

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -JULY 5, 2022- -5:15 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: Vice Mayor Vella.

Public Comment Read into the Record

Dani Gomes, Astra, provided information on the Astra lease, Project Stabilization Agreement (PSA) and the business; requested Council provide direction regarding the PSA.

Consent Calendar

Councilmember Knox White moved approval of the Consent Calendar.

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: 4. [Absent: Vice Mayor Vella – 1.] [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*22-426) Recommendation to Approve Dirk Brazil, Interim City Manager, Lisa Maxwell, Community Development Director, Len Aslanian, Assistant City Attorney, and Nanette Mocanu, Assistant Community Development Director, as Real Property Negotiators for Building 12, Located at 1050 West Tower Avenue, Alameda, CA. Accepted.

The meeting was adjourned to Closed Session to consider:

(22-427) Conference with Real Property Negotiators (Pursuant to Government Code Section 54956.8) Property: 1900 Skyhawk Street (Building 360), Alameda Point, Alameda, CA; City Negotiators: Interim City Manager Dirk Brazil, Community Development Director Lisa Maxwell, Assistant Community Development Director Nanette Mocanu, and Assistant City Attorney Len Aslanian; Negotiating Parties: City of Alameda and Astra Space, Inc.; Under Negotiation: Price and Terms of Lease.

(22-428) 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; 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.

(22-429) Conference with Labor Negotiators (Government Code Section: 54957.6); City Negotiators: Nancy Bronstein, Human Resources Director; Nico Procos, General Manager, Alameda Municipal Power; Jessica Romeo, Human Resources Manager; and Steve Woo, Senior Human Resources Analyst; Employee Organizations: Alameda City Employees Association (ACEA); Management and Confidential Employees Association (MCEA); Electric Utility Professionals Association (EUPA); International Brotherhood of Electrical Workers (IBEW); Alameda Police Officers Non-Sworn (PANS); Alameda Municipal Power Unrepresented Employees (AMPU); Alameda Police Management Association (APMA); Under Negotiation: Salaries, Employee Benefits and Terms of Employment. Not heard.

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding the Real Property, staff provided information and Council provided direction by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: No; Knox White: Aye; and Mayor Ezzy Ashcraft: Aye; Ayes: 3, Noes: 1, [Absent: Vice Mayor Vella – 1]; and regarding Existing Litigation, staff provided information and Council provided direction 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.]

Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 5:56 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- - JULY 5, 2022- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:03 p.m. Councilmember Daysog led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Daysog, Herrera Spencer, Knox White, Vella, and Mayor Ezzy Ashcraft – 5. [Note: The meeting was conducted via Zoom.]

Absent: None.

AGENDA CHANGES

(22-430) The City Clerk announced the Darktrace agreement [paragraph no. 22-442] and the design concept for Mecartney Road/Island Drive [paragraph no. 22-444] were withdrawn and would not be heard.

Mayor Ezzy Ashcraft stated that she would call her nominations [paragraph no. 22-431] and the League of California Cities voting delegates [paragraph no. 22-432] next.

COUNCIL COMMUNICATIONS

(22-431) Mayor's Nominations for Appointment to the Civil Service Board, Commission on Persons with Disabilities, Golf Commission, Historical Advisory Board, Housing Authority Board of Commissioners, Library Board, Planning Board, Public Utilities Board and Social Services Human Relations Board (SSHRB).

Mayor Ezzy Ashcraft nominated Asheshh Saheba and Diana Ariza for appointment to the Planning Board and Michelle Buchholz, Bernard Wolf, Samantha Green and Scott Means for appointment to the SSHRB.

(22-432) Designation of Voting Delegates and Alternates for the League of California Cities Annual Conference.

Councilmember Daysog moved approval of continuing to have Mayor Ezzy Ashcraft and Vice Mayor Vella serve as the voting delegate and alternate, respectively, for the League of California Cities.

Vice Mayor Vella seconded the motion.

Under discussion, Councilmember Herrera Spencer inquired whether the Vice Mayor will be attending the conference, to which Vice Mayor Vella responded in the affirmative.

On the call for the question, the motion 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.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

None.

ORAL COMMUNICATIONS, NON-AGENDA

(22-433) Chase Martin, Alameda, discussed weekly beach cleanups; urged Council to approve a tree protection ordinance as part of the Urban Forest Plan and to direct staff to consider an improved tree protection ordinance.

(22-434) Zac Bowling, Alameda, encouraged the community to avoid parking within bike lanes in Alameda.

(22-435) Josh Altieri, Alameda Housing Authority (AHA), provided an update on AHA activities.

(22-436) Patricia Lamborn, Alameda, expressed support for the City moving the tree protection ordinance into the Urban Forest Plan.

(22-437) Tod Hickman, Building 43 Winery, discussed a road closure at Alameda Point impacting his business and causing traffic confusion.

(22-438) Linda Carloni, Golden Gate Audubon, expressed support for the protections of existing trees on private land being prioritized in the Urban Forest Plan.

CONSENT CALENDAR

The Darktrace agreement and the design concept for Mecartney Road/Island Drive were withdrawn.

Councilmember Herrera Spencer requested the teleconference findings [paragraph no. 22-445] and Alameda Police Management Association MOU [paragraph no. 22-447] be removed from the Consent Calendar for discussion.

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

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

(*22-439) Minutes of the Special and Regular City Council Meetings Held on June 7, 2022. Approved.

(*22-440) Ratified bills in the amount of \$10,151,347.48.

(*22-441) Recommendation to Authorize the Interim City Manager to Execute a Second Three-Year Consolidated Agreement with Environmental Systems Research Institute, Inc. (Esri) for Enterprise Geographic Information System (GIS) Software License Maintenance and Support, with Pricing Increase from \$50,000 per Year to \$55,000 per Year in an Amount Not to Exceed \$165,000, for a Total Six-Year Compensation Not to Exceed \$315,000. Accepted.

(22-442) Recommendation to Authorize the Interim City Manager to Purchase Darktrace Enterprise Immune System for a 3-Year Amount Not to Exceed \$292,248 to be Paid Annually at \$97,416. Not heard.

(*22-443) Recommendation to Authorize the Interim City Manager to Execute a Third Amendment to the Agreement with CDM Smith to Increase Compensation by \$230,000, Including Contingencies, for a Total Aggregate Compensation Not to Exceed \$1,360,633, to Complete the Plans and to Provide Construction Support for the Clement Avenue Safety Improvement Project. Accepted.

(22-444) Recommendation to Approve Design Concept for Mecartney Road/Island Drive Roundabout Improvement. Not heard.

(22-445) Recommendation to Approve Findings to Allow City Meetings to be Conducted via Teleconference.

The City Clerk gave a brief presentation.

Councilmember Herrera Spencer inquired which cities have gone back to either a hybrid or in-person meeting structure; expressed support for an update on when the Council Chambers Zoom hybrid upgrade will be completed.

The City Clerk responded more cities have gone back to remote and teleconference meeting structures; stated both Berkeley and Albany have gone back to remote meetings; Piedmont decides how each meeting will be conducted; more cities in the County are conducting remote meetings versus in-person; the Chambers hybrid project is scheduled to begin in August, pending receipt of equipment.

Mayor Ezzy Ashcraft inquired whether more cities are moving back to remote meetings due to rising COVID-19 rates.

The City Clerk responded in the affirmative; stated that when she spoke to City of Berkeley staff, only two members of the public attended in-person when the hybrid structure was available; noted Berkeley has an active public; it is surprising to have such a small number of the public participate in person.

Mayor Ezzy Ashcraft inquired whether Berkeley is getting better attendance with remote meetings, to which the City Clerk responded in the affirmative.

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: No; Herrera Spencer: No; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 3. Noes: 2.

(*22-446) Recommendation to Authorize the Interim City Manager to Execute a One-Year Agreement with Bureau Veritas for an Americans with Disabilities Act Self-Assessment and Transition Plan for a Not to Exceed Amount of \$401,500. Accepted.

(22-447) Resolution No. 15926, “Approving a Memorandum of Understanding (MOU) Between the Alameda Police Management Association (APMA) and the City of Alameda for a Forty-Two Month Term Commencing December 19, 2021 and Ending June 30, 2025.” Adopted.

The Human Resources Director gave a brief presentation.

Councilmember Herrera Spencer stated it is important to share the information publically with a presentation from staff; requested staff to share financial impacts.

The Human Resources Director stated the contract's base salary increases are close to \$700,000; the additional items provided bring the amount to \$733,000; the ongoing costs are built into the salary base at about \$287,000 going forward.

Councilmember Herrera Spencer moved approval of the staff recommendation [including adoption of the resolution].

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

(*22-448) Resolution No. 15927, “Calling for a General Municipal Election to be Consolidated with the Statewide General Election to be Held in the City of Alameda on Tuesday, November 8, 2022 for the Election of Certain Officers, and Requesting the Alameda County Board of Supervisors to Permit the Registrar of Voters to Render Specified Services to the City Relating to the Conduct of Said Election Pursuant to Section 10403 of the California Elections Code.” Adopted.

(*22-449) Ordinance No. 3324 “Amending Alameda Municipal Code Section 30-10 (Cannabis) to Add the North Park Street Maritime Manufacturing District (MM-NP) as a Location Where Cannabis Industry (Manufacturing) is Conditionally Permitted, as Recommended by the Planning Board.” Finally passed.

CONTINUED AGENDA ITEMS

None.

REGULAR AGENDA ITEMS

(22-450) Resolution No. 15928 “Reappointing Adrienne Alexander as a Member of the Recreation and Parks Commission.” Adopted; and

(22-450A) Resolution No. 15929 “Reappointing Alice Nguyen as a Member of the Recreation and Parks Commission.” Adopted; and

(22-450B) Resolution No. 15930 “Reappointing Eric Robbins as a Member of the Recreation and Parks Commission.” Adopted; and

(22-450C) Resolution No. 15931 “Reappointing Alysha Natchtigall as a Member of the Transportation Commission.” Adopted; and

(22-450D) Resolution No. 15932 “Reappointing Tina Yuen as a Member of the Transportation Commission.” Adopted; and

(22-450E) Resolution No. 15933 “Appointing Geoffrey Johnson as a Member of the Transportation Commission.” Adopted; and

(22-450F) Resolution No. 15934 “Appointing Saravana Suthanthira as a Member of the Transportation Commission.” Adopted

Councilmember Knox White moved approval of the appointments [including adoption of the resolutions].

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.

The City Clerk administered the Oath of Office to Ms. Alexander, Mr. Johnson and Ms. Suthanthira.

Ms. Suthanthira and Mr. Johnson made brief comments.

(22-451) Recommendation to Approve a Term Sheet for Development of the West Midway Project; Direct Staff to Negotiate a Disposition and Development Agreement with Brookfield Homes and Catellus for Construction of the West Midway Project at Alameda Point; and Authorize the Interim City Manager to Execute the Fourth Amendment to the Exclusive Negotiating Agreement to Extend the Term.

The Community Development Director gave a Power Point presentation.

Expressed support for the expansion of housing opportunities across the spectrum of needs at Alameda Point; stated the existing structures have served their purpose and the newly planned community provides a new level of dignity to those needing support: Anne McKereghan, Alameda League of Women Voters.

Stated the matter is important for the City; Brookfield and Catellus are the perfect team to execute on West Midway; discussed Catellus’s development activity in the City for over 20 years; stated the team is the most knowledgeable to navigate the numerous project complexities: Sean Whiskeman, Catellus.

Stated the project has not always been easy, yet all partners are a pleasure to work with; challenges have been met head-on in a positive manner; Brookfield is looking forward to kicking off the project; expressed support for the project coming closer to fruition: Josh Roden, Brookfield.

Expressed support for the West Midway project; stated the project promotes the use of sustainable transportation; urged Council support staff’s recommendation: Lauran Gularte, Water Emergency Transportation Authority (WETA).

Stated the project dedicates 309 units for low and very low income residents, which is unheard of; the developers are the best in class; discussed demographic information: Matt Regan, Bay

Area Council.

Expressed support for the West Midway project; stated the housing stock is desperately needed; the project enables the Rebuilding the Existing Housing at Alameda Point (RESHAP) investment in supportive housing which will build capacity for generations; urged Council approve the term sheet: Louis Liss, Eden Housing.

Expressed support for the development project at West Midway; stated the project is amazing; he supports staff's recommendation for the term sheet; the project is big and includes much needed affordable by design workforce housing; the project includes transit improvements: Zac Bowling, East Bay YIBMY.

Discussed MidPen partnering with Alameda Point Collaborative, Building Futures and Operation Dignity to rebuild existing housing at Alameda Point; stated new infrastructure and site preparation is needed to realize the goal; discussed a phasing plan, which keeps existing residents in their homes until new housing is built: Abby Potluri, MidPen Housing.

Urged Council to approve the West Midway term sheet with Brookfield Residential and Catellus; stated the project will allow the City to reach its Regional Housing Needs Allocation (RHNA) numbers and continue momentum at Alameda Point; the developers are well-qualified and capitalized: Karen Bey, Alameda.

Expressed support for the project; stated the project will help the City with its RHNA numbers and will emphasize affordable and work force housing; urged approval of the term sheet: Madlen Saddik, Alameda Chamber of Commerce.

Discussed plans for the new housing campus buildings; stated the proposed dates are exciting; urged Council approve the term sheet: Liz Varela, Building Futures.

Expressed support for the term sheet; stated the journey has been circuitous; she is thrilled to see the proposed dates; she supports the ability for people to remain in housing with one transition: Marguerite Bachand, Operation Dignity.

Stated that she is excited to see the advancement of the project; urged Council approve the term sheet as-presented; stated updating the infrastructure at Alameda Point is critical: Pamela Jordon, Alameda Point Collaborative.

Stated the project is beautiful, great work; the project helps Alameda build more inclusive and affordable space; urged Council to approve the term sheet: Melodye Montgomery, Alameda.

Expressed support for the project; stated the project is coming to fruition through a tremendous collaborative effort; the program is wonderful and has many advantages: William Pai, Alameda.

Mayor Ezzy Ashcraft stated that she loves everything about the project and is happy to build new homes and infrastructure for groups, organizations and non-profits; expressed support for meeting reasonable and valid expectations; stated that she cannot agree to all of the proposed extensions; the State is in the midst of a housing crisis due to low housing production and homeless populations; expressed concern about the amendments to the Exclusive Negotiation Agreement (ENA) in 2021 pushing out the term sheet completion time to January 2022 with an extension option of April 2022; stated there are two additional three month extension options; if

Council approves the Fourth Amendment, negotiating the Development and Disposition Agreement (DDA) could be pushed out to the end of 2023; the milestone schedule includes Council approval of the term sheet and DDA by December 20, 2022; the City needs housing and she does not want to continue putting the matter off; the developers have the wherewithal to accelerate necessary matters without requesting extensions; delays in approval will impact the milestone dates; approval of the DDA in December 2022 is concerning due to the upcoming general election; important dates and actions will be taken by the newly seated Council; expressed support for different dates being provided; stated that she has a hard time supporting the extension and the City Manager having authority to grant two additional three-month extensions; she supports the project and is aware of how badly the housing is needed; she would like to do everything possible to move the project forward without delays.

Councilmember Daysog stated the project has an incredible mix of housing for people who are financially vulnerable and also who are affluent; he hopes the Council supports the project; details surrounding timelines can be squared away; he is supportive of both the project and the proposed timelines provided in the staff recommendation.

Councilmember Herrera Spencer stated that she has had concerns about the extensions; however, she has been satisfied with staff's responses about timelines; requested clarification from staff as to why the proposed extensions are being included.

Mayor Ezzy Ashcraft expressed support for further clarification being provided; stated that she could support the matter with assurances that all term sheet milestone deadlines will be met and consequences for not meeting said deadlines.

Councilmember Herrera Spencer stated that she understands that projects come back to Council with extenuating circumstances; her inquiry is about the current staff proposal.

The Community Development Director stated a delay did occur as the project was revamped; MidPen, Catellus and Brookfield were part of the planning process when staff realized there would be material advantages to all parties involved from changing the RESHAP location; the developers were willing to look into the change and realized the change created a better project; the change did create delay; however, positive offsets occurred as well.

Councilmember Herrera Spencer stated there have been unfortunate delays in permitting; she wants to support the project; the public supports the project; the matter might return in the future and Council could be asked to reconsider different project aspects; the developer has incentives to perform and wants to build the project; expressed concern about costs increasing over time; expressed support for the City providing assistance moving the project along; stated that she looks for affordable housing projects that are balanced with market rate; expressed support for market rate units being for sale versus for rent and for the breakdown of housing units being provided; inquired whether staff anticipates the market rate housing will be for sale or for rent.

The Community Development Director responded staff currently anticipates the bungalows to be for sale; stated some of the conditions will be dictated by the market at the time; there will be 43 units of workforce housing for sale, which will not be deed restricted.

Councilmember Herrera Spencer expressed support; stated that she appreciates having housing for sale; expressed concern about apartments being built which are expensive to qualify for and not rent control; stated that she supports people being able to purchase; she

plans to support the project as-is.

Councilmember Herrera Spencer moved approval of the staff recommendation.

Vice Mayor Vella inquired whether there is a Project Labor Agreement (PLA) for the project.

The Community Development Director responded a PLA is in the works; stated negotiations are proceeding; developers are available to respond; developers have been having frequent conversations with labor trades and are hopeful about reaching a mutually acceptable agreement; the PLA will be part of the DDA.

Vice Mayor Vella stated the current matter before Council is to provide authority for staff to negotiate; Council is not currently approving the DDA.

The Community Development Director stated staff will return to Council with the DDA once negotiated.

Vice Mayor Vella stated that she understands the concerns raised by Mayor Ezzy Ashcraft; expressed support for making clear that there is a need to not have extensions; stated that she is concerned about the timeline having the potential for a new or split Council vote; noted other projects have been affected by new Council's taking office, which could cause delays; inquired whether the Council approval dates for the DDA can be reviewed and pushed up in order to not require a new Council vote; stated there are typically a number of pressing items brought to Council in the new year; she would like to ensure clear direction is provided related to the project timeline; expressed concern about further project delays; stated construction costs are increasing; all parties understand the increases cause a need to start the project; she does not want to be in a position where Council is granting another extension early next year; she would like to focus on the order of projects at Alameda Point; delays can cause a domino effect on projects nearby.

Mayor Ezzy Ashcraft inquired whether developers would like to provide input related to concerns raised over delays.

Sean Whiskeman, Catellus, stated there is no interest in further project delays; the team has been working hard with City staff on complicated matters; delays have been an unfortunate part of the process while working with many parties; the extensions are a backstop for any delays; the project is a priority for the developers.

Mayor Ezzy Ashcraft stated that she has faith in the developers; inquired whether it is possible to move up the approval of the first reading for the DDA.

Mr. Whiskeman responded that he has no issue in moving up the deadline; stated the project development plan needs to be approved by the Planning Board prior to Council approval; the timeline includes a work session with the Planning Board; if the developers are able to make the hearings in time, the deadline can be moved up.

Mayor Ezzy Ashcraft stated that she anticipates staff will work to accelerate the timing as needed; it will be significant to have the DDA first and second reading occur with the same Councilmembers; inquired whether the project timeline can be guaranteed.

The Community Development Director responded all parties will be working towards the milestone schedule dates; stated the schedules are not presented lightly; to the extent all parties can stay on track with the DDA, the proposed dates should be met; however, unexpected items may arise.

Mr. Whiskeman stated there are many parties involved with the project; everyone is focused on the priority goals.

Councilmember Knox White seconded the motion.

Under discussion, Councilmember Knox White stated there is a clear understanding that Council is not approving any of the attachments included in the staff report; Council is only approving the term sheet; none of the proposed drawings have been approved by other bodies; he continues to have concerns about how the project is not universally designed, is income segregated, and is not mixed-use; he hopes as the project goes forward to the Planning Board, there will be opportunities for the design and planning team to really try and address some of the concerns; there is good work included in the term sheet; he supports the idea of having the matter move up to the first meeting in December; expressed concern about having new Councilmembers adequately caught up on this important project at their first meeting.

Councilmember Herrera Spencer stated that she would like to clarify that the motion is to approve the term sheet for the development of the West Midway project, direct staff to negotiate the DDA with Brookfield and Catellus for construction, and authorize the Interim City Manager to execute the fourth amendment to the ENA to extend the term; the motion is to approve all three.

Councilmember Knox White stated that he merely wanted to clarify that the other attachments are not being approved; he agrees that the motion to approve includes the items listed by Councilmember Herrera Spencer.

Mayor Ezzy Ashcraft inquired whether the motion can be bifurcated; stated that she is concerned about two additional extensions; the housing crisis is real.

Vice Mayor Vella stated that she would like to clarify that the direction being provided to staff includes moving the vote date up to December in order to ensure that the current Councilmembers vote on the matter.

Councilmember Herrera Spencer stated staff understands the direction being provided; she is unsure whether staff is able to move up the date; she does not have a problem with the matter being brought back sooner; most Councilmembers would support hearing the matter in December; she understands that all parties are trying to move the project along as quickly as possible; inquired whether staff is comfortable guaranteeing the dates.

Mayor Ezzy Ashcraft stated that she would like input from the Interim City Manager and City Attorney on accelerating the deadline by one meeting to ensure the same Council can vote on the matter.

The Interim City Manager stated the developers and staff have a goal to complete the DDA as soon as possible; the matter is a priority and staff will regularly update Council on the progress; he imagines the matter will return to Council based on priority in order to meet the deadline; staff does have competing demands; however, the matter has been deemed a priority.

The City Attorney concurred with the Interim City Manager; stated the matter is an important priority for the Council and staff will work as fast as possible.

Councilmember Herrera Spencer stated no one is guaranteeing the date; her motion stands on the goodwill of all parties trying to complete the goal by the deadline.

Vice Mayor Vella stated that she is not requesting a guarantee; she is providing staff with a prioritization; expressed support for the DDA matter returning with a negotiated PLA without delay.

Mayor Ezzy Ashcraft stated that she would look with disfavor on the exercise of utilizing two more extensions; the project needs to move forward.

Councilmember Knox White stated that he would like to provide direction that in the event of another extension, the Interim City Manager should communicate to Council and provide an opportunity to discuss negotiations in closed session.

Mayor Ezzy Ashcraft expressed concern over closed session discussions; stated that she would defer to the City Attorney on the matter.

The City Attorney stated Council may, generally, provide direction; the City Manager will provide communication to the Council in the proper form.

Councilmember Herrera Spencer stated the PLA is one of the steps but is not a requirement for approval; noted that her motion remains to only approve the staff recommendation; requested clarification that staff will continue to work with the developer and unions to allow the timeline to stay on track.

The Community Development Director stated staff anticipates running in a parallel path on both the PLA and DDA; the two can be negotiated concurrently.

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.

Mayor Ezzy Ashcraft called a recess at 8:56 p.m. and reconvened the meeting at 9:13 p.m.

(22-452) Resolution No. 15935, "Calling for the Holding of a Consolidated Municipal Election in the City of Alameda on Tuesday, November 8, 2022 Submitting a Proposed Charter Amendment to Revise the Salary of Mayor and City Councilmembers, Establishing the Policies and Procedures for Such an Election, Requesting that the County of Alameda Conduct Such an Election and Authorizing City Councilmembers to File Written Arguments For or Against the Measure." Adopted.

Special Council gave a Power Point presentation.

In response to Vice Mayor Vella's inquiry, Special Counsel stated should the voters approved

the measure in November, Council could set the salary any time thereafter; the salary would not go into effect until January 2025 at the earliest.

Vice Mayor Vella stated Council would vote to approve the amount of the salary; however, the salary would not become operative until January 2025.

Councilmember Herrera Spencer inquired about the word count for the question.

The City Clerk responded the question is well under the requirement and is 57 words.

Councilmember Herrera Spencer inquired the last time the voters voted on the current pay, to which Special Counsel responded 1970 for Mayor and 1977 for Council pay.

Councilmember Herrera Spencer requested clarification about the process to determine the dollar amount.

Special Counsel responded Council would have discretion to set the salary for Mayor and Council in any denomination up to the maximum amount; stated depending on when Council votes on the matter, and any changes to the formula, the increase would likely occur when Council approves the decision; Council can determine both Councilmember and Mayor salary to go into effect January 2025.

Councilmember Herrera Spencer inquired whether the matter can be approved by an affirmative vote of three Councilmembers, to which Special Counsel responded in the affirmative.

Stated the matter had been part of the racial justice committee's recommendation and is a way of opening the role of Councilmember or Mayor to a wider population; questioned how the amount can be set to anticipate inflation for the year 2025; expressed concern about the salary being too low: Marilyn Rothman, Alameda.

Stated Councilmembers are underpaid; discussed people choosing not run for office due to the volunteer nature of the job; stated the Charter cements a small amount for Council pay; it is unfortunate that Alameda does not get equitable representation on Council; Alameda does not have short meetings; the Council's work rivals larger cities; urged Council to include information on the history of Council pay increases: Zac Bowling, Alameda.

Stated that it is incredible that the salary has not been looked at for 45 years; increasing the pay will yield a larger variety of members; expressed support for the increase in salary and the possibility for more individuals being able to serve: Melodye Montgomery, Alameda.

Mayor Ezzy Ashcraft stated the increase is the right thing to do based on the reasons provided under public comment; not everyone can afford to perform the job of Councilmember; expressed concern over succession planning; stated that she would like to see the Councilmember position field open up to more people; discussed her appointment process to City Boards and Commissions; expressed support for expansive diversity serving across the City; stated serving on a Board or Commission is a wonderful stepping stone to running for elected office; noted volunteering on a Board or Commission is a big commitment; expressed support for the matter.

Vice Mayor Vella stated the minimum wage in 1970 helps to put the amount in perspective; noted the amount equates closer to the minimum wage at the time; the cost of living has increased substantially; Alameda prides itself on being a family community and being on Council is not a volunteer job; the position costs money and time away from family; Council meeting preparation is additional time spent; expressed support for a Council that is involved; stated that she supports the matter; it has taken a couple of years to get this far; putting out the start date will create difficulties in recruiting people for Council; diverse members are difficult to find; the change is a long time coming.

Councilmember Knox White stated that he is open to having the increase begin as soon as passed by the voters; noted the matter has been a long time in the works; expressed support for the matter; stated that the matter had been part of his election information when he previously ran for office; in discussing the matter with over 1,000 people, only one thought that Council was not severely under-paid for the amount of time spent; he believes the community will step up and acknowledge that Council should be paid a higher amount; expressed concern about increasing the pay further than proposed in order to maintain Council not working full-time; stated the role of Council is to provide policy; full-time Councilmembers leads to a different form of government; the proposed threshold is as high as possible without the potential for full-time work expectation.

Councilmember Herrera Spencer requested the ballot question be displayed; stated the question is not clear that Council is asking for an increase; noted the question only states that Council pay will be revised; expressed support for adding the terms “to increase” or “to raise” as well as the dollar amount; stated that she would like the question to be very clear; expressed support for adding historic information to the question; stated that she would like to hear from other Councilmembers related to revising the question for clarity.

Mayor Ezzy Ashcraft inquired whether there will be timing issues due to the Council break in August.

The City Clerk responded Council would need to schedule a special meeting in order for the matter to come back.

Councilmember Herrera Spencer inquired whether Council is voting to approve the proposed question, to which the City Clerk responded in the affirmative.

Special Counsel stated a concern Council might have related to placing the dollar amount within the ballot question is that the amount indicated might not be the actual amount to be in effect when the voters approve the matter; the amount could change between now and November, and can likely change to be higher post-election.

Mayor Ezzy Ashcraft stated Council can reference an increase from the current amount to an approximate range.

Councilmember Herrera Spencer expressed support for the use of the term “approximate.”

Mayor Ezzy Ashcraft inquired whether the current amount of Council pay should also be referenced since most people do not know the small amount.

Councilmember Herrera Spencer responded in the affirmative; stated the amount should be referenced as annual; noted the language should read “to increase” or “to raise.”

Vice Mayor Vella stated the wording works; noted the Mayor and Councilmembers are paid different amounts; she is only comfortable changing the wording from “revised” to “increased” if the current amount is explained; the context matters; a lot can be addressed in the argument; expressed concern about wordsmithing; stated providing specifics can be difficult; the amount could change; expressed support for being able to adjust for inflation; stated that she would like to address issues in the argument.

Councilmember Knox White stated that he agrees with the concern about placing an exact amount in the question; expressed support for including the term “increase in salary;” questioned whether the question can read: “Shall the Measure amending the City Charter to allow the City Council to increase the salaries for the City Council \$1,200 per year and Mayor \$3,600 per year for the first time since the 1970’s by capping the salaries...” which includes the increase, informs who receives which amount and how long it has been since the last increase; stated the proposed language is clear; Council can address other specifics in the ballot arguments.

The City Clerk stated the full text of the Measure shows the current Charter language that is being stricken; the ballot will include the full text of the Charter Amendment, which will be included in the sample ballot; all information is included in the sample ballot.

Mayor Ezzy Ashcraft stated that she would like the proposed text to be displayed.

Councilmember Daysog stated that serving on the Charter Reform Committee was a privilege; between 2018 and May 2020, the Committee reported on various items for reform; Council pay rate had been placed in a delayed category; in June 2020, a decision was made to delay the Council pay raise; the information gathered did not lead to specific recommendations to rectify Council pay; expressed concern about it being a high inflationary period, which could soon be followed by a hard recession; stated now is not the time to be discussing Council pay raises; if Council pursues the matter, the process of Charter reform should have legitimacy; the topic of Council pay raises needs to have input on the correct formula and be comparable to similar sized cities in Alameda County; expressed support for further input from the community; stated it is not wise to be pursuing a pay raise; he would like to continue the discussion and involve the community; expressed support for forming a committee; stated placing the matter on the November 2022 ballot is not a wise decision.

Mayor Ezzy Ashcraft stated the argument cuts both ways; there is an inflationary period and the cost of goods and fuel have increased, which means that people are feeling the impacts; Council is representative of the community; the hardships of financial limitations are not desired; the topic has been discussed and recommended by the community under the police reform and racial equity subcommittees; the concerns raised are valid; however, the argument cuts both ways.

The City Clerk displayed the ballot question language.

Special Council stated the language has been revised with the idea of annual salaries in parenthesis; capping the annual salary amount as a not to exceed amount is consistent with the language in the third line.

Mayor Ezzy Ashcraft inquired the new word count, to which the City Clerk responded the count is still under the limit.

Vice Mayor Vella stated that she is fine with the proposed changes to the question; she is amenable to having the pay increase begin sooner; the increase could happen in the new fiscal year to align with the budget discussions.

Mayor Ezzy Ashcraft noted the matter will still go through the voters.

Councilmember Herrera Spencer inquired where the 30% comes from and why the amount is 30%; stated bigger cities are closer to 30%; however, most cities are between 18% and 20%; expressed support for an 18% to 20% range, which is more reflective of the majority of cities in the area with a similar population.

Councilmember Knox White stated Council will be the one to set the salary; the 30% allows for wiggle room in the decision and allows the voters some understanding of the cap amount; 30% seems to be about right due to the Councilmember working roughly 20 hours per week; the percentage is a meaningful salary; capping the amount against average income makes sense.

Councilmember Herrera Spencer inquired whether only one member of the subcommittee agreed to the 30% rate increase.

Councilmember Daysog stated the formula was put together by Councilmember Knox White; noted that he gathered data with regard to pay raise amounts for Councilmembers of cities similar in size; stated there had been no consensus to what the formula would be; the Council pay is low as validated by the data; however, the formula and process was not fleshed out; expressed support for more work and input being provided from residents; stated it is not the right time to consider the topic given inflation and the coming recession.

Mayor Ezzy Ashcraft stated that she would like the population information for Alameda County provided.

Special Counsel stated Alameda has a population of 80,000, Union City has a population of 75,000, San Leandro has 90,000, Pleasanton has 80,000, Livermore has 92,000, and Dublin has 64,000; the cities are roughly comparable to Alameda's population.

Councilmember Herrera Spencer stated that she would be supportive of an increase amount range between 18% and 20% as opposed to 30%; the amount would automatically increase over time; 30% seems to be high; expressed support for reducing the percentage.

Vice Mayor Vella stated that she thinks Council is getting ahead of itself; the goal is to have a Charter which allows for Councils to make decisions based off of different circumstances being faced; the list of cities is a little misleading; many cities are not full service cities; some cities do not have similar sized redevelopment projects, former Navy bases or municipal power companies; there are differences between the types of decisions and services that the City of Alameda offers versus the other cities listed; the differences are significant and should be taken into account; Council will make a decision which weighs all factors in order to set the pay; the process will be open to the public for feedback and comment; the 30% amount allows for

discretion and determinations to be made; data points and other considerations will be taken into account when the salary is set.

Mayor Ezzy Ashcraft stated the percentage can be less than the 30%; Council needs to set the wording and have a subcommittee to work on the ballot argument; inquired the time frame for direct arguments.

The City Clerk responded the subcommittee will work on the direct arguments which are due Monday, July 25th; if there is an argument against, the subcommittee will have until August 3rd to write a rebuttal.

Mayor Ezzy Ashcraft inquired whether the subcommittee needs to be designated.

The City Clerk responded in the affirmative; stated Council can decide on the subcommittee and has leeway to decide who signs the arguments.

Mayor Ezzy Ashcraft inquired whether Councilmember Herrera Spencer and Vice Mayor Vella would be willing to work together on a subcommittee to come up with a valid argument and, if needed, a rebuttal.

The City Attorney stated Council could appoint its members to sign the arguments both for and against; Council has wide latitude to decide who will author the argument in favor and who will author the argument against.

Councilmember Herrera Spencer responded that she is not sure that she can support the currently proposed ballot question as-written; stated that she has concerns about the proposed language; she would like the dollar amount included at the end of the proposed language; she would propose 20% of the salary, which is in line with other cities of relative size; the salary amount will likely be closer to \$18,000 per year.

Mayor Ezzy Ashcraft stated the Vice Mayor made a good point that Alameda has a lot more happening than other communities, such as development of the former Naval Air Station and housing; inquired whether an amount not to exceed 25% would be acceptable; expressed concern over creating impediments to those running for office.

Vice Mayor Vella responded the percentage amount is still a cap; stated the Council can always enact a smaller amount; a Councilmember can propose 18% and Council will set the amount; expressed concern for acting prematurely to set the amount; stated capping the percentage at 30% does not mean that Council must support at that amount; Council will discuss the matter, complete with public input and comparisons, and making a determination about the amount; the current discussion is seeing whether Council can get the authority to set the amount; expressed concern about a potential future time where other cities increase salaries and Alameda having to do another Charter amendment.

Councilmember Knox White expressed support for Vice Mayor Vella's comments; stated the matter is about flexibility, not setting the actual salary; the salary is going to change and fluctuate over the years; expressed concern over a Charter amendment being performed each time there is an adjustment to salaries, which resulted in it being a \$50 per meeting salary for 50 years; expressed support for paying people for time worked; the proposed salary will be roughly \$30,000.

Mayor Ezzy Ashcraft inquired whether Councilmember Knox White would work with Vice Mayor Vella on a subcommittee to write the arguments in favor.

Councilmember Knox White and Vice Mayor Vella responded in the affirmative.

Mayor Ezzy Ashcraft stated that she has been persuaded by the arguments provided by her colleagues; expressed support for Councilmember Knox White and Vice Mayor Vella writing the argument for and the rebuttal to the argument against.

Councilmember Herrera Spencer noted that she previously inquired whether the dollar amount can be added to the question.

Councilmember Knox White inquired whether Councilmember Herrera Spencer will support the ballot question if the dollar amount is added.

Councilmember Herrera Spencer responded that she would prefer a lower percentage; stated if the term “at least” is not be included, that she will not be supportive.

Councilmember Knox White inquired whether Councilmember Herrera Spencer would support the language if it reads: “up to about 30%,” expressed concern about changing the language without getting support.

Councilmember Herrera Spencer stated that she would prefer reducing the percentage; if the percentage remains at 30%, the limit should be articulated.

Councilmember Knox White expressed support for Councilmember Herrera Spencer crafting a motion which includes the desired language.

In response to Councilmember Herrera Spencer’s inquiry regarding arguments, the City Clerk stated the subcommittee will be named in the resolution.

The City Attorney stated when Council adopts the resolution, the Council will appoint its members to write the arguments for and potentially against.

Mayor Ezzy Ashcraft stated the named subcommittee agreed to write the argument and rebuttal; the argument is the best place to include amounts.

Councilmember Herrera Spencer stated it is important to articulate the current and proposed pay.

Mayor Ezzy Ashcraft stated Council needs to vote on the wording of the ballot question.

The City Clerk stated the question is included in the resolution.

The City Attorney stated the motion needs to include the ballot question and those writing the arguments for and against; the actions can be contained in one motion because all actions are included in the resolution.

Mayor Ezzy Ashcraft inquired where the approximate dollar amount should best be placed.

The City Attorney responded Council may decide where to place the amount; inquired whether the current word count allows for three or four words; to which the City Clerk responded four words remain.

Councilmember Knox White expressed support for adding “30% of the salary” and “up to currently \$25,000;” adding “per year” will exceed the word count limit.

Vice Mayor Vella expressed concern over defeating the purpose of having a 30% cap; stated the amount is now being capped at the \$25,000 amount; noted the cap will not be able to be exceeded in the future due to the named dollar amount; inquired whether the listing the dollar amount will create an issue for the cap.

The City Attorney responded Council can increase the amount; stated the language should be as exact as possible; the amount should either be \$25,977 or \$26,000 instead of \$25,000.

Councilmember Herrera Spencer stated that she can support the language.

In response to Mayor Ezzy Ashcraft’s inquiry, Councilmember Daysog responded that he would be willing to work on the opposition.

Councilmember Herrera Spencer stated that it would not be appropriate for her to serve on the subcommittee writing the opposing argument.

The City Clerk stated Councilmember Daysog can be a subcommittee of one; noted Councilmembers’ arguments are given priority in the Elections Code.

The City Attorney stated other members of the public could also submit arguments against.

Councilmember Knox White expressed support for himself and Councilmember Herrera Spencer writing the argument in favor and for Mayor Ezzy Ashcraft and Vice Mayor Vella writing the rebuttal.

Councilmember Herrera Spencer stated that she is supportive of the proposal from Councilmember Knox White.

The City Clerk stated there is a form the authors will sign to release and allow other people to sign and author the rebuttal.

Mayor Ezzy Ashcraft stated the subcommittee of Councilmembers Knox White and Herrera Spencer will write the arguments in favor, with Vice Mayor Vella and herself writing the rebuttal; Councilmember Daysog will author the argument against and the rebuttal.

Councilmember Knox White moved approval of the proposed language being shown on the screen for ballot question, to appoint a subcommittee of Councilmember Herrera Spencer and himself to write the argument in favor, a subcommittee of Councilmember Daysog to write the argument against [including adoption of related resolution].

Councilmember Herrera Spencer stated several people have raised the issue of effective date; inquired whether the effective date could be modified by Council, to which Special Counsel

responded in the affirmative; stated the language currently reads an effective date of January 2025.

Councilmember Knox White stated that he would amend his motion to change the effective year to 2023.

Councilmember Herrera Spencer stated that she understands a stipulation for the change in Council pay not being effective for currently seated members; inquired where the stipulation comes from.

Special Counsel responded the language is included in the City Charter; stated the Charter language is being changed to remove the restriction.

Councilmember Herrera Spencer inquired whether the question would be different.

Special Counsel responded in the negative; stated the ballot question does not indicate when the new salaries would be in effect; the information is contained in the Charter section being amended; the proposed Charter amendment indicates January 2025.

Councilmember Herrera Spencer stated changing the date has not been discussed and should be included in the question.

Special Counsel stated the ballot question is running out of available words; noted the date does not have to be included in the ballot question; there is a presumption that the voters will read the text of the Charter Amendment Measure, which will indicate the effective date.

Mayor Ezzy Ashcraft inquired whether the information can be included in the ballot argument.

Councilmember Herrera Spencer inquired how many words are added by inserting "effective January 1, 2023."

The City Clerk responded two words; stated the word cap has been met and any addition would exceed.

Councilmember Herrera Spencer stated that she would prefer striking two words in order to add the effective date to the ballot question.

(22-453) Councilmember Daysog moved approval of each Councilmember having 3 minutes to speak.

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.

Mayor Ezzy Ashcraft inquired whether the title is included in the word count, to which the City Clerk responded in the affirmative.

Mayor Ezzy Ashcraft proposed the title read: "Proposed City Charter Amendment Ballot Measure."

Councilmember Herrera Spencer proposed: "Shall the City Charter be amended to allow City Council to..." with the effective date of January 2023 being added at the end.

Councilmember Knox White stated "be adopted" should be deleted; the previous language mentioned amending and a yes or no question is not being asked; the effective date can be added at the end; July 2023 should be added to indicate the fiscal year.

Vice Mayor Vella stated that she is proposing the effective date of July 2023 for the actual wage increase to be effective and part of the budget discussions.

Mayor Ezzy Ashcraft inquired whether the date needs to be specific indicating July 1, 2023.

The Interim City Manager stated the language assumes July 1, 2023; utilizing the term "July 2023" should be fine.

The City Attorney concurred with the Interim City Manager; stated the corresponding change needs to be made in the Charter text.

Councilmember Knox White amended his motion to include the date of July 2023.

Vice Mayor Vella seconded the motion.

Under discussion, Councilmember Knox White stated the May 5, 2020 staff report recommended the 30% amount; the subcommittee had a difference of opinion on a number of items; however, the Council pay matter was presented as a full committee recommendation with full concurrence.

Councilmember Daysog questioned whether a no vote still indicates he would author the argument against; stated his understanding is that he did not sign off on the 30% amount; information from other similarly sized cities would have yielded roughly \$14,000; there needs to be more community buy-in on the methodology for salary adjustments; it is a time of incredible amounts of inflation; many do not have ability to raise salaries similarly to the proposal for Council; expressed concern about the potential, upcoming recession; stated now is not the time to pursue the change in Councilmember salary.

(22-454) Vice Mayor Vella moved approval of hearing the remaining two agenda items with stopping at 12:00 a.m.

Councilmember Knox White 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.

Councilmember Herrera Spencer stated that she supports the matter since Council pay is low in respect to other cities of similar populations; action needs to be taken; she would prefer a lower percentage; discussed the budget.

Vice Mayor Vella stated Council is not voting on the salaries; time would be given to allow for substantial public comment and input; noted the matter allows future Councils to change salaries; expressed support for increasing the cap.

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

(22-455) Adoption of Ordinance Enacting an Increase in the City's Transient Occupancy Tax (TOT) from Ten Percent (10%) to Fourteen Percent (14%), Subject to a Vote of the Electorate at the November 8, 2022 Election; and

(22-455 A) Resolution No. 15936, "Calling an Election in the City of Alameda to be Consolidated with the City's Next General Municipal Election on November 8, 2022, and Submitting to the Electors A Ballot Measure, "City of Alameda Transient Occupancy Regional Parity Measure," Seeking Amendment to the City's Transient Occupancy Tax from Ten Percent (10%) to Fourteen Percent (14%) by Amending the Alameda Municipal Code Chapter 3-61.3 (Tax Imposed), Establishing the Policies and Procedures for Such an Election, Requesting that the County of Alameda Conduct Such an Election and Authorizing City Councilmembers to File Written Arguments For or Against the Measure." Adopted.

Councilmember Knox White recused himself and left the meeting.

Special Council gave a Power Point presentation.

Councilmember Herrera Spencer inquired whether staff has a chart available showing other cities' TOT, to which Special Counsel responded in the affirmative and outlined TOT by City in the displayed chart.

Councilmember Herrera Spencer stated the chart was not attached to the staff report; the information should be included in the Council discussion.

Councilmember Daysog inquired whether staff considered implementing a TOT that could vary anywhere between 10% and 14% versus setting the TOT at a rigid 14%; what needs to be done to implement a variable TOT.

Special Counsel responded if the voters set the cap at 14%, Council could have discretion to set the TOT amount lower in any given year; stated the change can occur on an annual basis; as long as the amount does not exceed the cap approved by the voters, the amount can be raised without having going back to the voters; a formula could be developed for incremental increases; the TOT cannot be tied to a Consumer Price Index (CPI) percentage; however, it can be tied to a fixed percentage.

Councilmember Daysog inquired whether the ballot statement would have to specifically refer to the rates Council might implement in the future or whether the amount can be set at 14% with Council discretion to lower the rate.

Special Counsel responded either approach can be taken; stated the ordinance to be adopted by Council would have to include the language, which probably would not be in the ballot

question.

Councilmember Herrera Spencer inquired the amount of reduction from previous years.

The Finance Director responded that she would obtain the information during public comment.

Stated the hospitality industry has been devastated by COVID-19; the Bay Area has been one of the slowest areas to rebound; discussed hotels running on bare minimums; stated it will take years for the industry to rebound; Alameda's access issues likely cause reason for a lower TOT; this is the wrong time to hit the hospitality industry with a 40% tax increase: William Pai, Alameda.

Stated hotel taxes are a great mechanism to fill the General Fund; it makes sense to pass a 14% cap; things can be done to stimulate businesses during the pandemic; many hotels are on Bay Farm and cater to the Oakland Airport; the TOT is competing with Oakland hotels: Zac Bowling, Alameda.

The Finance Director stated Fiscal Year 2018-2019 was a peak; the City brought in about \$2.29 million in TOT; she does not yet have June's numbers to round out the last fiscal year; however, the current amount is \$2.25 million; the City is collecting AirBNB which are doing great; TOT is not only assessed on hotels but also AirBNBs; discussed Oakland's fees.

Councilmember Herrera Spencer inquired the Fiscal Year 2019-20 amount.

The Finance Director responded the amount went down to \$1.95 million.

Councilmember Herrera Spencer stated there has been a reduction; hotels have less income, which means the City receives less income; discussed TOT rates in surrounding cities; stated that she would rather continue to support the hospitality and AirBNB industry; it is the wrong time to increase the TOT; expressed concern about revenue not being back to a pre-pandemic amount; stated the hospitality industry still has to make up for the past years; there is fluidity in the industry; she will not be supporting the matter.

Vice Mayor Vella stated the numbers show amounts have basically recovered from the drop during the pandemic; the industry average in Alameda has done well over six years; the City needs to ensure it is leveraging all assets, not just hotels; short-term rental units have been bringing in substantial revenue; Alameda hotels are not full service; she supports moving forward with the TOT; the matter has been delayed; expressed concern over potential changes and finding the correct time to get a measure on the ballot; stated that she is open to discussing a gradual rate increase or lowering the rate under 14%; it would be foolish not to move forward; both Oakland and San Leandro have higher TOT rates than Alameda.

Mayor Ezzy Ashcraft expressed support for receiving an average of all the cities in the County; stated Alameda should look at the competition; other cities are getting 14% TOT; the matter polls very well with residents and is low hanging fruit, which should be picked; the travel industry is picking up again; airports have full flights with fewer services; some offer less contact; people should still be mindful of COVID-19; however, there is no reason Alameda should have a TOT 4% less than neighboring cities; an increase in TOT would benefit residents by paying into the General Fund; expressed support for the matter.

Councilmember Daysog stated that he supports the staff recommendation; expressed support for discussing a flexible TOT rate; stated a 12% rate would help during a recession; a lower amount does not provide Alameda with any competitive advantage; money is being left on the table; typical travelers do not necessarily look at the TOT rate; Alameda has amenities to offer and should be rewarded; the matter is straightforward; he can live with a rigid 14% rate; however, a calibrated approach to rates should be discussed.

Vice Mayor Vella inquired how the calibrated approach would be administered; expressed concern over an overly bureaucratic process.

Councilmember Daysog responded that he does not know how the approach would be administered; stated that he would defer to staff.

Mayor Ezzy Ashcraft stated the hotel operators are not paying the TOT rate, visitors pay; concurred that many people do not think about the TOT rate when booking a place to stay; the City's General Fund needs to be kept as robust as possible; expressed concern over underselling Alameda in comparison to neighboring cities that share proximity to the Oakland Airport.

Councilmember Daysog stated the discussion is sufficient; expressed support for the 14% TOT rate.

Councilmember Daysog moved approval of the staff recommendation; stated that he is willing to draft the ballot argument in favor.

The City Clerk stated Council may designate up to two Councilmembers to draft the argument in favor and the argument against the measure.

Mayor Ezzy Ashcraft inquired whether Vice Mayor Vella would be willing to work on drafting the argument in favor and any rebuttal with Councilmember Daysog, to which Vice Mayor Vella responded in the affirmative.

Mayor Ezzy Ashcraft inquired whether Councilmember Herrera Spencer would like to work on the argument against and any rebuttal, to which Councilmember Herrera Spencer responded in the affirmative.

Vice Mayor Vella seconded the motion with the argument authors, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: No; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 3. Noes: 1. [Absent: Councilmember Knox White – 1.]

(22-456) Introduction of Ordinance Adopting a Military Equipment Use Policy for the Alameda Police Department. Introduced.

The Police Captain gave a Power Point presentation.

Expressed concern over equipment; stated that he objects to Police having military equipment; expressed support for Police primarily being Peace Officers; stated that he is shocked by the amount of required weapons: Roger Slattery, Alameda.

Expressed support for slowing the process; expressed concern about the level of civic

engagement; stated that she hopes for a real civic engagement effort, including clear descriptions of equipment: Jennifer Rakowski, Alameda.

Stated that she does not want military equipment used against citizens; questioned whether the equipment, its use, and whether it is needed has been discussed: Melodye Montgomery, Alameda.

Councilmember Herrera Spencer moved introduction of the ordinance.

Councilmember Daysog seconded the motion.

Under discussion, Councilmember Knox White expressed appreciation that the language meets Council's notification requirements.

Mayor Ezzy Ashcraft stated the matter relates to State legislation; everything is a matter of public record and accessible on the City website.

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.

CITY MANAGER COMMUNICATIONS

(22-457) The Interim City Manager stated July is a busy month for both Council and staff; expressed support for City staff's efforts.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

(22-458) Consider Directing Staff to Reform the Fee Towing Companies Require Alameda Residents to Pay to Retrieve Towed Vehicles. (Councilmember Daysog) Not heard.

(22-459) Consider Directing Staff to Address Massive Corporations Purchasing Housing. (Councilmember Herrera Spencer) Not heard.

COUNCIL COMMUNICATIONS

(22-460) Councilmember Herrera Spencer reminded people about the upcoming July 12th Council meeting; stated that she appreciates the effort being put into the Fourth of July parade and the 5k; discussed upcoming 5ks.

(22-461) Councilmember Daysog discussed judging the Alameda sand castle contest.

(22-462) Mayor Ezzy Ashcraft discussed a Change of Command Ceremony at the United States Coast Guard, and supporting a State-wide rent control ordinance for houseboat and floating homes legislation in Sacramento; stated that she attended a naturalization ceremony aboard the USS Hornet; announced the Fourth of July parade race; discussed the tragic mass shooting in

Highland Illinois.

(22-463) Councilmember Daysog discussed his attendance at the first gay, lesbian, bisexual, transgender, and questioning teen even held on Webster Street.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 11:53 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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