

MINUTES OF THE SPECIAL CITY COUNCIL MEETING  
TUESDAY- -MAY 3, 2022- -5:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:04 p.m.

Roll Call – Present: Councilmembers Daysog, Herrera Spencer, Knox White, and Mayor Ezzy Ashcraft – 5. [Note: Vice Mayor Vella arrived at 5:19 p.m. and left at 6:50 p.m. The meeting was held via Zoom.]

Absent: None.

Public Comment Read into the Record:

Expressed support for Greenway Golf: Chris Iglesias, Unity Council; Mark Swartz, Alameda; Nick Wolf, Alameda High School; and Christ Tam, All Good Living Foundation.

The meeting was adjourned to Closed Session to consider:

(22-285) 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(s): Greenway Golf Associates, Inc.

(22-286) Public Employee Appointment/Hiring (Pursuant to Government Code Section 54957); Title/Description of Positions to be Filled: City Manager

(22-287) Conference with Legal Counsel – Existing Litigation (Pursuant to Government Code Section 54956.9); Case Name: Mario Gonzalez et. al. v. City of Alameda et. al.; Court: United States District Court, Northern District of California; Case Number: 4:21-cv-09733-DMR; and Case Name: Edith Arenales v. City of Alameda et. al.; Court: United States District Court, Northern District of California; Case Number: e 4:22-cv-00718.

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding the Potential Litigation, 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 Employee Appointment/Hiring, Council provided direction to staff to return with an Interim City Manager agreement at the next regular Council Meeting on May 17, 2022 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; and regarding Existing Litigation, Council provided direction to staff by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Knox White: Aye; and Mayor Ezzy Ashcraft: Aye; Ayes: 4. [Absent: Vice Mayor Vella – 1].

Special Meeting  
Alameda City Council  
May 3, 2022

Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 6:56 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

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

MINUTES OF THE SPECIAL JOINT MEETING OF THE CITY COUNCIL AND  
SUCCESSOR AGENCY TO THE  
COMMUNITY IMPROVEMENT COMMISSION (SACIC)  
TUESDAY- -MAY 3, 2022- -6:59 P.M.

Mayor/Chair Ezzy Ashcraft convened the meeting at 7:15 p.m.  
Councilmember/Commissioner Herrera Spencer led the Pledge of Allegiance.

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

Absent: Vice Mayor/Commissioner Vella – 1.

CONSENT CALENDAR

Commissioner Knox White moved approval of the Consent Calendar.

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

(\*22-05 SACIC) Minutes of the Special Joint City Council/SACIC Meeting Held on  
March 1, 2022. Approved.

AGENDA ITEM

(22-06 SACIC) Adoption of Resolution Declaring That the Property Located at 2350  
Fifth Street is Exempt Surplus Land Pursuant to Government Code Section  
54221(f)(1)(D);

(22-06 SACIC A) Adoption of Resolution Authorizing the Conveyance of the Property  
Located at 2350 Fifth Street to the City of Alameda in Accordance with the Terms of a  
Purchase and Sale Agreement Between the City and the Successor Agency; and  
Authorizing the Interim City Manager, as Executive Director of the Successor Agency, to  
Execute the Purchase and Sale Agreement and to Take Other Actions Necessary to  
Complete Conveyance of the Property;

(22-288 CC) Amending the General Fund Budget to Appropriate an Additional \$250,000  
for Purchase of 2350 Fifth Street; and

(22-289 CC) Introduction of Ordinance Authorizing Acceptance of the Property Located  
at 2350 Fifth Street from the Successor Agency to the Community Improvement  
Commission of City of Alameda in Accordance with the Terms of a Purchase and Sale  
Agreement Between the City and the Successor Agency; and Authorizing the Interim  
City Manager to Execute a Purchase and Sale Agreement with the Successor Agency

and to Take Such Other Actions Necessary to Complete the Conveyance of the Property. Not heard.

ADJOURNMENT

There being no further business, Mayor/Chair Ezzy Ashcraft adjourned the meeting at 7:16 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk  
Secretary, SACIC

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
TUESDAY- - MAY 3, 2022- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:16 p.m.

ROLL CALL - Present: Councilmembers Daysog, Herrera Spencer, Knox White, Vella, and Mayor Ezzy Ashcraft – 5. [Note: Vice Mayor Vella arrived at 7:29 p.m. and left the meeting at 11:39 p.m. The meeting was conducted via Zoom.]

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(22-290) Proclamation in Support of the People of Ukraine.

Mayor Ezzy Ashcraft read the proclamation.

(22-291) Proclamation Declaring May 2022 as Asian American Pacific Islander Heritage Month.

Mayor Ezzy Ashcraft read the proclamation.

(22-292) Proclamation Declaring May 2022 as East Bay Affordable Housing Month.

(22-293) Proclamation Declaring May 2022 as Older American's Month.

ORAL COMMUNICATIONS, NON-AGENDA

(22-294) Zac Bowling, Alameda Democratic Club, made an announcement regarding an upcoming meeting.

(22-295) Josh Altieri, Alameda Housing Authority, provided an update on the Housing Authority.

(22-296) Rosalinda Fortuna Corvi, Alameda, expressed concern over the Maritime Marine Officers Training Center being pulled from the State Historical Resources Commission agenda.

CONSENT CALENDAR

The City Clerk read the title of the two Public Hearings [paragraph nos. 22-310 and 22-311] and indicated public comment would be accepted.

Stated the Military Equipment Policy [paragraph no. 22-300] matter should be pulled from the Consent Calendar for discussion; the armored vehicle has been used three times; military riot equipment is not likely needed; the equipment is expensive and useless: Marilyn Rothman, Alameda.

Urged Council pull the Military Equipment Policy from Consent; stated the California legislature has directed local governments to fully vet the equipment and explore alternatives; the City needs to stop preparing for riots and prepare for the emergencies which do occur in Alameda; the policy does not include Council as the governing body: Jennifer Rakowski, Alameda.

Councilmember Herrera Spencer requested the teleconference findings [paragraph no. 22-299] be removed from the Consent Calendar for discussion and recorded a note vote on the Alameda Fire Chief Association (AFCA) MOU [paragraph no. 22-306] and CFD 22-2 ordinance [paragraph no. 22-309].

Councilmember Knox White requested the Military Equipment Policy be removed from the Consent Calendar for discussion.

Councilmember Daysog recorded no votes on Final Map 8610 [paragraph no. 22-304], Tentative Map 8468 [paragraph no. 22-305], the AFCA MOU and CFD 22-1 ordinance [paragraph no. 22-308] and recused himself from the Webster Street BIA [paragraph no. 22-311].

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.]

(\*22-297) Minutes of the Special and Regular City Council Meetings Held on April 4, 2022. Approved.

(\*22-298) Ratified bills in the amount of \$3,167,850.58.

(22-299) Recommendation to Approve Findings to Allow City Meetings to be Conducted via Teleconference.

Councilmember Herrera Spencer stated there is correspondence attached to the report; noted the Alameda, Albany, Berkeley, Emeryville, Fremont, Oakland and Union City are still closed for public meetings; Dublin, Hayward, Livermore, Newark, Piedmont, Pleasanton and San Leandro are offering hybrid meetings; stated more cities are

opening meetings to the public; she has voted not to continue the current teleconference method; expressed support for following the approach in other cities; inquired the progress made on the City's efforts for a hybrid meeting model.

The City Clerk responded staff has an agreement with a company to come in and integrate Zoom to the Council Chambers system; stated a project team has been assigned and a kick-off meeting is being scheduled soon; the estimated timeline is about six weeks from the kick-off meeting; noted the necessary equipment is likely in stock; however, other cities have experienced equipment delays due to supply chain shortages.

Councilmember Herrera Spencer stated there is another way to integrate Zoom and still have in-person meetings which does not require the six week delay.

The City Clerk stated staff remains flexible and able to move on a dime; there is a patchwork workaround approach where the Council Chambers can be shot with the same web camera used by most staff at a wide angle.

Councilmember Knox White moved approval of the staff recommendation.

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

(22-300) Recommendation to Accept Transmittal of the Police Department Military Equipment Use Policy.

The Police Captain gave a Power Point presentation.

Councilmember Knox White stated the matter is an unfortunate missed opportunity for Council to have a discussion with the community about issues; the matter being placed on the Consent Calendar shows that the issue is being taken lighter than meant; expressed support for the matter returning to Council as a regular agenda item in order to have a presentation and public comment; stated the presentation could have addressed how most of the items are being used; while there are crowd control uses for some items, other tactical uses are also intended, which may be helpful in tricky situations; the discussion could center around how infrequently the items have been used; there is typically no desire to use the devices; expressed support for setting careful and thoughtful boundaries for use; if Council does not do anything to limit the use of the devices, the commitment to the community and subcommittees is not being met; stated that he is supportive of the policies as-written; he would like the matter to return to Council with a report centered on reporting requirements; frequent reporting requirements would help people understand what is happening with the equipment; aggregated reporting loses context; it would be beneficial to inform people that they will hear about item use, which could decrease concerns; the reporting will help the annual discussion and commits to checks and balances for the community; he trusts that the

current Police Chief and Captain will not use the items; however, future staff might have different ideas about how to interact with the public; the community should be aware if use of the items changes significantly; expressed support for language related to frequent reporting.

Mayor Ezzy Ashcraft inquired whether more frequent reporting requirements means having a report whenever a particular item is used as opposed to six month or annual reporting, to which Councilmember Knox White responded in the affirmative.

Councilmember Herrera Spencer inquired where the annual reporting frequency came from and how more frequent reporting would affect the Police Department.

Vic Mayor Vella inquired whether the proposed reporting could fall under the policy for significant incidents; stated significant incident information (Sig Info) reporting immediately comes to Council; noted the information is broad.

Mayor Ezzy Ashcraft requested clarification about Sign Info reporting and criteria.

The Police Chief stated a policy requires notification within 60 days of use of any of the items during crowd control; staff can provide a Sig Info notification.

Mayor Ezzy Ashcraft requested the Sig Info policy be paraphrased.

The Police Captain stated Policy 468.13 is derived from Assembly Bill (AB) 48 and states anytime staff uses chemical agents or kinetic energy projectiles during any crowd control purpose, staff must provide a summary and report on the website within 60 days of each incident, unless there are exemptions as defined by law.

Vice Mayor Vella stated notifications which come to the Council; the usage could fall under the notification to Council; the reporting would not be public and would be internal.

The Police Chief stated staff can use the Sig Info process to make notifications; the only cause for pause would be staff initiating an internal investigation associated with the use of equipment.

Mayor Ezzy Ashcraft inquired whether the Council discussion is still within the purview of the agenda item or whether Council should provide direction to staff to return with an amended policy.

The Assistant City Attorney responded the purpose for presenting the matter to Council is to obtain Council direction and instruction on the proposed final policy; the final policy will come back to Council pursuant to AB 481, presented as an ordinance; Council is within its rights to express preferences and discuss how to tailor the policy to City needs.

Councilmember Herrera Spencer stated the policy could be accepted as-is; Council already receives notification within 60 days.

Councilmember Herrera Spencer moved approval of accepting the use policy as-presented.

Councilmember Daysog seconded the motion.

Under discussion, Mayor Ezzy Ashcraft inquired whether two additional minutes of speaking time is desired.

Vice Mayor Vella noted there have been comments provided by the public related to amendments to the proposed policy language; expressed support for including the amended language and reporting being built-in, including the 60 day reporting.

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(22-301) Vice Mayor Vella moved approval of adding a minute for Councilmembers.

There was no second to the motion.

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Councilmember Herrera Spencer stated the policy states: “governing body, elected or appointed body that oversees the department;” inquired whether the language should reference Alameda City Council.

Vice Mayor Vella responded in the affirmative; stated that she would also support the policy referencing required reporting for the crowd control policy.

Mayor Ezzy Ashcraft inquired whether Vice Mayor Vella accepts the changes proposed by Councilmember Knox White, to which Vice Mayor Vella responded in the affirmative.

Councilmember Herrera Spencer stated Councilmember Knox White’s proposed inclusion is already being performed by the Police Chief within 60 days of use.

Vice Mayor Vella stated the reference is solely for crowd control, not for any use.

Councilmember Herrera Spencer requested clarification from staff on the proposed changes.

Vice Mayor Vella stated that she has inquired whether the changes can be performed and added as another box to check on Sig Info alerts; if a Councilmember wishes to raise an issue, Council will know that one of the items were used in the incident; the changes elevate the incident to Council-level.

Mayor Ezzy Ashcraft staff can incorporate the comments provided by Council and return with a final policy for approval.

Councilmember Herrera Spencer stated that she is looking for more information; there is a lot of law related to the matter; expressed support for ensuring the requests from Councilmembers are not conflicting with the charges from the State of reporting and that the proposed changes work for the Department.

Mayor Ezzy Ashcraft stated that she is confident staff can carry out the duties.

The Assistant City Attorney stated AB 481 sets a floor in policies and reporting requirements; the Department has discretion to exceed the floor; Council may implement policies and direct staff to exceed the floor established by AB 481.

Councilmember Herrera Spencer inquired whether Council receives a separate notice any time the equipment is used.

The Interim City Manager responded Sig Info updates happen in real-time; expressed concern for setting the Department up to fail if staff inadvertently fails to check a box; expressed support for having the 60 day window to allow the information to flow naturally and not make mistakes; stated Sig Info updates are designed to get to elected officials within a few hours or sooner; recommended the policy remain as presented by the Police Chief and Captain leaving the 60 day window; stated the window allows staff to roll out the information and annual reporting.

Mayor Ezzy Ashcraft requested the information related to equipment uses beyond chemical agents and projectiles be expanded.

The Interim City Manager stated there is a more limited list in the policy referenced; staff can link the policy to AB 481.

The Police Chief expressed support for the proposed policy; stated the 60 day notice allows staff a window to expand beyond crowd control incidents and allows time to be comprehensive; the check box for Sig Info updates might not be as informative as a 60 day report; expressed support for any follow up investigation being assessed to consider the information being put out; stated staff would like to include whether the equipment had been used and associated dates at a minimum; additional information should not be provided during open investigations.

Councilmember Herrera Spencer amended her motion to approve including the 60 day reporting notification, with the exception noted by the Police Chief related to ongoing investigations.

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

(\*22-302) Recommendation to Authorize the Interim City Manager, or Designee, to Accept the Improvements Completed by Alameda Marina, LLC for Tract 8500, Alameda Marina Clement Avenue Improvement Plans. Accepted.

(\*22-303) Recommendation to Authorize the Interim City Manager to Execute Two Water Line Easements to the East Bay Municipal Utility District Across City Tideland Property at Alameda Marina and Any and All Ancillary Documents, and Direct the Recording of the Grant of Easements for the Development Projects Related to Tract 8500. Accepted.

(\*22-304) Resolution No. 15899, "Approving a Final Map and Authorize the Interim City Manager to Execute a Subdivision Improvement Agreement for Tract 8610, Alameda Marina Townhomes." Adopted.

Note: Councilmember Daysog recorded a no vote, so the motion carried by the following vote: Councilmembers Daysog: No; Herrera Spencer: Aye; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Noes: 1.

(\*22-305) Resolution No. 15900, "Approving Tentative Tract Map No. 8468 and a Condominium Plan (PLN21-0587) to Subdivide 2350 Saratoga Street into Three Commercial Condominium Units." Adopted.

Note: Councilmember Daysog recorded a no vote, so the motion carried by the following vote: Councilmembers Daysog: No; Herrera Spencer: Aye; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Noes: 1.

(\*22-306) Resolution No. 15901, "Approving a Memorandum of Understanding (MOU) Between the Alameda Fire Chiefs Association (AFCA) and the City of Alameda for a Forty-Eight Month Term Commencing December 19, 2021 and Ending December 31, 2025." Adopted.

Note: Councilmembers Daysog and Herrera Spencer recorded no votes, so the motion carried by the following vote: Councilmembers Daysog: No; Herrera Spencer: No; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 3. Noes: 2.

(\*22-307) Ordinance No. 3318, "Amending Alameda Municipal Code Chapter 8 and Chapter 12 Authorizing Public Works Enforcement of Parking Provisions and Ensuring Consistency with California Vehicle Code." Finally passed.

(\*22-308) Ordinance No. 3319, "Levying Special Taxes within the City of Alameda Community Facilities District No. 22-1 (Alameda Marina)." Finally passed.

Councilmember Herrera Spencer recorded a no vote, so the motion carried by the following vote: Councilmembers Daysog: Aye; Herrera Spencer: No; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Noes: 1.

(\*22-309) Ordinance No. 3320, “Levying Special Taxes within the City of Alameda Community Facilities District No. 22-2 (Alameda Marina - Shoreline Improvements Maintenance and Adaptive Measures).” Finally passed.

Note: Councilmember Daysog recorded a no vote, so the motion carried by the following vote: Councilmembers Daysog: No; Herrera Spencer: Aye; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Noes: 1.

(\*22-310) Public Hearing to Consider Resolution No. 15902, “Confirming the Park Street Business Improvement Area Annual Assessment Report for Fiscal Year 2022-23 and Levying an Annual Assessment on the Park Street Business Improvement Area.” Finally passed.

(\*22-311) Public Hearing to Consider Resolution No. 15903, “Confirming the Webster Street Business Improvement Area Assessment Report for Fiscal Year 2022-23 and Levying an Annual Assessment on the Webster Street Business Improvement Area.” Finally passed.

Note: Councilmember Daysog recused himself, so the motion carried by the following vote: Councilmembers Herrera Spencer: Aye; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. [Absent: Councilmember Daysog – 1.

### CONTINUED AGENDA ITEMS

(22-312) Recommendation to Provide Direction to City Staff on Emergency Supportive Housing for Three City-Owned Vacant Homes at Alameda Point.

The Economic Development Manager gave a Power Point presentation.

Councilmember Herrera Spencer outlined identification needs for the program; inquired whether individuals would be housed prior to being identified and screened through Megan’s Law.

The Community Development Director responded people would be screened based on identification provided; individuals would be supported in obtaining a license or other form of identification and would be screened again.

Councilmember Herrera Spencer stated that she would like to ensure no one would be housed until being identified and screened by staff.

The Community Development Director stated staff will house and screen individuals based on the information provided; staff will verify the information provided and will assist in obtaining official identification for additional screening when needed.

Mayor Ezzy Ashcraft requested clarification about the issue related to Megan’s Law.

The Community Development Director stated staff will screen individuals through the Megan's Law database based on information received; some people do not have official identification and only have other forms or documentation; staff will re-screen with official documentation.

Mayor Ezzy Ashcraft inquired whether the initial screening could solely be verbal identification.

The Community Development Director responded staff would take whatever documentation the individual has; stated a membership card or other documentation could be utilized; staff will attempt to verify identity using other resources, such as social services.

The Economic Development Manager stated in housing first, staff takes people as they are; staff will take whatever identification is held at the time and address any issues.

Councilmember Herrera Spencer stated that she would like to confirm people can be housed without actually verifying identity and confirming Megan's Law status; the priority is housing first and verification screening will happen at some point in the future.

The Community Development Director stated Megan's Law is very important and staff will attempt to screen individuals based on the information provided; staff will try to obtain additional information and re-screen.

Councilmember Herrera Spencer inquired whether the program model provides housing first and later determines identity and screens for Megan's Law issues.

The Community Development Director responded the assessment could be correct if an individual does not have an official California identification at the time of entering the home.

The Interim City Manager stated the characterization for the program by Councilmember Herrera Spencer is possible, but not likely due to the identification provided being screened; people may end up with identification that is not their own; however, the stolen or found identification will be noted during screening; the goal is to get people fully screened as soon as possible; pre-screening will allow people to prove who they are, but could also uncover falsified information.

Mayor Ezzy Ashcraft inquired whether it is possible for people to stay at the Day Center until identification is verified.

The Economic Development Manager responded Village of Love will bring in familiar people.

Councilmember Herrera Spencer stated that she is looking for an affirmative or negative response to whether people will be screened for Megan's Law prior to being placed in

homes.

Councilmember Knox White inquired whether individuals are picked up off the street and offered housing; stated that he believes there is a process and individuals are generally well assessed and known; he understands that people will be screened with the information provided; the likelihood of unknown people moving into the house is very unlikely.

The Community Development Director concurred with Councilmember Knox White; stated the amount of unhoused people in the City is such that staff typically does have information and almost a relationship with each person through various service providers; the City will hopefully be partnering with Village of Love; people have the opportunity to come through the program via Village of Love; the goal for staff is to ensure people receive supportive housing; people should be housing ready and able to co-house with other individuals.

Councilmember Knox White requested clarification about the process of certifying people for compliance with Megan's Law while living in the community, not housed and living in an encampment.

The Community Development Director stated there is not a certification process unless the individual participates in a City program.

Councilmember Knox White stated moving into the house would require a higher process; the greatest need for this type of housing is not families; he is concerned the number of people able to be served could be cut in half; it is easy to work with families and seniors while leaving the people who need the most help off to the side; requested program details being shared.

The Community Development Director stated staff is responding to community comments and concerns; the staff report indicates the program could be slightly modified for an opportunity to house additional individuals in two of the homes and a family in another; concurred the highest need is for individuals; stated medically vulnerable seniors have been prioritized and other individuals would be housing using a prioritization system; two families can be housed.

Mayor Ezzy Ashcraft requested an explanation of the population being served at the Dignity Village development.

The Community Development Director stated the development is a combination which will house individual unhoused people and serve the top priority of those who are chronically unhoused; there will be an effort to house individuals that are considered re-housed.

Mayor Ezzy Ashcraft inquired whether any families with children will be included.

The Community Development Director responded there is potential for families to be served by the program; staff has reserved five rooms for transitional-age youth.

Mayor Ezzy Ashcraft stated transitional-aged youth are not families with children; the youths are exiting the foster care system; inquired whether Dignity Village is designed to house families that are living out of their car or utilizing hotel vouchers.

The Community Development Director responded in the negative; stated Dignity Village is not designed to house families.

Mayor Ezzy Ashcraft stated Dignity Village is designed for adults, including people aging out of the foster care system.

The Community Development Director stated staff will not exclude families under Dignity Village.

Mayor Ezzy Ashcraft stated the need for individuals to be housed is a good point; the area of Alameda Point is not the only area being looked at for services.

Stated demonizing homelessness is appalling; candidates will have been actively engaged with outreach workers and the Community Assessment Response & Engagement (CARE) team; discussed low barrier housing; expressed support for the Village of Love: Doug Biggs, Alameda.

Stated that her opposition is well documented and due to the program not helping with the Main Street encampment; discussed hotel vouchers; expressed concern over feasibility issues, permit delays and information being vague; stated the neighborhood is chronically neglected; urged Council take accountability for substandard conditions: Shelby Sheehan, Alameda.

Expressed support for families occupying the three homes and for hotel vouchers; expressed concern for the neighborhood being a dumping ground and for minimizing the opposition: Alan Tubbs, Alameda.

Stated that he is impressed with Village of Love; he cannot support single families in the proposed homes due to concerns related to Megan's Law; people need to be vetted prior to obtaining housing; discussed fake identification; expressed concern over health conditions and public indecency: Craig Miott, Alameda.

Discussed identification being required for Alameda Food Bank services; stated there should not be a mystery related to where people come from; expressed support for requiring a birth certificate: Rosalinda Fortuna Corvi, Alameda.

Stated others comments related to people experiencing homelessness is appalling and offensive; the community must do better in showing compassion; the point of housing first is to get people in houses as the best way to improve the outcome; it is shameful to

equate homelessness with being a danger to children: Josh Geyer, Alameda.

Stated Village of Love are ideal partners for the program; Village of Love will step up and handle any problems that arise; expressed support for a mother with children being one of the first families in the program housing: Fred Fielding, Twin Towers United Methodist Church.

Stated people criticizing the program should walk with someone that is experiencing homelessness; discussed issues related to being homeless; stated people need to be treated with compassion; people running the program know how to handle issues: Sandra Pilon.

Mayor Ezzy Ashcraft expressed support for the program; stated the Village of Love is hand selecting people that are ready to transition from the Village of Love to transitional housing; people able to be housed will have the opportunity to avail themselves of wrap around services to help get to the next step of permanent housing; programs succeed one life at a time; the City is starting small and has a lot of potential; expressed concern over complaining about problems without taking action; the matter is an opportunity to take action through a reliable model.

Vice Mayor Vella stated the matter is important; expressed concern about the amount of time taken to get to the point of moving forward; stated there is an important statistic: many Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) youth end up homeless without beds in Alameda County; when youth transition out of the system, they are left at the mercy of available services; she would like people to consider the youths that are unsafe staying home and do not have support from their family; mental health issues arise as a result from the stresses of being unhoused; housing first is the recommended model due to the aid in stabilization; many LGBTQ individuals would benefit from transitional housing and a housing first model; expressed support for a proposal and model that maximizes the use of space and the populations to be serviced by the units; stated the neighborhood concerns are heard; people will be screened; obtaining identification is often a barrier and will be taken into account; expressed support for models which maximize space with more than one family per house as well as alternatives to provide supportive housing to individuals and not just being limited to families.

Mayor Ezzy Ashcraft inquired whether Vice Mayor Vella is recommending the housing be used for homeless LGBTQ youth.

Vice Mayor Vella responded in the negative; stated the housing should be used for individuals; it is problematic to state the program will only serve families; many people become homeless at a young age and transition out; there is a large homeless population aged from 19 to 25 years and many would benefit from supportive housing.

Mayor Ezzy Ashcraft stated many families are opposed to families sharing housing; there are many different issues; families need their own housing unit; expressed support

for following the lead of providers working with affected groups; providers are adamant about not sharing housing; expressed support for a reasonable framework to contemplate concerns raised by neighbors; stated some concerns are based on stereotypes and old-fashioned thinking without knowing much about possibilities or services provided; there is respect for surrounding neighbors; the area has vacant homes which should be used to help other people be neighbors; expressed support for moving forward.

Councilmember Herrera Spencer inquired whether the homes would be rented out if placed on the market.

The Community Development Director responded the City has a good track record of leasing the homes; staff would not have a problem renting the homes if the program does not move forward.

In response to Councilmember Herrera Spencer's inquiry regarding the price, the Community Development Director stated the price varies depending on the size of the home; the Big Whites rent ranges from the high \$3,000 to low \$4,000 per month; the amount is less for the ranch and town homes.

Councilmember Herrera Spencer stated explicit house rules were provided at a meeting held at the O'Club; inquired whether the provider would have house rules.

The Community Development Director responded in the affirmative; stated the housing first, low-barrier approach does not mean that inappropriate or poor behavior would be tolerated.

Councilmember Herrera Spencer stated the house rules included not allowing the use of drugs or smoking inside the home; noted pets are allowed; questioned whether the provider would have limits or similar rules, to which the Community Development Director responded in the affirmative.

Councilmember Herrera Spencer noted there are no rules for people outside of the home; inquired whether doing drug outside the house could be allowed and not result in someone being removed from the home.

The Community Development Director responded trespassing in another person's yard would not be permitted; there is an expectation of behaving like other citizens and observing property boundaries; the program does not permit someone conducting themselves illegally or inappropriately similar to other citizens; illegal activities fall under Alameda Police Department's (APD) jurisdiction as well as the program director; participants are expected to be good neighbors.

Councilmember Herrera Spencer inquired whether there are explicit rules related to what behavior would result in removal from the house; questioned whether staff has the rules and whether rules pertain to behavior outside of the home.

The Community Development Director responded staff has not contracted with a provider yet; however, staff can take Council recommendations; stated there would likely be requirements to be good neighbors and not being disruptive.

Councilmember Herrera Spencer stated community members have raised concerns; the Main Street encampment still exists; inquired whether program residents would reduce the number of people at the Main Street encampment.

The Community Development Director responded that she is not certain whether the assessment is correct.

Mayor Ezzy Ashcraft requested staff to clarify the City efforts to address the Main Street encampments.

The Interim City Manager stated there is a multi-prong approach to the Main Street encampments; the Public Works, Community Development and Police Departments are working to try and manage things that collect in the area, to connect people with social services and to move in the direction of creating transitional and supportive housing; the bottle parcel will create the opportunity to unlock options around housing people in the community; the project goes beyond the exiting housing stock; the City performs a cleanup of the Main Street encampment every two weeks to ensure the site is as orderly as possible in the interim period.

The Community Development Director stated every time the City creates more housing opportunities, such as the proposed program, there are more possibilities to get people off the streets; staff working with the Village of Love will help transition some of individuals and create a new opportunity for other individuals; the more options available, the more staff can help people flow through various opportunities.

Councilmember Herrera Spencer stated the Main Street encampments have been present for over one year; she appreciates the multi-prong approach; people in the neighborhood submitting concerns are familiar with homeless people; she has not heard that the Main Street encampments will disappear; inquired whether there is a timeline for the Main Street encampment to no longer exist.

The Interim City Manager responded the homeless issue in the Bay Area is significant; stated that he does not have a timeline for the Main Street encampment to no longer exist; opportunities, such as the proposed program, create new services and opportunities to have people housed; between the proposed project and the transitional housing site at the bottle parcel, Alameda will be in a much different position one year from now; the City relies on a few service providers to connect people with resources; however, there are not many opportunities to put people into a house or shelter.

Councilmember Herrera Spencer requested clarification about the meaning of the term saturation.

The Community Development Director stated the area being saturated means that a great deal of homeless services are provided at Alameda Point and the West End; Alameda does not have the same opportunities elsewhere in the City; expressed support for creating a similar program in another part of the City with comparable opportunities; however, such an area does not exist; if other opportunities present themselves in other areas in the City, staff will look into spreading out services.

The Interim City Manager stated the Housing Element provides an opportunity to discuss housing barriers and opportunities in different parts of the community; there are ways to shift the policy perspective over-time for the community related to where properties are re-zoned and placed.

Councilmember Herrera Spencer stated that she previously voted against the matter; discussed a community meeting; stated staff has been more forthright with the proposal; the proposed use is not three families being placed in three homes; the program will likely have individuals, which is not what the community members support; there are multiple people at the encampment on Main Street; the City needs to repair the homes in the area; the City has received complaints about the state of the properties; it is imperative that the City be a good landlord to the current tenants in the area; the homes could be rented out, which would generate rental income for the City; rent revenue should have been used for repairs; house rules must address inside and outside the home; identification needs to be confirmed prior to offering anyone housing; the City is housing people within an established neighborhood; people need to be identified and screened per Megan's Law; expressed support for Village of Love's work as a provider; stated that she would like to regularly hear from community members if the program is approved.

Councilmember Knox White stated Council can find reasons not to support the matter; he hopes to move the matter forward and is enthusiastic about building housing in Alameda; expressed support for the staff recommendation; stated that he would like one supportive housing unit to be used for up to 50% seniors and medically vulnerable; he believes Council would be doing the City and community a disservice in creating a system that de-prioritizes the highest need and largest number; recommended a second Big White be held in abeyance for repairs; stated the number of people being served is being reduced by using two homes for single families; the City will not be collecting rent; the City's job is not to make money, it is to serve the people who live in the City whether or not they have a house.

Councilmember Knox White moved approval of the staff recommendation with one house being used for prioritization of up to 50% seniors and medically vulnerable, and maintaining a second Big White house which could be put into effect once the City has had the opportunity to go through the program and judge its effectiveness and impact on the neighborhood; leaving the decision to staff about renting another existing Big White if one becomes available.

Councilmember Knox White stated the Carnegie Library is a place the City could be looking at; Council has given staff direction to come back with a plan for addressing the geographic issue; the answer will likely include money; he expects those concerned about the East versus West divide will be supportive of spending money to buy expensive houses and address homelessness; he supports plans to place housing through the City.

Mayor Ezzy Ashcraft inquired whether Councilmember Knox White is recommending the City add another Big White to be fixed with City funds and held in abeyance for homeless accommodations, to which Councilmember Knox White responded in the affirmative.

In response to Mayor Ezzy Ashcraft's inquiry, Councilmember Knox White stated that he is recommending the City move forward with all three proposed buildings: one building for individuals and two for homeless families; the second building can be expanded if the City finds the program to be successful.

Mayor Ezzy Ashcraft stated proposing up to 50% senior and medically vulnerable allows the other 50% to be adult individuals; the largest growing segment of the homeless population is seniors age 55 and older; expressed support for the completion of the Wellness Center project on McKay Avenue; stated people are trying to stop the project from moving forward by having the area designated on the National Historic Register.

Vice Mayor Vella seconded the motion.

Under discussion, Councilmember Daysog stated the highest moral obligation the City of Alameda has is to try to assist homeless families with children; children have a difficult time handling the situation; there is a variety of reasons for an adult to be homeless; homelessness for children is a tragedy; he supports the two houses being set aside for homeless families; the third house prioritizing seniors is a need; however, some of the challenges are being addressed in Alameda through the Wellness Center on McKay Avenue; proposed the third house be used to house homeless, unwed, teenage mothers; there is a tremendous amount of unwed, homeless, teenage mothers in the East Bay who need a chance to get back on their feet and get back into school with a safe environment for their newborns; the third house would still be a group home situation targeted at families; the City has reached an understanding with the neighborhood; expressed concern about going beyond the three housing units; stated the City should have a more focused and thematic approach involving homeless families.

Councilmember Daysog made a substitute motion approving the City not pursuing the fourth housing unit and the third housing unit being for unwed, teenage mothers from the East Bay.

Councilmember Herrera Spencer seconded the motion, which failed by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Ayes; Knox White: No; Vella:

No; and Mayor Ezzy Ashcraft: No. Ayes: 2. Noes: 3.

Councilmember Daysog stated that he will vote no on the original motion due to his desire to stick to staff's original recommendation; staff's recommendation is a considered approach that takes into account the need to work with and provide for homeless families.

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

Mayor Ezzy Ashcraft stated that she would like to ensure Council is providing clear direction to City staff; the three homes are to be rehabilitated with City funds and brought to livable conditions in order to house the populations as described with the modifications that 50% seniors and medically vulnerable be housed in one Big White and others being held in abeyance for future accommodations; inquired whether staff understands the direction.

The Community Development Director inquired whether staff is being instructed to utilize a fourth home once the program is up and running for housing general population homeless individuals.

Councilmember Knox White responded there is no expectation that staff should do anything with the fourth house other than ensuring that a house is available once there has been a chance to evaluate the first three homes; the matter would return to Council for discussion; the people to be placed in the fourth home should be determined by what is learned from the initial program; the goal is to have a Big White which can hold individuals where the highest need is present; the fourth house may not end up being used; expressed concern about providing specific direction to staff to have the fourth house for a specified group; stated Council is allowing flexibility; expressed support for the program running for a minimum of one year to evaluate the three houses and make necessary changes.

Mayor Ezzy Ashcraft inquired whether Council desires to rehabilitate the houses.

Councilmember Knox White responded in the affirmative; stated the housing unit should be rehabilitated and ready to be used by the time it is needed.

Vice Mayor Vella stated rehabilitating the houses could take time; the time taken to rehabilitate will likely be the same time needed for evaluation; Council needs to know programmatic needs.

Councilmember Daysog stated the fourth housing unit could be used for unwed teenage mothers.

The Community Development Director stated that she would like to verify that the fourth

house rehabilitation would return to Council for guidance in the future.

Councilmember Knox White concurred with the Community Development Director.

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Mayor Ezzy Ashcraft called a recess at 9:35 p.m. and reconvened the meeting at 9:48 p.m.

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(22-313) Public Hearing to Review and Comment on Annual Report on the General Plan and Draft Housing Element Update.

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

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(22-314) Councilmember Knox White moved approval of allowing up to 5 additional minutes for the presentation.

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

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The Planning, Building and Transportation Director completed the Power Point presentation.

Councilmember Herrera Spencer inquired whether Government Code Section 65585 requires that the proposed draft to come back to Council for review, public comments and changes prior to being submitted to the Department of Housing and Community Development (HCD) or whether staff will submit the draft after the current Council meeting.

The Planning, Building and Transportation Director responded the Code does not require Council to approve the draft Housing Element (HE) prior to sending it to HCD; the Code section does require that the City consider all comments received and make any necessary changes prior to submitting to HCD; the State requirement has the City draft its HE, provide the public 30 days to review, consider public comments, make any necessary changes, and then submit it to HCD for review; once the HCD review has occurred, the HE is brought back to the Planning Board and City Council; Council can consider HCD and Planning Board comments to make a final decision; Council could decide to add a step and have the matter return prior to being sent to HCD; the real discussion will occur once HCD review is complete and decisions will need to be made; the HCD review is an important part of the process; there is opportunity for public hearings and Council decision once HCD review occurs.

Councilmember Herrera Spencer inquired when the last changes were made to the

exhibits attached to the staff report and whether documents are redline.

The Planning, Building and Transportation Director responded the draft HE published for public review on April 5<sup>th</sup> is the draft before Council; staff released an initial set of clarifications and changes for the May 9<sup>th</sup> Planning Board meeting in order to show necessary clean-up; staff does not have a redline version, but a list of changes has been started.

Councilmember Knox White stated Council has received a number of comments related to the height of buildings in the commercial district; inquired whether it is possible for the City to get three story buildings with housing in the commercial districts.

The Planning, Building and Transportation Director responded staff has been speaking with property owners and housing developers about Park and Webster Streets; stated staff is recommending a five story height limit due to feedback from property owners and housing developers; the feedback included the extreme difficulty and unlikelihood for housing to be built on Park or Webster Streets; Park Street and Webster Street already have buildings; a three story limit does not make sense economically; if Council wants to maintain a three story height limit on Webster Street, it is possible; staff will then have to reduce the real estate capacity and 400 units will not be attained on Park and Webster Streets; the units will need to be accommodated in the residential district.

Councilmember Herrera Spencer inquired how density bonus impacts height limits.

The Planning, Building and Transportation Director responded density bonus is typically a 20% bonus if a property owner or developer proposes additional affordable housing; the Park and Webster Streets proposed five story height limit is best viewed as a four stories of residential; if an owner provides affordable housing, they would receive a 20% density bonus; almost every density bonus project performed in the past has used a 20% bonus; the bonus provides for an additional story; the past 10 years, every project has been required to provide a density bonus due to the multi-family prohibition; the only way projects could provide multi-family units in Alameda was through density bonus; once the multi-family prohibition is removed, staff anticipates there will not be as many density bonus projects; Alameda provides significantly more density bonus projects when compared to other cities in the area.

Councilmember Herrera Spencer inquired whether a project might have a higher height limit if the owner qualifies for a density bonus, to which the Planning, Building and Transportation Director responded in the affirmative.

In response to Councilmember Herrera Spencer's further inquiry, the Planning, Building and Transportation Director stated Council could decide how many places to allow multi-family by right; other types of housing, such as supportive housing, is allowed by right under State law; if Council does not allow multi-family housing, shared housing must still be allowed by right; shared housing cannot be treated differently than single family homes.

Councilmember Herrera Spencer stated the term by right is used multiple times throughout the HE, including low barrier navigation centers; inquired whether the City's legal counsel believes Council is required to include low barrier navigation centers.

The Assistant City Attorney responded State law requires the City to identify locations for low barrier navigation centers; stated staff has identified various locations.

The Planning, Building and Transportation Director stated every place shown by right is required by State law; the only exception to the requirement is the R-5 district; the requirement is unclear due to how the R-5 district is structured.

Councilmember Knox White stated all projects have used density bonus due to the City's zoning; inquired whether density bonus is not something that can be automatically granted, must be requested and a case has to be made.

The Planning, Building and Transportation Director responded in the affirmative; stated State density bonus is structured if a developer voluntarily offers to provide a certain amount of affordable housing, the developer is eligible for a density bonus and waivers; since the City's existing zoning has a multi-family prohibition, the only way to produce more than two units in a building is by offering additional affordable housing; the offer creates eligibility for waivers to the multi-family prohibition.

Councilmember Knox White inquired whether the requirement to have developers show a financial reason for the density bonus has been removed from density bonus law.

The Planning, Building and Transportation Director responded State density bonus law has been amended over the years; stated the law has become more lenient over the years; there are two aspects to the law; one is the waiver of things, such as height limits; a more rigid requirement used to relate to financial incentives; a developer had to show the financial unviability in order to qualify for a waiver; the burden now falls on the City.

Urged Council be respectful of the will of the voters; stated upzoning density in neighborhoods and increasing heights is clearly counter to the Measure Z vote; expressed support for Alameda complying with State housing law; stated the proposed HE is an extreme interpretation; expressed concern about taller buildings; urged Council continue the hearing to after May 9<sup>th</sup>: Elizabeth Greene, Alameda.

Stated the West Alameda Business Association (WABA) created a plan to protect the integrity of Webster Street and restrict heights; the plan is viable and speaks to protecting the historical value: Sandra Pilon, WABA

Stated that she has continued to try and be involved with proposals to meet the Regional Housing Needs Allocation (RHNA); the HE does not include allocations without undue density increases and by right upzoning; expressed concern about

residential and commercial zones; urged the matter be seriously considered: Dolores Kelleher, Alameda Architectural Preservation Society (AAPS).

Stated her neighborhood is dense and diverse; discussed the capability for more units in existing areas; expressed concern about building heights taller than three stories; stated the HE has more than enough places to provide housing throughout the City; urged Council to decide where new housing should go; questioned why the Bridgeside Shopping Center is off the list: Betsy Mathison, Alameda.

Discussed RHNA numbers; stated any buffer is unnecessary; urged Council to focus on the 5,353 housing units; the amount is attainable through the current Accessory Dwelling Unit (ADU) process; there is no need to upzone R-2 through R-6 areas; urged Council to build to the requirement: Matt Reid, Alameda.

Expressed support for height limits; stated that she supports smaller units in transit areas and the request to remove unnecessary blanket upzoning across residential neighborhoods; she disagrees with the proposal to include either Lum School or Thompson Field for future housing; urged Council to consider continuing public hearings: Carmen Reid, Alameda.

Discussed the HCD letter attached to the staff report; stated the letter provides for a compliant HE which meets the RHNA obligation and fair housing without upzoning the R-2 through R-6 areas; questioned whether deletion of upzoning is not in compliance with fair housing law; stated upzoning all districts is overkill and manipulates the HE without voter approval: Paul Foreman, Alameda.

Questioned why staff was not directed to =object to the RHNA numbers while 70 other cities submitted letters of objection; expressed support for an initiative prohibiting out of State developers from funding campaigns and building new infrastructure before RHNA units; discussed a bike and car bridge and spending State funds on infrastructure: Rosalinda Fortuna Corvi, Alameda.

Urged Council to upzone Central Avenue and Webster Street; stated Webster Street is full of parking lots and one story buildings; expressed support for encouraging façade reuse; expressed concern about shopping centers being limited to five stories; stated not building high equals building out: Alex Spher, Alameda.

Expressed support for the AAPS letter; stated more housing will be built and Alameda will be more dense; questioned how the City will go about adding more housing; stated the current HE overreaches with upzoning residential areas; expressed support for adding units, while keeping a livable City and the three story height limit; stated that she would add units to her property to help: Joyce Boyd, AAPS.

Discussed Alameda Point; stated that she would like to challenge the position of Alameda Point's role in RHNA and urge staff and the Fair Housing Task Force to authenticate the methodology and update where needed; expressed concern about the

methodology being out of date: Donna Fletcher, Alameda.

Discussed collective knowledge on the HE being shared; stated many people believe the HE is moving in the right direction and the City is being set up for success; expressed concern about correspondence; stated the City cannot risk entertaining the proposed concerns; the State will go after noncompliant cities: Zac Bowling, Alameda.

Expressed support for the work being done on the HE; stated the City needs the numbers and distribution of housing units across the Island; Article 26 stands out like a sore thumb; cities have tried to get out of requirements; doubling down on Article 26 will likely not be effective: Josh Geyer, Alameda.

Expressed support for a good faith effort in submitting a compliant HE; questioned how R-1 through R-6 zones can contribute more; urged Council to modify base zoning; expressed support for tall, modern buildings on Park and Webster Streets: Drew Dara-Abrams, Alameda.

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(22-315) Councilmember Herrera Spencer moved approval of continuing the current item and not hearing any more items.

Mayor Ezzy Ashcraft stated a motion is not needed to hear the current item.

Councilmember Herrera Spencer withdrew her motion.

Councilmember Knox White noted Council has two budget hearings in next week; questioned whether the revenue measures matter [paragraph no 22-\_\_] can be continued to the budget session; expressed concern about discussing another item.

Councilmember Knox White moved approval the revenue measures matter beginning continued to the May 10<sup>th</sup> budget session meeting.

Mayor Ezzy Ashcraft inquired the required vote to move the matter, to which the City Clerk responded three affirmative votes are needed.

In response to Mayor Ezzy Ashcraft's inquiry the City Clerk stated the Rules require a vote to consider new matters after 11:00 p.m.; Council can complete the current discussion and address the agenda sections, including Oral Communications, City Manager Communications, and Council Communications without a vote; there is no time limit for hearing said agenda sections.

Vice Mayor Vella stated that she is not feeling well and supports only hearing the current matter.

Vice Mayor Vella seconded the motion.

Under discussion, the City Attorney stated the motion to move the matter must be time-specific.

The City Clerk stated the matter can be continued to 5:59 p.m. on May 10<sup>th</sup>.

Councilmember Knox White and Vice Mayor Vella accepted the amendment to the motion.

Councilmember Herrera Spencer stated that she will not support the motion; the matter should return on a Regular Council Agenda.

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

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Stated preserve the historic look and feel of Webster Street is important; increasing the units in the area will dramatically change the neighborhood look and feel; discussed an alternate WABA proposal; urged a more refined proposal be submitted: Lori Bilella, Alameda.

Stated AAPS recommends the City remove the proposed blanket upzoning of R-2 through R-6 from the draft HE; the proposed upzoning is unnecessary and overkill; the draft HE includes a 20% buffer; discussed ADUs; stated targeted upzoning can happen in the future: Birgitt Evans, AAPS.

Stated that he is paying attention to neighboring cities since RHNA is regional; it is important to show leadership across the East Bay; noted Berkeley is considering a 30% buffer to ensure its goal is met; the defense of Article 26 does not go over well; the region is trying to solve a housing problem; it is essential to meet RHNA numbers: Nico Nagle, Oakland.

Stated that she objects to the proposed upzoning of residential neighborhoods throughout Alameda; upzoning would eliminate Article 26 that was supported by a large majority of voters; Council should support the voters and not indirectly void Article 26 in supporting upzoning; expressed concern about the HE buffer and setbacks: Reyla Graber, Alameda.

Showed a slide; expressed support for staff exploring alternate height strategies; discussed density bonuses and ADUs; expressed concern about the proposed density of north Park Street: Christopher Buckley, AAPS.

Stated adding more units might be a less expensive option versus building from the ground up; questioned why the draft HE removed adding more units: Karen Miller, Alameda.

Expressed support for the staff recommendation; stated creating a fair and expanded housing program is critical; many people are looking for affordable housing; the City has a chance to address and right structural racism which has been built into the housing plan; urged the plan move forward: Jennifer Rakowski, Alameda.

Councilmember Knox White stated that he has heard comments not supporting rezoning the R-1 through R-6 areas; inquired the process and response if the City submits a draft HE to HCD that does not include the residential areas.

The Planning, Building and Transportation Director responded HCD would send the draft HE right back to the City; stated the City would essentially state that it is keeping Measure A/Article 26 in-tact for residential areas; HCD has already stated the approach is not acceptable; acceptance is not related to numbers or allocation, it is related to fair housing; HCD states the City cannot prohibit multi-family housing in residential densities which support affordable housing in all residential districts; the approach is unfair to those who need affordable housing by Affirmatively Furthering Fair Housing (AFFH); HCD has been consistent in its approach and attitude around what Alameda needs to do; discussed HCD's 2012 letter.

Councilmember Knox White stated the AFFH language requires cities to overcome patterns of segregation and foster inclusive communities free from barriers which restrict access to opportunity; inquired the location of the areas referenced in the statement.

The Planning, Building and Transportation Director responded prohibiting multi-family housing and not allowing residential densities that support affordable housing are barriers to AFFH; stated west Alameda has a higher percentage of lower-income households; continuing the trend of placing all affordable housing on the West End does not affirmatively further fair housing.

Councilmember Knox White stated most of the patterns of segregation related to housing show up in the residential districts; in order to overcome patterns, the City will be required to do something; expressed support for the number of public hearings being held and the effort to try to balance State requirements; stated information about educational opportunities recommends considering encouraging open enrollment in Alameda Unified School District (AUSD); inquired whether the City is not taking a stance that the schools on the West End are not as good as the East End; stated the staff recommendation is that the City will support AUSD and address educational outcomes as opposed to telling people to drive to different schools.

The Planning, Building and Transportation Director responded in the affirmative; stated the clarification will be added as cleanup language to be made by staff before submitting it to HCD.

Councilmember Knox White stated there is a lot of confusion related to AFFH; expressed support for clarification related to the approach not being based on numbers,

but outcomes; stated that he would like to add direction to staff to develop a memorandum that outlines the meaning and specifics of AFFH in Alameda; many southern California cities HE were not certified in the first or second round; the bar is set high; expressed support for the City submitting a certified HE; stated the City can point to what is being done to AFFH, rather than forcing HCD and the community to read through the document and try to pick up what is being done to address fair housing and historical inequities; many people do not want to leave their home; if failed housing policies continue in California, people who cannot afford to live in the area will be pushed into other States; people who have grown up in California and have California values do not necessarily want to live under more stringent and conservative regimes which do not recognize and honor people the same as California; policy makers are responsible if cities lose people due to unaffordability; the City needs to be looking towards the future, not just at the economy and climate, but in caring for each other and making sure future generations can live in the area.

Councilmember Daysog stated each Councilmember must do their best to represent the values and visions which are best for the City and its residents; he believes the City must do the minimum amount necessary to meet the State requirements; the City can continue to do so within the framework of City Charter Article 26 by following through and continuing the housing overlay strategy signed off on by HCD in the previous HE; he suspects HCD will sign off on the strategy once again; there are new concerns related to AFFH; however, the City should figure out how to meet the requirements within the context of Measure A; discussed the 2020 election results; stated the message put forth was understood by Alamedans; Alameda is an Island and has limited infrastructure; it is difficult to meet the RHNA requirement of 5,300 units; he would rather not be required to produce so many units; he would prefer to produce 3,700 units; however, the City is required to produce the 5,300 units; he would like the City to do the minimum amount necessary in compliance with the Measure Z; upzoning so much of Alameda is inconsistent with the will of the voters; expressed concern about having a HE that undoes the City Charter; stated the City can meet its HE and HCD obligations while working within Article 26; expressed concern about elements of the HE; stated the most vital thing is how the City is undermining something that the voters of Alameda recently reaffirmed; the City figured out how to work around limitations, which was enough to get through the last HE; acquiesced HCD could sue the City on grounds of noncompliance; stated the City needs to stand its ground; he is not supportive of many elements of the HE and undermining Article 26.

Councilmember Herrera Spencer stated that she does not agree with upzoning the school properties; one of the schools should be used for open space; she supports the minimum; expressed support for the public comments related to the possibility of adding homes within an envelope and challenging the AFFH data related to high and low resource areas; stated it is possible for the data to be updated due to Alameda Point housing; discussed home and rent prices; stated the approach is not lowering housing prices; she stands by the no on Z vote due to the older housing stock keeping Alameda affordable for residents; Berkeley has a higher density than Alameda; Alameda is a majority minority community due to the old housing stock; Berkeley's majority is white;

the State does not agree with the City's approach to protect old housing stock; many people have been pushed out of other cities with new housing stock; she disagrees with the language in the draft HE stating: "systemic reduction of the supply of affordable housing in Alameda;" rent control will not apply to new rental units and condominiums; inquired where the condominium development in Alameda is located or whether any condominiums have been built in the past 10 years.

The Planning, Building and Transportation Director responded all of the townhomes being built and sold are condominiums; stated many developers are not building condominium flats or apartment type buildings due to concerns over lawsuits; developers are building multi-family buildings which are held as rentals for at least 10 years until a statute runs; the units can potentially change into condominiums after 10 years; the City is not getting a lot of condominium multi-family housing that are not townhomes.

Councilmember Herrera Spencer inquired the starting price for the market rate townhomes in Alameda, to which the Planning, Building and Transportation Director responded over \$900,000.

Councilmember Herrera Spencer stated the price is not affordable; it is unfortunate that the State is pretending the housing units are affordable housing; many people do not qualify for the units; the housing units lead to gentrification; she will only agree to minimal upzoning; expressed support for the draft HE being rejected multiple times; inquired whether the City is advocating for permit waivers.

The Planning, Building and Transportation Director responded staff does not want people to waive universal design requirements.

Councilmember Herrera Spencer stated waivers continued to be provided in Alameda.

Vice Mayor Vella stated that she supports upzoning where needed in order to be responsible; local voters spoke on a measure that causes the City to jump through additional hoops in order to meet its RHNA obligation; the obligation is to the region and the people of Alameda; the obligation is to provide enough housing so that the region does not continue to lack housing such that the cost of housing continues to rise; the median house price in Alameda is over \$1 million; there is not a lot of housing stock due to the lack of building over time; many people are getting priced out of the area and are unable to buy starter homes; the City needs to move forward with the draft HE and send it to HCD; expressed concern about moving backwards; stated the City can either build up or build out and lose the valued open space and parks; staff has tried to address a number of different concerns and find ways to build fairly throughout the City in a way that is going to ensure housing units being added are well integrated into the existing fabric.

Mayor Ezzy Ashcraft stated that she supports complying with State law; there are penalties for noncompliance; many funding opportunities for important projects and

programs require the City to have a certified HE; the City needs to take the HE seriously and comply with State law; expressed support for the various options and creative ways to provide compliance; stated the City can add a number of different housing units and sizes in order to satisfy the affordable by design approach; discussed concerns raised by WABA and area residents; stated there is an opportunity to provide form based zoning cones similar to Park Street; expressed support for more right-sized residential, and doing more in the historic area of Webster Street with corner buildings being anchors; stated that she advocates for a walking tour of the area; there is potential to add housing stock in the transit corridors; she supports making the business districts more vital and visited; urged the building of more housing in order to address homelessness; expressed support for the next steps.

The Planning, Building and Transportation Director stated the next steps include staff meeting with the Historical Advisory Board on Thursday and the Planning Board on Monday; staff will finish consolidating all comments received and perform additional cleanup and adjustments to the draft HE to put the City in the best possible position with HCD; the draft HE will be sent to HCD and staff will spend the next three months working with the Planning Board and community to continue to refine the zoning and start getting into the details; staff will hear back from HCD towards the end of August; once staff knows what HCD thinks of the City's HE, the Planning Board and Council will hold public hearings and start making tough decisions about what needs to be done in response to HCD comments to ensure certification; once staff hears back from HCD, another Council workshop will be held; the Planning Board will have the first round of heavy lifting; Council may provide direction to the Planning Board; the current schedule is to have Council see the HE in November or December; the HE needs to be completed by January 2023.

Councilmember Herrera Spencer stated that she supports the proposed WABA plan; expressed support for the City working with WABA and a better way to evacuate if a bicycle and pedestrian bridge is built; stated the developers and builders are making money off the units; the approach yields unfortunate gentrification.

### REGULAR AGENDA ITEMS

(22-316) Recommendation to Provide Direction on Potential Revenue Measures to Submit to Voters for the November 8, 2022 Election. Continued to May 10, 2022.

(22-317) Introduction of Ordinance Authorizing the Interim City Manager to Execute a Lease with Rhoads Property Holdings, LLC, a California Limited Liability Company, dba CSI Mini-Storage for Thirty-Six Months for Buildings 338, 608, and 608A-C, Located at 50 and 51 West Hornet Avenue, at Alameda Point. Not heard.

### CITY MANAGER COMMUNICATIONS

(22-318) The Interim City Manager announced an affordable housing grand opening event for the Starling and Corsair flats and an Earhart Elementary School informative

sign program; discussed improvements to the City's bicycle network; announced an APD swearing in ceremony and Boards and Commissions openings.

In response to Councilmember Herrera Spencer, the Interim City Manager stated his last day will be after the May 17<sup>th</sup> Council meeting.

#### ORAL COMMUNICATIONS, NON-AGENDA

None.

#### COUNCIL REFERRALS

(22-319) Consider Having the City Council Address the Zoning of the Harbor Bay Club. (Councilmember Herrera Spencer) Not heard.

(22-320) Consider Having the City Council Review Recreation and Parks Department Community Events. (Councilmember Herrera Spencer) Not heard.

(22-321) Consider Directing Staff to Develop an Ordinance Setting Fines for Injury-Collisions Involving Non-Commercial Vehicles that Do Not Meet Federal Design Standards or Have Been Lifted/Altered in a Manner that Increases the Likelihood of Severe Injury or Death in Collisions with Pedestrians and Bicyclists. (Councilmember Knox White) Not heard.

#### COUNCIL COMMUNICATIONS

(22-322) Councilmember Herrera Spencer announced a webinar on the Grand Street project.

(22-323) Mayor Ezzy Ashcraft announced that she attended the Oakland Police Academy graduation; announced Board and Commission openings and encouraged residents to apply.

#### ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 11:48 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

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