

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -FEBRUARY 16, 2020- -5:45 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:46 p.m.

Roll Call – Present: Councilmembers Daysog, Herrera Spencer, Knox White, Vella and Mayor Ezzy Ashcraft – 5. [Note: The meeting was held via Zoom.]

Absent: None.

Consent Calendar

Vice Mayor Vella moved approval of the Consent Calendar.

Councilmember Knox White seconded, 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.]

(*21-082) Recommendation to Approve Eric Levitt, City Manager, Lisa Maxwell, Interim Community Development Director, Nanette Mocanu, Assistant Community Development Director, and Aaron Duffy, Staff Counsel, as Real Property Negotiators for the Alameda Theatre, Located at 2317 Central Avenue, Alameda, CA. Accepted.

The meeting was adjourned to Closed Session to consider:

(21-083) Conference with Real Property Negotiators (Pursuant to Government Code Section 54956.8); Property: Alameda Theatre, Located at 2317 Central Avenue, Alameda, CA; City Negotiators: Eric Levitt, City Manager; Lisa Maxwell, Interim Community Development Director; Nanette Mocanu, Assistant Community Development Director; and Aaron Duffy, Staff Counsel; Negotiating Parties: City of Alameda and Alameda Entertainment Associates, L.P.; Under Negotiation: Price and Terms. Not heard.

(21-084) Conference with Real Property Negotiators (Pursuant to Government Code Section 54956.8); Property: Alameda Point, Site A, Alameda, CA; City Negotiators: Eric Levitt, City Manager; Lisa Maxwell, Interim Community Development Director; and Debbie Potter, Special Project Analyst; Negotiating Parties: City of Alameda and Alameda Point Partners, LLC; Under Negotiation: Price and Terms.

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding the Alameda Theatre, the matter was not heard; regarding Alameda Point, Site A, staff provided information and Council provided direction and continued the matter to the March 2, 2021 Closed Session by the following roll call vote:

Councilmembers Daysog: Aye; Herrera Spencer: Aye; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye; Ayes: 5.

Adjournment

At 7:21 p.m., the meeting was continued to March 2, 2021 Closed Session.

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- -FEBRUARY 16, 2021- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:33 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

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(21-085) Season for Nonviolence Word of the Day: Freedom

Mayor Ezzy Ashcraft read a quote.

(21-086) Mayor Ezzy Ashcraft read a commendation for Officer Cameron Leahy.

ORAL COMMUNICATIONS, NON-AGENDA

(21-087) Erin Fraser, Alameda, outlined an incident involving a woman named Amy Cooper of New York City; stated Jonathan Gee has been accused locally of threatening peaceful protestors with a deadly weapon; the District Attorney has charged Mr. Gee with disturbing the peace; noted the charge is minor given the racial nature of the crime; stated there are injustices in Alameda and everyone must break apart systemic racism; discussed Alameda Police Department's armored vehicle.

(21-088) Vinny Camarillo, Alameda, expressed concerns about a rise in crimes against Asian people; stated that he has been a victim of harassment and racial aggressions in Alameda; outlined responses from Councilmembers to e-mail correspondence; stated that it is not okay to normalize racism and xenophobia; noted that he is having to focus on protecting his family from attacks; stated racism against Asian people has been normalized; more police is not what is needed, reinvestment into the community is needed.

(21-089) Laura Curtona, Alameda, urged Council to think critically about not paying Alameda residents doing work on the Police Reform and Racial Equity Steering Committee and Subcommittees; discussed a Special City Council meeting which discussed racism as a public health emergency; noted many Alamedans called to voice support for the matter; stated part of what perpetuates systemic racism is the systemic

inequality resulting from the racial wealth gap; Black people have historically been deprived of economic stability and basic dignity; outlined wealth distribution and education levels; urged a propulsion to action, especially due to the upcoming budget cycle, and compensating to the Steering Committee members for their time and efforts.

(21-090) Jay Garfinkle, Alameda, discussed the Open Government Commission; outlined a Commissioner making a recommendation to increase transparency; stated other Commissioners did not support the recommendation; urged Council to take the matter seriously and direct the Open Government Commission to work out processes that increase transparency for all.

(21-091) Jenice Anderson, Alameda, expressed support for paying Subcommittee and Councilmembers; stated the wage is a disservice to current members and those who may wish to run in the future; low wages are not conducive; the members of the Police Reform Committee are performing a tremendous amount of work; paying members should be a top priority when the budget is presented in order to provide a more inclusive City.

CONSENT CALENDAR

The bills [paragraph no. 21-093] and legislative agenda [paragraph no. 21-096] were removed from the Consent Calendar for discussion.

Councilmember Daysog noted that he would recuse himself from voting on the Landscaping and Lighting District resolution [paragraph no. 21-098].

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

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

(*21-092) Minutes of the Special and Regular City Council Meetings Held on January 19, 2021. Approved.

(21-093) Ratified bills in the amount of \$2,189,469.90.

Stated that he previously questioned whether the bills presented were able to be certified as in compliance with the City Council's prior actions; the current bills presented show vehicle maintenance charges; expressed support for the charges to be in compliance with Council's strict and clear direction that no City funds should be spent on maintaining the armored vehicle: Erin Fraser, Alameda.

Councilmember Herrera Spencer requested clarification for the matter discussed in public comment.

The City Manager stated the matter was raised at the January 19th meeting and the bills in question came back at the February 2nd meeting; the bills presented confirmed that all bills complied; noted that he has not reviewed the current bills presented; however, he is confident the bills are in compliance as well.

Councilmember Herrera Spencer inquired whether Council direction was provided January 19th to stop all funding from the armored vehicle.

The City Manager responded in the negative; stated a question arose in relation to the compliance of the bills on January 19th; noted the Finance Director reviewed the bills from January 19th and confirmed compliance.

Councilmember Herrera Spencer stated the response sounds fuzzy; that she would like a specific response provided to the question: were funds used for the maintenance of the armored vehicle and did all funding for the armored vehicle comply with Council policy.

The City Manager responded that he has not checked all specific vendors listed; noted all vendors are listed for every bill paid; stated that he assumes all bills presented today are not for the armored vehicle.

Mayor Ezzy Ashcraft inquired whether direction has been provided that no further expenditures shall be made toward the armored vehicle.

The City Manager responded the direction stated no further expenditures; there may have been oil changes performed within the Public Works' workshop; however, nothing beyond; stated the bills attached to the matter do not contain charges for maintenance of the armored vehicle.

Mayor Ezzy Ashcraft stated that she would like review of the bills prior to the next meeting, in anticipation of a similar question being posed.

Vice Mayor Vella moved approval of ratifying the bills.

Councilmember Daysog 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.

(*21-094) Recommendation to Accept the Quarterly Sales Tax Report for the Reporting Period Ending September 30, 2020 (Funds Collected During the Period April 1, 2020 to June 30, 2020). Accepted.

(*21-095) Recommendation to Accept the Public Utilities Board's Recommendation to Approve a 30-Year Renewal of the Base Resource Contract with Western Area Power Administration for Alameda Municipal Power's Allocation of Carbon-Free Hydroelectric

Power from the Central Valley Project, Beginning Calendar year 2025; and Authorize the General Manager of Alameda Municipal Power to Execute the Base Resource Contract. Accepted.

(21-096) Recommendation to Approve the 2021-22 Legislative Agenda for the City of Alameda.

Vice Mayor Vella questioned whether it is possible to add support for Senate Bill (SB) 271; stated the legislation is being carried to remove the requirement of Sheriffs having a law enforcement background prior to running for office; noted the process is public and the voters should decide on candidates.

Urged Council to add SB 271 to the priority list; stated that he submitted a resolution for support; there is a large organization of over 41 organizations representing thousands of Alameda residents; the matter is about local control; noted the State mandate narrows the pool of [Sherriff] candidates; noted many elections go uncontested; stated 49 out of 50 Sheriffs are white males; expressed support for a more broad pool of candidates; the bill does not preclude people with a law enforcement background from running; however, it does allow for those without the law enforcement background to add a different perspective: Brian Hofer, Alameda, Secure Justice.

Vice Mayor Vella stated draft letters have been sent and she confirmed Council may take action on the addition.

Councilmember Knox White expressed support for SB 271 bring added to the priority list; stated that he would also like to add SB 314, which would allow for maintaining some of the COVID-19 rules which have loosened Alcohol Beverage Control (ABC) in restaurants to continue to provide alcoholic beverages in parklets; the addition would allow for economic strength and support in the business districts; noted Alameda's business districts are supportive of the matter; stated there is no economic development legislative agenda, which he would support staff reviewing; stated finding bills supporting economic rebound will be important.

Councilmember Herrera Spencer expressed support for not using the term Island in reference to Alameda; stated that she would prefer to use across the City instead.

Councilmember Daysog inquired whether the Brown Act allows the two legislative items to be added; whether a vote can occur for SB 271 separately; expressed support for the status quo in relation to SB 271.

The City Attorney responded the matter has been broadly agendized to allow for Council discussion and support of a wide range of bills and is intended for the ability to add or subtract as necessary.

Mayor Ezzy Ashcraft stated that she would like more specificity under the infrastructure and transportation section of the draft legislative agenda; expressed support for

changing the language to: “seek funding and programmatic support for a bike/pedestrian bridge between Alameda and Oakland;” stated Council should always specify that the bridge will not go between Park Street and Webster Street, the bridge will be regional transportation infrastructure; expressed support for the elimination of cash bail.

Councilmember Herrera Spencer expressed support for consistency in using the term unhoused in reference to homeless individuals.

Mayor Ezzy Ashcraft stated SB 271 had been modeled after San Francisco Sherriff Michael Hennessey.

Vice Mayor Vella moved approval of including SB 271 in the legislative agenda.

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.

Councilmember Knox White moved approval of the legislative agenda with the inclusion of SB 314 and direction for staff to return in the future with an economic development legislative recommendation and the typographical corrections provided by Councilmember Herrera Spencer.

Vice Mayor Vella seconded the motion.

Under discussion, Councilmember Herrera Spencer stated that she will not be supporting the matter.

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

(*21-097) Recommendation to Authorize the City Manager to Execute an Agreement with NEMA Construction for the Shoreline Park Pathway Lighting Project, No. P.W. 10-20-38, in a Total Amount Not to Exceed \$653,400. Accepted.

(21-098) Resolution No. 15743, “Appointing an Engineer-of-Work and an Attorney-of-Record for Island City Landscaping and Lighting District 84-2 (Various Locations throughout the City).” Adopted.

Note: Councilmember Daysog recused himself; the resolution carried by the following roll call vote: Councilmembers Daysog: Abstain; Herrera Spencer: Ayes; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Abstain: 1.

(*21-099) Resolution No. 15744, “Appointing an Engineer-of-Work and an Attorney-of-Record for Maintenance Assessment District 01-1 (Marina Cove).” Adopted.

REGULAR AGENDA ITEMS

(21-100) Resolution No. 15745, “Appointing Randy Rentschler as a Member of the Transportation Commission.” Adopted.

Councilmember Knox White moved adoption of the resolution.

Councilmember Daysog seconded the motion.

Under discussion, Councilmember Daysog inquired how Mr. Rentschler will deal with potential conflicts of interest.

The City Attorney responded that he has had a conversation with both Mr. Rentschler and the General Counsel for Association of Bay Area Governments Metropolitan Transportation Commission (ABAG MTC) related to potential appointment; stated that he shares the same view as MTC’s General Counsel; under State law, Mr. Rentschler would not be holding incompatible offices; the appointment is lawful and the body is advisory in nature; the General Counsel noted Mr. Rentschler is two levels down from the top Executive Director and further assures that Mr. Rentschler would not be considered an officer of ABAG MTC; noted day-to-day conflicts may require recusal from a small number of items; stated Mr. Rentschler has assured the ability to determine the need for recusal.

Councilmember Herrera Spencer stated Mr. Rentschler is the Director of Legislation and Public Affairs for MTC; noted Council often receives direction from MTC; stated the appointment is not appropriate and that she will not be supporting the nomination.

Stated Mr. Rentschler appears to be an inappropriate choice for the Transportation Commission due to being employed by another transportation agency, which has the potential to create a conflict of interest while making decisions for Alameda citizens; the matter is important to consider while the City considers its ABAG allocation; an impartial Commissioner is needed; urged Council to consider other candidates: Carmen Reid, Alameda.

Councilmember Daysog stated Mr. Rentschler brings many strengths which can add to the Transportation Commission; his position in MTC is a plus; Mr. Rentschler can be depended on to make proper decisions and recuse himself when needed; expressed support for the nomination.

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

Mr. Rentschler made brief comments.

The City Clerk administered the Oath of Office.

(21-101) Recommendation to Provide Feedback on City Facility Naming Policy and Procedures.

The Recreation and Parks Director gave a Power Point presentation.

Councilmember Daysog inquired whether each listed Commission provided input.

The Recreation and Parks Director responded not yet; stated staff decided to begin with Council's overall high-level feedback; the Council feedback will be taken to Boards and Commissions for input and further feedback in order to return to Council on the final policy decision.

Mayor Ezzy Ashcraft inquired why the Historic Advisory Board (HAB) has the responsibility for establishing the City's street name list.

The Recreation and Parks Director responded that she does not quite have the answer; stated the background is unknown; the decision falls under City Council; the matter can be considered; noted the current list is focused on historical names.

Mayor Ezzy Ashcraft inquired whether the provision for at least 1,000 Alameda resident signatories applies to determine broad-based community support.

The Recreation and Parks Director responded the Council will determine the provision and process.

Stated there are so many options and potential changes; urged historical context be considered; expressed concern about committees and petitions; stated that he would prefer to see new committees for each proposed renaming; urged the public be better informed: Jay Garfinkle, Alameda.

Stated a different approach should be used following comments about recent committees; ad hoc committees have generated a lot of skepticism; committees should be open and governed by the Brown Act: Erin Fraser, Alameda.

Stated the same standard should be used for all facilities, including parks and streets; historical figures whose names should be removed should not be subject to requiring 50% of homeowners to change the street name; action needs to be taken without needing to beg: Josh Geyer, Alameda.

Stated additional input sounds wonderful; renters should be able to vote on street names: Jennifer Taggart, Alameda.

Stated that she was involved with Rename Jackson Park from the beginning; the City Council and Recreation and Parks Commission should provide a statement which

bakes anti-racism, diversity and inclusion into all future renaming efforts; renters should provide input on renaming; a researcher or professional should be hired to handle situations where the community is asked to provide input; expressed concern about polling issues; expressed support for community members being involved, allowing an application process for each renaming effort and overarching consistencies among all renaming efforts: Amelia Eichel, Alameda.

Stated starting a petition is not easy; the petition to rename Jackson Park began in 2018 and never had more than 200 signatures until 2020; renaming processes are an opportunity to define community values, create inclusive public spaces and access public government to feel empowered; there is an opportunity to build relationships should people engage authentically; the rename Jackson Park committee worked to remain transparent and inclusive; processes can be powerful; discussed renaming fatigue: Rasheed Shabazz, Alameda.

Councilmember Daysog stated any process should be fully compliant with the Brown Act due in part to renaming being of Citywide significance; expressed support for respecting different Commissions and processes; stated Council may provide a framework for expectations; expectations may include Brown Act compliance and a set of two to three criteria; expressed support for the current process; stated that he would have preferred the process to rename Jackson Park to Chochenyo Park process to have come to Council for guidance and criteria; that he is confident the process will fix itself in remaining within the status quo.

Vice Mayor Vella stated it is time to look at overarching policy regardless of process; the starting point should ask which questions are to be considered; the process has been multi-year with many dedicated volunteers; meaningful changes will help ensure policy goals are followed; expressed support for reflecting diversity, equity and inclusion in standing criteria and for having an expanded scope; outlined discussions about historical timelines during her time on the Historical Advisory Board (HAB); stated that her interpretation of inclusion and equity is to have a broad historical scope; some local facilities may require a local name or narrower viewpoint; expressed support for allowing flexibility, providing guidance, maintaining that an individual be deceased for a period of time, consulting affected groups, and having a level of defined professional research; stated that she is open to the process; there are existing Committees; that she would like to find a way to allow Committees to establish subcommittees or groups to work on renaming; new projects differ from renaming; the existing process for consideration of new items is fine; however, Council needs to provide a directive and guidelines for Boards and Commissions to review lists frequently; the HAB did not have a specific review timeframe.

Councilmember Knox White expressed support for creating a Committee or task force to identify criteria for when renaming should happen or be considered; stated these matters become difficult very easily; having a broad community group consider thresholds would be valuable; the renaming process is part of thinking through history; the community reflects the people of the community; Council needs to ensure there is a

criteria which says new names should broaden the representation of people in the community; direction should not be given to focus on people, values, parks or history and should have an overarching guidepost of broadening how people see themselves within the community; 1,000 signatures is very high for petitions; 500 should suffice; petitions coming in should not automatically start the renaming process; matters can be brought to Council's attention and Council may recommend action; expressed support for the three years deceased provision; stated renaming should be intentional; expressed concern about the professional research provision; stated Council needs to have a vetting provision; the process for renaming and naming should be the same and names should be given with the same interest and intentionality; expressed support for not naming parks after people; stated Council should question whether the HAB should have any guiding role in naming; renaming should not be in the hands of those preserving a specific type of history; questioned whether a streets name list is needed; outlined the current list and naming process developer use; stated the current naming process is not working well; expressed support for a more intentional process when new names are needed; for identifying a Committee structure and a more holistic approach.

Councilmember Herrera Spencer expressed support for a Brown Act public process with noticed meetings; stated government represents the public and the public has a right to be involved; expressed support for a broad group; stated that she is concerned about the same group of people being involved; expressed support for matters being reviewed by Council at some point with a lower petition threshold of 500 names; stated Council must determine the pacing of renaming; expressed support for having one renaming process at a time, having different people serve on different renaming Committees and the option to randomly draw names to compile Committees; stated park renaming should start with the Recreation and Parks Commission; noted that she does not like staff choosing people for Committees; expressed support for being inclusive and representative of diversity in naming; stated it is important for people of different backgrounds to be represented in the community; outlined concerns for people living on renamed street; expressed support for a fund being developed to help those who incur costs due to deed changes; stated there is rationale behind the 50% plus one stipulation; expressed support for the three years deceased provision, and names which reflect Alameda-specific history and honor people from Alameda; stated the most important part is including as many people as possible in the process.

Councilmember Daysog stated the process should be uniform between naming and renaming; expressed support for the inclusion of combating religious bigotry; stated that he prefers to not prescribe criteria; criteria should come out of the Board review process; once a process is in place, said process will make a judicious situation of all information and provide a recommendation based on a broad view of a widely cast net regardless of the amount of signatures, Council has the ultimate say.

Mayor Ezzy Ashcraft expressed support for a clear scoring system; stated Brown Act bodies are preferable; stated the Chochenyo Park scoring system was not clearly described; expressed support for a process involving the community under the concept of broad based community support and different Committees each time there is a

renaming; stated that she would not favor drawing names out of a hat; a quest for renaming is not needed; expressed support for an emphasis on building community, rather than creating divisiveness; noted the public comment related to disturbing acts of violence toward Asian Americans; stated the present history should also be reflected; that she would like to revisit the reason the HAB oversees street names; noted changing a street name is different from changing a park name due to involving residents and businesses; 50% plus one residents should be in agreement and should include renters.

Vice Mayor Vella stated notification about costs needs to be provided; many questions arise related to costs passed through to renters; noted there seemed to be no intentionality through the HAB naming process; stated Council desires to be intentional with the process and criteria; the goal is not to have to rename things in the future.

Mayor Ezzy Ashcraft inquired whether the feedback from Council is sufficient and the timeline for returning to Council.

The Recreation and Parks Director responded in the affirmative; stated that she needs to work with team members to present to various Boards and Commissions; the matter could return within four to six months to allow enough time for community input.

(21-102) Mayor Ezzy Ashcraft called a recess at 9:27 p.m. and reconvened the meeting at 9:43 p.m.

(21-103) Resolution No. 15746, "Amending Various Sections of Resolution Nos. 15382 and 15697 to Amend the Rules of Order Governing City Council Meetings." Adopted.

Vice Mayor Knox White gave a brief presentation.

Councilmember Herrera Spencer inquired whether there is a plan to have the matter presented to the Open Government Commission.

Councilmember Knox White responded in the negative.

Mayor Ezzy Ashcraft discussed a previous rules committee of herself and former Councilmember Oddie.

Expressed concern about a lack of transparency and accessibility for the public; discussed the magnitude of items on the Consent Calendar; questioned how matters are placed on the Consent Calendar; discussed ceding public comment time; expressed concern about the public comment speaking limit; urged the time limit not be reduced once there are seven speakers Jay Garfinkle, Alameda.

Suggested adjustments to speaker time be reviewed by the Open Government

Commission; stated it is important for the public to have maximum participation and transparency in government: Carmen Reid, Alameda.

Stated the Brown Act does not submit a minimum time; expressed concern about lowering speaking time to one minute; expressed support for following Oakland's lead setting a minimum of two minutes speaking time; discussed cases regarding time limits: Zac Bowling, Alameda.

Stated one minute seems too short; suggested allowing ceding of time with a maximum amount of time to be ceded: Josh Hawn, Alameda.

Stated the one minute time limit is too harsh; expressed support for a one minute thirty second time limit: Jenice Anderson, Alameda.

Mayor Ezzy Ashcraft stated there is a balance to be achieved; discussed Council meetings Consent Calendar discussions extending to 9:00 p.m.; stated Council Referrals have not yet been reached this year due to not extending a meeting past midnight; late meetings do not serve the public and are hard on Councilmembers and staff; noted there are many ways to communicate with Councilmembers; Council can be reached by e-mail, phone call, or via a meeting request; speaking at a public meeting is not the only opportunity; discussed previous public comments for large groups; stated ceding time is not before Council; that she is balancing time to hear presentations, public comment and allow Council deliberation.

Vice Mayor Vella stated there are a number of ways to register a public comment; the City Clerk is able to place correspondence on record and distribute to all Councilmembers; Council does read e-mails; however, it is difficult to respond to all; a balance is to be struck in covering many heavy topics and generally running the City; expressed concern about getting in the way of ensuring the basic needs and regular functions of the City are met; stated that she does not want to create a system where Council is unable to cover everyday matters; one minute is a tight period of time; expressed support for 90 seconds to two minutes; stated that she would like to have a call for speakers to get a true sense of who is speaking; Council needs time to deliberate; however, not all matters may require nine minutes of speaking time; expressed support for combining speaking time on the Consent Calendar; stated the matter is Council rules and having Council decide is appropriate; changes can be made; the guidelines being adopted do not mean votes to extend speaking time cannot happen; expressed support for limiting presentation times; noted requirements for meeting start times; stated the matter is related to making meetings as accessible as possible.

Councilmember Herrera Spencer expressed concern about treating Consent Calendar matters differently than other matters; stated spending extended time on the Consent Calendar means matters should not have been placed on Consent; Consent Calendar matters are to be routine; expressed support for not limiting speaker time for everyone once there are seven speakers; stated the minimum speaking time should be at three

and two minutes; one minute is not sufficient; expressed support for looking at Council speaking time and lowering it where necessary; stated the majority of time is spent on Council comments; Council should try to minimize comments; expressed support for ten minute limits on staff presentations.

Mayor Ezzy Ashcraft outlined staff having uninterrupted presentations; stated Council speaks longer than the public due to being the policy making body, which requires deliberation.

Councilmember Daysog discussed a Norman Rockwell painting "Town Hall;" stated public comment is a moment for individuals to express their ideas; City Hall churns out policies and programs and Council has opportunities to work with City staff; Council meetings provide the opportunity for members of the public to weigh-in on matters; the desire for an efficient Council meeting should not trump the freedoms and liberties residents enjoy; Council has made enough changes to the process; one minute of speaking time is not enough; sometimes three minutes is needed to convey comments; expressed support for reviewing how agendas are set; stated staff needs to estimate the amount of time each matter will take to plan agendas accordingly; expressed concern about incorrect matters being placed on the Consent Calendar; stated the focus and management should be spent on the Council meeting packet.

Mayor Ezzy Ashcraft stated when Council is unable to finish an agenda by midnight, remaining matters are carried over to the next meeting agenda; matters add up when carried over; noted Council has yet to reach the end of the regular agenda before midnight; Council is trying to achieve balance, not curtail public comment; stated many Councilmembers had one minute of response time during public forums while running for office; inquired about the amount of public speakers being unknown causing inconsistent time limits.

The City Clerk responded a placeholder was noted in the staff report so the matter could return for further consideration; noted other cities do call for speakers and set cut-off times; stated there is concern for cutting off those attempting to join a meeting quickly; people do raise and lower hands in an attempt to be the last speaker or to keep speaking time high.

Councilmember Herrera Spencer moved approval of limiting presentations to ten minutes, uninterrupted, and for seven minutes of Council speaking time.

Councilmember Knox White seconded the motion.

Under discussion, Vice Mayor Vella stated there has been a lot of focus on the Brown Act; the Brown Act limits the ability for Councilmembers to discuss matters as a deliberative body to Council meetings; having a decent amount of time to ask questions of staff and discuss among Councilmembers is important; Councilmembers cannot legally discuss matters with more than one other member; expressed concern about creating further problems in the future by suppressing the ability to publically deliberate;

stated significant amounts of time are used to allocate additional speaking time for Councilmembers.

Mayor Ezzy Ashcraft stated the public has the right to hear Council deliberate and vote; noted Council has been doing better staying within speaking time limits; stated rules may be suspended by four affirmative votes.

Councilmember Knox White expressed support for the ten minute presentation limit; stated seven minutes of Council speaking time tends to work fine; he recommends and proposes keeping the nine minute speaking time while trying to keep speaking time to seven minutes; stated the matter can return for further consideration should the full nine minutes be used on average; lowering Council speaking to seven minutes is not likely to impact the length of meetings; the Brown Act allows people to hear Council make decisions and understand the reason behind decisions; the Brown Act is not designed to allow for unlimited public comment with limited Council discussion; expressed concern for cramping Council ability to have discussions.

Councilmember Herrera Spencer stated a big part of the Brown Act is hearing from the public and the public gets to hear Council; noted that she will not support a one minute public comment time limit; stated the limit needs to be a two minute minimum; there is a difference between Council comments and public comments; it is unfair to request concise public comments be condensed into one minute; pressure should be placed on Council to make points within the time.

Vice Mayor Vella stated members of the public are at liberty to e-mail Councilmembers and share thoughts publically ahead of the meeting; some Councilmembers will not take certain meetings with members of the public or interested parties ahead of Council meetings; the first time she hears from colleagues is at the Council meeting, after hearing from members of the public; Councilmember free speech is limited by the Brown Act where members of the public are not curtailed; Council is attempting to create a succinct as possible process for a functional meeting; noted there have been dysfunctional Council meetings; stated rules have been put in place to provide expectations for working through the agenda; expressed concern about creating a false equivalent.

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

Councilmember Knox White moved approval Staff Report Items 1 [under Oral Communications, speakers would have two minutes to comment], 2-A [members of the public would comment once on the entire Consent Calendar and not be able to withdraw items for discussion], 2-C [Councilmembers would not pull items simply to record a non-affirmative vote and would have up to five minutes to speak on each item pulled for discussion] and 4 [all presentations would be limited to 10 minutes].

Councilmember Knox White stated many meetings are not intended to be public hearings and are the end of a process; outlined the Density Bonus process; stated process problems can be addressed; many matters are significantly less deliberative due to being at the end of the process.

Mayor Ezzy Ashcraft inquired whether the Regular Agenda public comment speaking time is being reduced to two minutes.

Councilmember Knox White responded the time is reduced at seven or more speakers; noted that he is getting rid of Staff Report Item 3 [12 or more speakers having one minute on Regular items] and 2B [twelve or more speakers having one minute on Consent Calendar items] .

Mayor Ezzy Ashcraft requested a friendly amendment to the motion to have 90 seconds for 12 or more speakers; stated there have been numerous matters with many speakers.

Councilmember Knox White stated that he would like to have the discussion separately.

The City Clerk stated the changes are encompassed within one resolution; adoption of the resolution would include the complete set of changes, not an itemized list.

Mayor Ezzy Ashcraft requested clarification of the matters being approved.

The City Clerk stated Councilmember Knox White has moved approval of lowering the Oral Communications speaker time to two minutes, having the public comment once on the entire Consent Calendar, Councilmembers can record a non-affirmative vote on Consent Calendar matters without pulling the matter, and presentations are limited to ten minutes.

Vice Mayor Vella seconded the motion; stated that she is open to trying 90 seconds of speaker time; changes can be made in the future.

Under discussion, Councilmember Knox White stated that he would prefer to straw poll the 90 second speaker time.

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.

Mayor Ezzy Ashcraft inquired whether Council would like to consider 90 minutes.

Councilmember Knox White stated that he would like to hold off at this time.

The City Clerk stated the resolution would be amended to eliminate reducing the time to one minute.

(21-104) Public Hearing to Consider Resolution No. 15747, "Calling Special Election Regarding Alteration of the Rate and Method of Apportionment of Special Taxes for Community Facilities District No. 17-1 (Alameda Point Public Services District)." Adopted.

The Base Reuse Manager gave a brief presentation.

Councilmember Daysog inquired whether the proposed fees are on top of the 1% ad valorem property tax and any other add-on property tax, to which the Base Reuse Manager responded in the affirmative.

In response to Councilmember Herrera Spencer's inquiry, the Base Reuse Manager stated the five acres of apartments are within the Site A property; the calculation is per acre; however, most Community Facilities Districts (CFD) within the City are per unit; calculations in the future will be per unit.

Councilmember Herrera Spencer inquired whether the property within Site A will ever be taxed on a per unit basis or whether the area will always be taxed on a per acre basis, to which the Base Reuse Manager responded areas [that already have land use entitlements] will stay at a per acre basis.

Councilmember Herrera Spencer inquired the reasoning to not be taxed on a per unit basis.

The Base Reuse Manager responded calculations are not to be retroactive; stated the original tax method is to stay.

The Interim Community Development Director stated the original expectation for apartment owners is per acre and the expectation should not be modified; staff is resetting the calculation for the future.

Councilmember Herrera Spencer inquired whether all units will eventually have the same calculation and whether per acre calculation will provide less tax dollars overall.

Sara Mares, NBS, responded the calculation depends on the number of units develop and the acreage; the math will determine whether the rate per acre ends up being less or more than a rate per unit on the same property.

Councilmember Daysog noted part of the report shows a conversion from per acre to per unit; stated it is possible the apartments could pay as much in a per unit basis depending on the square footage of apartments.

Councilmember Herrera Spencer stated the number of units on the site is known; expressed concern about different tax schedules in different areas.

The Interim Community Development Director stated staff was incorrectly informed to not go retroactive.

Paul Thimmig, Bond Counsel, Quint & Thimmig, stated his legal opinion is a change cannot occur once a special tax is applied; people purchase property assuming a specific tax; staff recommends changing the tax to per unit [for new construction] moving forward; it is unfair to change a methodology for a current owner; outlined the process and analysis; stated the changes are subject to two-thirds voter approval.

Mayor Ezzy Ashcraft inquired whether Council is approving the matter be sent to voters, to which Mr. Thimmig responded in the affirmative.

Vice Mayor Vella moved adoption of the resolution.

Councilmember Knox White seconded the motion.

Under discussion, Councilmember Daysog stated it is important to have add-on fees; many new developments at Alameda Point will be in a position for the City to collect ad valorem property tax and add-on property tax; outlined a 1999 CFD development pass-through process; noted Alameda is in a great position in receiving property tax; expressed support for the matter.

On the call for the questions, the motion carried by the following roll call vote: Councilmembers Daysog: Aye; Spencer: Aye; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

(21-105) Public Hearing to Consider Approving the Housing and Community Development Needs Statement for the Community Development Block Grant (CDBG) Annual Plan for Fiscal Year 2021-22.

The Community Development Program Manager gave a Power Point presentation.

Discussed the importance of uplifting gender equity and gender based violence particularly during and in the aftermath of a pandemic; expressed support for the Social Services Human Relations Board (SSHRB) for featuring domestic violence and the importance of gender equity issues in the needs statement; outlined reports related to gender based violence and legal problems; urged Council to look at intersecting issues of gender and race equity and impacts to the community: Erin Scott, Family Violence Law Center.

Gave a Power Point presentation outlining 2-1-1 calls for Alameda County: Alison DeJung, Eden Information and Referrals.

(21-106) Mayor Ezzy Ashcraft inquired whether Council would consider providing Ms. DeJung an additional one to two minutes of speaking time to finish her presentation.

Councilmember Daysog moved approval of allowing Ms. DeJung two minutes to finish her presentation.

Mayor Ezzy Ashcraft 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.

Ms. DeJung concluded her Power Point presentation.

(21-107) Mayor Ezzy Ashcraft announced a vote is required to consider new items after 11:00 p.m.

Vice Mayor Vella moved approval of hearing the budget resolution [paragraph no. 21-108] and then stopping the meeting.

Councilmember Knox White seconded the motion.

Under discussion, Mayor Ezzy Ashcraft inquired whether the motion includes the stopping time of 12:00 a.m., to which Vice Mayor Vella responded in the affirmative.

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

Expressed support for the needs statement; stated issues which have previously been seen are now exacerbated; expressed support for the addition of housing security and homeless prevention; stated communication and support can be worked on in the coming year; people are hungry for information and support through this difficult time:
Liz Varela, Building Futures for Women and Children.

Councilmember Herrera Spencer moved approval of the staff recommendation.

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

(21-108) Adoption of Resolution Amending the Fiscal Year (FY) 2020-21 Budget and Authorizing the City Manager to Redistribute Budget Appropriations between Similar Capital Projects; and

(21-108 A) Adoption of Resolution Amending the Salary Schedules for the Management and Confidential Employees Association (MCEA) and for Executive Management

Employees (EXME) and Approving Workforce Changes for FY 2020-21. Not heard.

CITY MANAGER COMMUNICATIONS

(21-109) The City Manager announced COVID-19 vaccinations are being made available.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

(21-110) Consider Establishing a New Methodology by which the Number of Housing Units are Calculated for Parcels Zoned C-2-PD (Central Business District with Planned Development Overlay). (Councilmember Daysog) Not heard.

(21-111) Consider Directing Staff to Provide an Update on a Previously Approved Referral regarding Free Public WiFi throughout the City. (Councilmember Spencer) Not heard.

(21-112) Consider Directing Staff to Extend Webster Street Physical Improvements/ Beautification. (Councilmember Daysog) Not heard.

COUNCIL COMMUNICATIONS

(21-113) Mayor's Nominations for Appointments to the Housing Authority Board of Commissioners and Recreation and Park Commission. Not heard.

(21-114) Councilmember Daysog discussed an AC Transit Interagency Liaison Committee (ILC) meeting that he attended with Councilmember Knox White.

(21-115) Vice Mayor Vella discussed a report about baby food contents being high in heavy metal contents; stated that she has requested the matter be agendaized at the Lead Abatement Joint Powers Authority; noted the agenda for the meeting is posted on the Alameda County website and the meeting will be held remotely; announced Alta Bates' Summit Medical Center Hospital closure.

(21-116) Councilmember Knox White discussed Zoom procedures for Council meetings; recommended members using the "raise hand" feature to indicate the desire to speak.

(21-117) Councilmember Daysog discussed a Zoom theatre production about Brown v. Board of Education by Alamedan Dr. Cindy Acker.

(21-118) Mayor Ezzy Ashcraft announced the Alameda County Transportation Commission (ACTC) unanimously decided to award the City of Alameda \$1.55 million

for the Bicycle-Pedestrian Bridge project study report; discussed COVID-19 vaccines; stated information is available at the state website: myturn.ca.gov; announced a COVID-19 Vaccine Task Force has been formed.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 11:14 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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