not include AFS as part of the Board; it is important to not have AFS reviewing itself.

The Interim Fire Chief stated the Quality Assurance Board is available for each AFD program; the oversight is part of the process where AFD reviews what is done and where improvements can be made; AFD is working in collaboration with AFS and should review the process together; staff has discussed the prospect of having an open public meeting or committee meeting where AFD can potentially host a question and answer event; AFD would like to remain as transparent as possible regarding the program's health and operation; data reporting will be coming from both AFD and AFS sources; AFD has robust internal data and records management; outlined patient care reports; stated that he would like to be able to answer community questions, as appropriate; quality assurance is a large part of the organization.

Mayor Ezzy Ashcraft inquired whether there is a place for peer review in the program process.

The Deputy Fire Chief responded AFD staff will follow the San Francisco Crisis Mobile Units' peer review model; a ride along with the San Francisco Mobile Unit will occur; ACPH and ACEMS will also review the AFD pilot program, including data and responses review; outlined training; noted some of the staff who volunteered for the training are veterans.

Vice Mayor Vella stated the process should have a clause allowing for collaborative, regional peer review built into the agreement; expressed support for a bi-annual check in; stated San Francisco has been providing services for a short period of time; the matter is regional; the peer review will be helpful; expressed concern about opening the Quality Assurance Board review up to a full public meeting; stated the program is a pilot in an emerging area and needs a lot of expertise; she is not in favor of the second year option being extended by mutual agreement; expressed support for the pilot coming back to Council after one year for review, a presentation on data and peer review results; stated the program is a good starting point; a lot of work has been done to get here; the City could end up looking for a different build-out; Council can make decisions at the one year mark; expressed support for the work put into the program; stated the goal is to have the proposed alternative happen; she is concerned about the Exhibit A to the agreement not being included; stated Council should provide direction on specifics and have the matter return in a clean fashion.

Councilmember Herrera Spencer stated that she would like to hear from the City Attorney regarding the missing Exhibit A; she understands the exhibit to be a tentative document; she believes Council can proceed with the language included in the report.

Mayor Ezzy Ashcraft expressed concern about an Open Government Commission (OGC) complaint being filed against the City Council.

The City Attorney stated if Council wishes to proceed with the matter, Council may provide clear direction to staff; the staff report acknowledges that the contract is not complete; Council will need to provide as clear direction as possible so that the authority given to the City Manager is understood; alternatively, Council may consider providing direction to have staff return with a clean Exhibit A; both options are legally viable.

Councilmember Herrera Spencer outlined the first page of the proposed agreement; stated her preference is to move forward and allow the City Manager to negotiate and execute the agreement with AFS; the language is recommending Council approve the City Manager being allowed to negotiate and execute the agreement with AFS; inquired how the City Attorney believes Council should proceed.

The City Attorney responded that his previous response is consistent with the language presented; stated Council has multiple paths forward, including giving the City Manager authority to negotiate and execute the agreement or staff can return to Council with something more precise; both approaches are within Council's authority.

Councilmember Herrera Spence moved approval of the staff recommendation to authorize the City Manager to negotiate and execute an agreement with Alameda Family Services for an amount not to exceed \$500,000 for one-year.

Councilmember Herrera Spencer expressed support for starting the term at one year and having Council make a decision to provide direction at the current meeting; stated the direction complies with the staff recommendation; she hopes Council will support

moving forward with the motion; moving forward with the pilot program is important; she was not on Council when the process began; she agrees with the community that it is past due; expressed support for first responders being present in times of crisis and for AFS and AFD joining as Alameda's team; stated AFS has been serving the City since 1969; the community has been supporting AFS for over 50 years; AFS has a presence in the community; no other provider knows and serves Alameda better than AFS; expressed support for the pilot program; stated the City has a head start; other cities are trying to figure out similar programs; the program might need more money at some point; the City can look at using American Rescue Plan Act (ARPA) funds for the program; mental health needs have increased due to COVID-19; time is of the essence.

Mayor Ezzy Ashcraft stated Vice Mayor Vella made recommendations; inquired whether the recommendations are included within the motion as direction to the City Manager.

Councilmember Herrera Spencer responded in the negative; stated that she does not want to back-pedal on the matter; expressed support for moving forward; stated that she articulated the matter would come back in one-year for re-evaluation; the Council should not get into the weeds; she is happy to consider friendly amendments to the motion.

Councilmember Knox White stated that the program will be one and a half year into the duration before needed data is available to decide whether or not to continue with the program as-designed; it has taken four months to get to the point of having a program recommendation put before Council for consideration and negotiation; the matter will be back in front of Council within three months to begin the discussion for year two.

Councilmember Knox White seconded the motion with amendment; to include the option to extend; stated if the program is proceeding poorly, Council can stop the program; the option to extend provides Council the option not to continue; Council will cause a lot of work without much benefit in having the matter return after one year.

Under discussion, Mayor Ezzy Ashcraft stated there is a clause stating that the agreement may be mutually extended up to one year at the sole discretion of the City Manager; inquired whether the matter should come back to Council.

Councilmember Knox White responded that he would like to give the authority to the City Manager.

Councilmember Herrera Spencer accepted the friendly amendment to the motion.

Councilmember Knox White expressed concern about stepping into the administrative realm in writing the contract; outlined the Mali Watkins incident; stated there has been a commitment to the community from the City Manager about being a leader in how the City responds to calls for service within one year; Council is being provided with a contract from City staff and AFS which encompasses that commitment; he would like Council to move forward; the program is a pilot and is iterative; recommended the

contract be written in such a way that Exhibit A can be changed by the City, with agreement from AFS and a 45 to 60 day notice as the program progresses and iterations are made when approaches do not work; AFD and AFS can make the recommendation to change when needed in order to create a mechanism for the program to go back and change the schedule in a simple manner versus having to come back to Council and amend the contract; expressed support for the flexibility in allowing changes to be made, for Council giving direction to have quarterly updates provided and allowing Council to raise issues prior to the one year extension option; stated there are ways that Council can create breaks; he agrees with public commenters that the issue has taken 14 months and it is time to move forward.

Mayor Ezzy Ashcraft inquired whether the proposed motion amendment becomes a substitute motion.

The City Clerk responded that she has heard the comment provided as amendment to the motion on the floor.

Mayor Ezzy Ashcraft stated that she thought the entire Council must decide on the motion amendments, not just the maker of the motion.

The City Clerk stated the usual procedure followed by the City is that the maker of the motion accepts amendments to the motion.

Mayor Ezzy Ashcraft stated a motion has been made by Councilmember Herrera Spencer, which has been seconded and amended by Councilmember Knox White; the maker of the motion has accepted the amendment to the motion.

Councilmember Daysog stated the program represents a historic opportunity for reforming policing in Alameda; the action will be looked at with pride by many generations of Alamedans; Council should move forward with the motion as-amended; he has previously voted for Felton Institute to provide services; he is also confident that the AFD can manage the contract; the RFP is only one and a half pages long; the RFP is written more as a Request for Qualifications (RFQ); AFD has asked for the qualifications with respect to the items and sub-items included in the RFP; the response and proposal from AFS is in-depth; AFS hit all pertinent points in the RFP to ensure policing reform and allowing mental health professionals to deal with non-violent situations of implied mental health needs; Council should not miss the rare opportunity to reform policing; he is unsure whether the program will be a model looked at by other cities; expressed support for the pilot program.

Vice Mayor Vella inquired how the quarterly updates will be provided; expressed concern about the updates being placed on a Council meeting agenda; expressed support for the update to Council on the pilot program being agendized ahead of the one year mark.

Councilmember Knox White responded an off-agenda report for the quarterly updates

seems great; the matter can always be put forth by a Councilmember; Council can provide direction to have the matter return one month prior to the execution of the one year extension.

Councilmember Herrera Spencer stated that she accepts all of the amendments made by Councilmember Knox White.

Mayor Ezzy Ashcraft stated that she has been persuaded on the matter; she has listened to many of the speakers over the year process and holds respect for the time, effort and passion put into the program; expressed support for the work of the Assistant City Manager; stated the process is iterative; thanked staff and AFS for further illustrating the program; expressed support for the pilot program; stated it is important to move forward with the program now; staff will take the discussion points made by Council into consideration when finalizing negotiations.

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.

(21-594) Resolution No. 15820, "To Apply for the San Francisco Bay Restoration Authority Measure AA Grant to Fund Planning and Design of De-Pave Park and Allocate \$50,000 in Matching Funds, if Awarded." Adopted.

Expressed support for the work being done; stated many people have been instrumental in bringing the project to this point; DePave Park is an opportunity Alameda must take; the Park will be a unique resource for wildlife due to location, will have significant potential to sequester carbon and will be a beautiful place of respite and learning for all Alamedans; urged Council to vote in favor of the grant application and matching funding: Linda Carloni, Golden Gate Audubon Society.

Expressed support for comments provided by the Gold Gate Audubon Society and for the matching funds; stated the matching funds will make a difference in the application; noted the City was previously unsuccessful in the attempt at grant funding for DePave Park; stated previous budget requests have been for \$280,000 and a \$50,000 request is a bargain: Ruth Abbe, Community Action for a Sustainable Alameda.

The Recreation and Parks Director gave a PowerPoint presentation.

Mayor Ezzy Ashcraft outlined a newspaper article that she authored about DePave Park and the second chance at grant funding efforts.

Vice Mayor Vella moved approval of the staff recommendation [including adoption of the resolution].

Councilmember Knox White seconded the motion.

Under discussion, Councilmember Herrera Spencer expressed support for reaching a consensus and consistency for the spelling of DePave Park; stated that she would like to have a discussion around Buildings 25 and 29; she would like to confirm that Council is not agreeing to demolish either building in approving the grant funding.

Mayor Ezzy Ashcraft stated Council is approving a resolution to allow the City to apply for a grant.

The Recreation and Parks Director stated Buildings 25 and 29 will be a major topic of discussion for the DePave Park Master Plan process, which would be funded by the grant if awarded.

Mayor Ezzy Ashcraft expressed support for an eventual new name for DePave Park.

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.

(21-595) Public Hearing to Consider Introduction of Ordinance Amending Alameda Municipal Code Chapter XXIV Public Health to Add Section 24-14 Prohibition on Gasoline-Powered Leaf Blowers. Introduced.

The City Planner gave a brief presentation.

Councilmember Herrera Spencer inquired whether the City is still using gasoline powered leaf blowers.

The City Planner responded in the negative; stated City contractors are not using gasoline powered leaf blowers.

Councilmember Herrera Spencer stated that she received a complaint about City contractors using gasoline powered leaf blowers at a park; requested clarification about the use for City contractors.

The City Manager stated the City is converting from gasoline powered leaf blowers to electric; contracts are being converted to be consistent with the ordinance.

Councilmember Herrera Spencer stated that she supports the matter; she hopes the City will finish the conversion of contractors; the City should be the leader in such matters.

Vice Mayor Vella moved introduction of the ordinance.

Councilmember Daysog seconded the motion.

Under discussion, Councilmember Knox White stated that he plans to support the

motion; his only potential change would be to consider whether Council wants the ordinance to go into effect immediately with enforcement not starting until 2023; the matter will have the same enforcement timeline; rather than people continuing to use gasoline powered leaf blowers for a year and a half, the City can begin the education portion and phase in enforcement.

Mayor Ezzy Ashcraft expressed support for staying with the staff recommendation; stated that the education piece for the matter is important, including bilingual outreach; the City is impacting people's employment; there is hope that the change happens sooner rather than later.

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.

(21-596) Recommendation to Review, Comment and Provide Direction on Preliminary Needs Assessment and Recommendations for Development of Smart City Master Plan.

Vice Mayor Vella moved approval of continuing the item to the Continued Agenda Items section of the October 5, 2021 Council meeting.

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.

CITY MANAGER COMMUNICATIONS

(21-597) The City Manager made an announcement regarding the City's annual Job Fair at South Shore Center; stated the City is seeking Community Service Award nominations for community members who have made tremendous contributions over the past year in the City of Alameda.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

(21-598) Considering Having an Introduction and Update from the New Police Chief regarding Strategies to Address Crimes. (Councilmember Herrera Spencer) Not heard.

(21-599) Considering Directing Staff to Provide an Update on License Plate Readers. (Councilmember Herrera Spencer) Not heard.

(21-600) Consider Directing Staff to Publicly Share Information on Parking Recreational Vehicles. (Councilmember Herrera Spencer) Not heard.

(21-601) Consider Directing Staff to Address Representation for Below Market Rate Homeowners on Homeowner Association (HOA) Boards and with Property Management. (Councilmember Herrera Spencer) Not heard.

(21-602) Consider Directing Staff to Support Removal of the US Navy Constraints Limiting Housing Development at Alameda Point. (Councilmember Herrera Spencer and Councilmember Daysog) Not heard.

(21-603) Consider Directing Staff to Address Identifying New Areas at Alameda Point to Develop a Number of Housing Units Above the Originally-Agreed Upon Numbers of the 2023-2031 Regional Housing Needs Allocation (RHNA). (Councilmember Daysog) Not heard.

COUNCIL COMMUNICATIONS

(21-604) Councilmember Knox White discussed City Council and School Board Subcommittee meeting; stated the School District has been meeting with Alameda County about pushing back closing Emma Hood pool due to COVID-19; the current closure is set for January; it is unclear whether the County is receptive; Encinal High School is looking to put up flood lights to have backup nighttime use of the Encinal High School pool; there is forward motion on the shared use agreement that allows the City to use Encinal High School pool for community swimming during the day; the matter should come before Council by the end of the year; announced a \$290 million bond being placed on the ballot in June; discussed an AFS contract with the School District; announced 73% of students are vaccinated as of the previous week.

(21-605) Mayor Ezzy Ashcraft made an announcement about a ribbon cutting for a new apartment building at Alameda Point; stated the units are all market rate and are helping to fund the 25% affordable units; discussed the last of the “Starlight Movies in the Park” event put on by the Recreation and Parks Department; stated that she attended a beach cleanup at South Shore Beach.

ADJOURNMENT

(21-606) There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 12:03 a.m. in memory of Nick Bianchi.

Respectfully submitted,

Lara Weisiger
City Clerk

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