

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -FEBRUARY 15, 2022- -5:15 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:23 p.m.

Roll Call – Present: Councilmembers Daysog, Herrera Spencer, Knox White, Vella and Mayor Ezzy Ashcraft – 5. [Note: Vice Mayor Vella arrived at 5:25 p.m. The meeting was held via Zoom.]

Absent: None.

Consent Calendar:

Councilmember Knox White moved approval of the Consent Calendar.

Councilmember Daysog seconded, which carried by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Herrera Spencer: No; and Mayor Ezzy Ashcraft: Aye. Ayes: 3. Noes: 1. [Absent: Vice Mayor Vella – 1.] [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*22-098) Recommendation to approve Eric Levitt, City Manager, Community Development Director Lisa Maxwell, Assistant Community Development Director Nanette Mocanu, and Assistant City Attorney Len Aslanian as Real Property Negotiators for Building 41, Located at 650 West Tower Avenue, Alameda, CA.

The meeting was adjourned to Closed Session to consider:

(22-099) Conference with Real Property Negotiators (Pursuant to Government Code 54956.8); Property: 650 West Tower Avenue (Building 41) Alameda Point, Alameda, CA; City Negotiators: Eric Levitt, City Manager, Community Development Director Lisa Maxwell, Assistant Community Development Director Nanette Mocanu, and Assistant City Attorney Len Aslanian; Negotiating Parties: City of Alameda and Wrightspeed, Inc.; Under Negotiation: Price and Terms of Lease.

(22-100) Conference with Labor Negotiators (Government Code Section 54957.6); City Negotiators: Eric Levitt, City Manager, and Nancy Bronstein, Human Resources Director; Employee Organizations: Alameda Police Officers Association (APOA), Alameda Police Managers Association (APMA), and Alameda Fire Managers Association (AFMA); Under Negotiation: Salaries, Employee Benefits and Terms of Employment.

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: Aye; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye; Ayes: 5; regarding; regarding Labor, staff provided information and Council provided direction by

the following two roll call votes: Vote 1: Councilmembers Daysog: No; Herrera Spencer: No; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye; Ayes: 3. Noes: 2 and Vote 2: Councilmembers Daysog: Aye; Herrera Spencer: No; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye; Ayes: 4. Noes: 1

Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 6:35 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- -FEBRUARY 15, 2022- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:03 p.m. and Councilmember Herrera Spencer 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

(22-101) Mayor Ezzy Ashcraft stated items will be heard in the following order: the Wilma Chan street renaming [paragraph no. 22-115], the aquatic center conceptual design [paragraph no. 22-116], the Franklin and Lincoln Park pools [paragraph no. 22-119], followed by the Senate Bill 9 ordinance [paragraph no. 22-120].

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(22-102) Season for Nonviolence Word of the Day: Choice

Councilmember Daysog read a quote regarding choice.

ORAL COMMUNICATIONS, NON-AGENDA

(22-103) Jay Garfinkle, Alameda, discussed Measure Z; urged Council to support returning the control of zoning and land use to the people of Alameda by way of a State initiative; announced a related petition called “Our Neighborhood Voices” being circulated for signatures; urged Council endorse the petition.

(22-104) Carmen Reid, Alameda, discussed the State initiative petition circulating which seeks to return control of local land use and zoning.

(22-105) Anne Lee, Alameda, expressed support for continuing the Alameda Loop Shuttle.

(22-106) Zac Bowling, Alameda, expressed support for the Line 78 bus route to the Seaplane Lagoon; stated funding for the bus route is no longer solvent; urged people to take the bus route.

CONSENT CALENDAR

Councilmember Daysog stated that he would recuse himself from the Landscaping and Lighting District 84-2 resolution [paragraph no. 22-111].

Discussed the pension obligation bonds and opposition to the matter; expressed concern about the matter being placed on the Consent Calendar; urged Council to disclose the amount of money spent on the matter: Jason Bezis, Attorney for Alameda County Taxpayers Association and Steve Slauson.

Expressed concern over the Alameda Police Officers Association (APOA) MOU and the pension obligation bonds matters being placed on the Consent Calendar; stated that he finds himself without sufficient information on the matters; the staff reports provide no competitive data; the public deserves more from Council: Paul Foreman, Alameda.

Expressed support for comments provided by speaker Foreman; expressed concern about the Fire Medical Director and the provider not billing the City; stated the City should receive routine billing: Jay Garfinkle, Alameda.

Councilmember Herrera Spencer stated that she would like the Fire Medical Director [paragraph no. 22-109], APOA MOU [paragraph no. 22-110], pension obligation bonds [paragraph no. 22-113] and the local emergency [paragraph no. 22-114] matters removed from the Consent Calendar for discussion.

Councilmember Knox White moved approval of the reminder 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: 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*22-107) Minutes of the Special and Regular City Council Meetings Held on January 18, 2022. Approved.

(*22-108) Ratified bills in the amount of \$5,786,782.07.

(22-109) Recommendation to Authorize the City Manager to Execute a Second Amendment to the Agreement with the Regents of the University of California, on Behalf of Its University of California San Francisco School of Medicine, Department Of Emergency Medicine ("UCSF") to Provide the Services of Medical Director for the Alameda Fire Department Through February 29, 2024, in an Amount Not to Exceed \$139,883.

The Fire Chief gave a brief presentation.

Councilmember Herrera Spencer inquired whether the provider has been providing services yet not billing the City.

The Fire Chief responded in the affirmative; stated UCSF has not billed for services; staff has repeatedly requested and a response has not yet been provided; noted the language in the second amendment includes a timely billing requirement.

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

(22-110) Resolution No. 15863, “Approving a Memorandum of Understanding (MOU) Between the Alameda Police Officers Association (APOA) 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 inquired whether the salary surveys are public information, to which the Human Resources Director responded in the affirmative.

Councilmember Herrera Spencer stated the staff report shows approximately \$5.4 million of increased pay for the contract; noted the five year forecast has shown that the City will begin touching the reserves; expressed support for clarification on where the funding will come from.

The Assistant City Manager stated the MOU includes a 3.4% increase over the existing Police Department budget for Fiscal Year 2022-2023, which will occur in the subsequent years; staff anticipates the City can afford the recommended salary increases and associated costs; the five year financial forecast was completed during COVID-19; staff has been conservative; revenues have come in slightly higher than projected; staff is fairly certain that property, sales and transfer taxes will come in where originally budgeted; staff anticipates an assumed 3.5% increase annually on salaries; staff is recommending moving forward with the contract.

Councilmember Herrera Spencer inquired when staff anticipates returning to Council with new budget information.

The Assistant City Manager responded the mid-year budget will be presented March 1st; stated the mid-cycle budget will come prior to adoption in June; staff will be sharing the surplus revenue information in roughly two weeks.

Councilmember Herrera Spencer moved adoption of the resolution.

Councilmember Knox White seconded the motion.

Under discussion, Councilmember Daysog stated the pay increases are reasonable; the agreement has a 4% increase starting January 2022; it is important to move ahead with the staff recommendations in order to retain and recruit Officers; he appreciates the reasonable pay increases; having fixed pay rate increases helps the City move away from the previous method of increasing pay; previous methods were tied to increases in property and sales tax revenues, which were typically above the reasonable amounts presented.

Councilmember Herrera Spencer stated that she has not historically supported the contract; expressed concern about the City’s ability to attract and retain Officers; stated the Department has been under-staffed; it is important that the City try to be competitively priced; she will be supporting the matter.

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.

(22-111) Resolution No. 15864, “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.

Councilmember Daysog recused himself and left the meeting. The motion carried by the following roll call vote: Councilmembers Herrera Spencer: Aye; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. [Absent: Councilmember Daysog – 1.]

(*22-112) Resolution No. 15865, “Appointing an Engineer-of-Work and an Attorney-of-Record for Maintenance Assessment District 01-1 (Marina Cove).” Adopted.

(22-113) Resolution No. 15866, “Rescinding Resolution No. 15829 which Authorized the Issuance of One or More Series of Pension Obligation Bonds to Refinance Outstanding Obligations of the City to the California Public Employees’ Retirement System and Related Matters.” Adopted.

The City Attorney gave a brief presentation.

Councilmember Herrera Spencer stated it is important to provide more information to the public; inquired whether the amount of money spent on the consultant is public information.

Mayor Ezzy Ashcraft inquired whether Councilmember Herrera Spencer’s inquiry within the matter.

The City Attorney responded the call is close; stated the inquiry may be briefly answered without Council going into a great deal of discussion; communications with the City’s business consultants are generally public records; communications with the City’s attorneys are not public records.

Councilmember Herrera Spencer inquired whether a person could submit a Public Record Act (PRA) request in order to know how much has been incurred for consultants, to which the City Attorney responded in the affirmative.

Councilmember Herrera Spencer further inquired whether the attorney’s fees are public information, to which the City Attorney responded in the negative.

Councilmember Daysog inquired whether a motion to rescind the previous decision must be moved by a Councilmember which previously voted against the matter.

The City Attorney responded in the negative; noted rules for reconsideration only apply to the same meeting, not across meetings; stated any Councilmember may move the staff recommendation.

Councilmember Daysog moved adoption of the resolution.

Councilmember Herrera Spencer seconded the motion.

Under discussion, Councilmember Knox White stated the City is trying to address decade long pension obligations which do not go away; the actions taken continue to put the City on the expensive hook of paying the full costs over many years.

Councilmember Daysog stated that he appreciates rescinding the previous decision; the previous matter is not the solution to solve the pension obligations and was fiscally risky, due to inflation and interest rate swings; the calculation showed a \$2 million annual savings; discussed \$2 million savings compared to annual wages for City staff; stated the \$2 million savings can be eaten away and undo the strategy; CalPERS can still make decisions that would require the City to pay more; the desire to solve the pension obligation is spot-on; however, the strategy recommended had been incorrect.

On the call for the question, the motion carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Knox White: Abstain; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Abstention: 1.

(22-114) Resolution No. 15867, "Continuing the Declaration of the Existence of a Local Emergency in Response to the COVID-19 Pandemic, Consistent with Government Code Section 8630(c)." Adopted.

The Assistant City Manager gave a brief presentation.

Councilmember Herrera Spencer stated Council has received multiple emails and inquiries regarding when the City will return to in-person meetings; inquired whether the matter is related.

The Assistant City Manager responded not directly; stated separate actions are happening related to the Brown Act and the flexibility which has been offered relative to Council meetings.

Councilmember Herrera Spencer inquired whether the matter is related to tenant protections.

The Assistant City Manager responded in the affirmative; stated staff has heard from the landlord and tenant communities; staff will bring an item related to the rent moratorium to Council in March.

Councilmember Herrera Spencer inquired when the rent increase moratorium went into effect.

The City Attorney responded that he does not have the specific date; stated staff will include the information in the March staff report.

Councilmember Herrera Spencer inquired when changes made to the rent moratorium would be effective.

Mayor Ezzy Ashcraft expressed concern about discussing the rent moratorium; requested clarification on the discussion parameters.

The City Attorney stated the inquiry posed relates to a future agenda matter; recommended staff present the matter when ready.

Councilmember Herrera Spencer inquired whether the matter continues the rent freeze; inquired whether the rent freeze would cease immediately if Council does not support the matter.

The City Attorney responded if Council decides not to continue the local emergency, rents will be able to increase in approximately 60 days.

Councilmember Herrera Spencer stated it is important to be upfront with the community.

Councilmember Knox White inquired whether it is possible for Council to provide direction on how to proceed with relation to the emergency and when meetings will come back in-person or whether Council should wait until the next meeting.

The City Attorney responded Council is always able to provide brief direction; stated that his recommendation is to wait until the next meeting when the matter is before Council.

Councilmember Knox White moved adoption of the resolution.

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

CONTINUED AGENDA ITEMS

None.

REGULAR AGENDA ITEMS

(22-115) Public Hearing to Consider Resolution No. 15868, "Renaming Constitution Way to Wilma Chan Way in Honor of Alameda County Supervisor Wilma Chan." Adopted.

The City Planner gave a brief presentation.

Councilmember Herrera Spencer inquired whether the \$6,000 has been budgeted and the funding source.

The City Planner responded part of the cost comes from the Planning, Building and Transportation fund for staff time; presented a chart of associated costs.

Councilmember Herrera Spencer inquired whether the budget for pavement and street markings includes potholes.

The City Planner responded that he is unsure; stated staff understands the money will come out of the budgeted maintenance fund; sign replacement and street markings come out of the same fund; an outside contractor has already been selected to perform the work.

Councilmember Herrera Spencer inquired whether staff has reached out to East Bay Municipal Utilities District (EBMUD).

Mayor Ezzy Ashcraft inquired whether EBMUD has a building on the street.

The City Planner responded in the affirmative; stated that he contacted EBMUD's real estate division to provide an opportunity to comment; he has not received a response; the City also sent a public notification.

Councilmember Daysog inquired whether staff has had an opportunity to discuss alternative ways to memorialize the late Wilma Chan; questioned whether memorials have always been streets.

The City Planner responded that he has not reached out to the Chan family to ask about alternatives; stated staff received the request to rename the street

Expressed support for the resolution; stated Wilma was an inspiration and role model; discussed her experience working with Ms. Chan; stated the renaming would be a fitting tribute; urged Council to adopt the resolution: Former Councilmember Lena Tam, Alameda.

Stated that she had the honor of working with the late Wilma Chan; Wilma leaves behind a truly remarkable legacy of many groundbreaking policy and community initiatives; discussed the Alameda Collaborative for Children Youth and Families program and the mobile family resource center van; stated that Wilma authored many trailblazing bills in the Assembly; Wilma's passing is a tremendous loss for the community; urged the City honor Wilma's legacy by renaming Constitution Way to Wilma Chan Way: Sarah Oddie, Alameda.

Expressed support for the resolution; stated Wilma Chan dedicated her life to the public; discussed her experience working with Wilma; stated the loss of Supervisor Chan is a loss for the community; urged the City to rename Constitution Way to Wilma Chan Way: Susan Reyes, Alameda.

Expressed support for the resolution; stated Wilma left a remarkable legacy as a dedicated and compassionate public servant; Wilma's contributions are immense and include improving health care services in the City and County of Alameda; discussed the Alameda Collaborative for Children and an affordable housing bond; stated the renaming is a great way to honor the work and dedication of Wilma Chan: Alice Lai-Bitker, Alameda.

Discussed the post-mortem Nobel Peace Prize award for Dag Hammarskjold; stated other post-mortem awards have been provided for individuals at the top of their field; Wilma Chan was at the top of her field and was taken away too soon; extraordinary circumstances justify waiving the rules and renaming the street for Wilma Chan: Former Councilmember Jim Oddie, Alameda.

Stated Wilma Chan meant the world to him and many others; there is no desire to wait to honor Supervisor Chan; Wilma has done a lot for the community and the renaming would mean a lot to her family; urged Council to support the resolution: Alameda County Supervisor Dave Brown.

In response to Councilmember Herrera Spencer's inquiry related to findings, the City Planner stated staff based the resolution findings on a previous proclamation; Council may supplement the findings if desired.

Councilmember Herrera Spencer stated the matter is important and warrants waiving the three year period; a prior Council waived the period for Ralph Appezato; the resolution does not include that Wilma Chan was a long-time Alameda resident; expressed support for adding the language into the resolution; stated Wilma Chan lived in Alameda for over 15 years.

Mayor Ezzy Ashcraft inquired whether the City had a renaming policy in place for the renaming of Ralph Appezato Way.

The City Planner responded in the affirmative; stated the first Council street name policy was adopted in 1991.

Mayor Ezzy Ashcraft inquired whether an exception needed to be made for Ralph Appezzato Way.

The City Planner responded the three year waiting period was added in 2007; stated at the time of Ralph Appezzato's passing, the policy was much shorter, did not have many procedural requirements and made no mention of procedure or process for significant public figures; shortly after Ralph Appezzato's passing, the street renaming was brought to Council; staff is following a similar precedent for Wilma Chan.

Councilmember Herrera Spencer moved adoption of the resolution with adding that Wilma Chan was a long-term resident of Alameda.

Vice Mayor Vella seconded the motion.

Under discussion, Councilmember Daysog stated that he had the opportunity of serving with Supervisor Chan on the Alameda Reuse and Redevelopment Authority; one of Supervisor Chan's most impactful acts in 1995 was having Bay Conservation Development Commission (BCDC) lift the seaport designation; after Base closure, the priority use for Alameda Point would have been for Port Authority purposes; Supervisor Chan led an extraordinary fight to lift the port designation and avoid having tractor-trailer trucks going through Alameda; the late Supervisor Chan did many incredible things; lifting the port designation was one of the most pivotal moments for the City of Alameda and Alameda Point; discussed the BCDC vote; expressed support for the resolution and considering alternate renaming, such as the Seaplane Lagoon and Waterfront Park; encouraged Council to think about other areas to commemorate the leadership of Wilma Chan; stated that he supports the renaming of Constitution Way.

Councilmember Knox White stated that he will abstain on the vote; the naming policy includes a three year hold on renaming due to the feelings of those involved in the decision; stated the renaming would be better if more time were provided; the current matter will be the first time for Council to ignore the policy; there is a petition from over 1,000 Alamedans requesting the renaming of a park named after a racist Alameda Mayor; three sitting Councilmembers have requested the matter be brought forth and instead, new policies have been developed; the policies re-support the three year waiting period; no action on renaming the park has been taken; he holds Supervisor Chan in the highest regard; Council must think about how to use discretionary action; he cannot make the finding that Council is in a place that necessitates jumping the matter ahead of the line; he could not support renaming Constitution Way after Wilma Chan given her impact on traffic; discussed a memorial service for someone killed on Constitution Way; Constitution Way is one of the City's most dangerous streets; expressed concern about the rush to rename a street which is not appropriate given the circumstances; stated that he would like to ensure the renaming would be honoring the circumstances; he is not proclaiming that things should not be renamed after Wilma Chan; however, she and the community are worthy of the respect the naming policy puts into place.

Vice Mayor Vella stated the City's policy is fairly new; there are exceptions to the policy and Council has a mechanism to make the decision; the circumstances were both tragic and unimaginable; the action is more than warranted due to Supervisor Chan's legacy, commitment and service to the community; the matter does not preclude the possibility of looking at other

ways of honoring Wilma Chan; Supervisor Chan has had an impact on many; discussed her experience in asking Supervisor Chan for advice on college selections; stated Wilma Chan has been a role model for many; renaming is the right thing to do and she is glad Council is taking action; expressed condolences to the family.

Mayor Ezzy Ashcraft stated that she whole-heartedly supports the resolution; stated the request comes directly from the family; it is important to honor the family's wishes; expressed support for adding residency information to the resolution; stated the information can be added to one of the last paragraphs; provided highlights of the resolution; stated many lives have been saved due to legislation Wilma Chan sponsored; it is fitting that Wilma Chan be honored; Council is looking at the matter with hindsight; at the time of the naming policy, no one anticipated the tragedy would occur; Council did not leave room for an exception to the policy; stated that she is forming an ad hoc subcommittee of Councilmembers Daysog and Knox White to go over the naming policy and return to Council with any recommendations.

Councilmember Herrera Spencer inquired whether Council has the authority to make an exception to the current policy.

The City Attorney responded in the affirmative; stated Council has wide discretion to deviate from the policy due to the policy being Council-adopted.

Councilmember Herrera Spencer expressed support for placing the addition of long-time resident in the second to last whereas.

Mayor Ezzy Ashcraft stated it should state: "Whereas Supervisor Wilma Chan, a long-time resident of Alameda, faithfully served the residents of her district."

Councilmember Herrera Spencer expressed concern over any misunderstanding of the term district.

Mayor Ezzy Ashcraft stated the resolution states that Wilma Chan served on the Board of Supervisors and State Assembly; she thinks most people understand the terminology.

Councilmember Herrera Spencer inquired whether the resolution discusses which cities or how many people fall under the District.

Mayor Ezzy Ashcraft responded in the negative; stated other districts are considering honoring Wilma Chan; the resolution is specific to the City of Alameda.

On the call for the question, the motion carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Knox White: Abstain; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Abstention: 1.

Mayor Ezzy Ashcraft called a recess at 8:43 p.m. and reconvened the meeting at 9:00 p.m.

(22-116) Recommendation to Review City Aquatic Center Conceptual Design Options and Provide Further Direction on Development of a City Aquatic Center.

The Recreation and Parks Director gave a Power Point presentation.

Mayor Ezzy Ashcraft stated the cost of a City-owned complex is estimated around \$20 million; debt service would be \$1 million per year for 30 years; inquired whether the total cost would be \$50 million, to which the Recreation and Parks Director responded the price would be \$30 million.

Mayor Ezzy Ashcraft inquired the timeframe for the project.

The Recreation and Parks Director responded within two years would be preferred; stated staff will move as quickly as possible.

Councilmember Herrera Spencer inquired whether the new pool would provide excess capacity or whether there is need for multiple swimming facilities.

The Recreation and Parks Director responded there is need for all three facilities; stated Emma Hood is not appropriate for games and some kids practice until 9:30 p.m.; there is a lot of shifting at Alameda High School; adding year-round programs during a pandemic has yielded 9,000 participants from the previous 800; the increase shows the community need.

Councilmember Herrera Spencer inquired whether the City facility would allow for games.

The Recreation and Parks Director responded in the affirmative; stated the facility would allow for both games and meets for community organizations, as well as provide space for the School District aquatics teams.

Councilmember Knox White inquired stated the Council and School Board subcommittee have been undertaking a process to identify preferred sites for a City aquatic center; inquired how Emma Hood ended up being the preferred location.

The Recreation and Parks Director stated one of the proposed top ranking sites had been to the left of the O'Club; the area is close to utility lines and has parking; the area was not considered due to the School District being a 50% partner; the School District had already re-built Encinal High School not long before; having two pools serving the School District on the West End did not make sense; it would be more equitable to have one pool at each high school.

Councilmember Knox White inquired whether another option would be to have the aquatic center centrally located, to which the Recreation and Parks Director responded in the affirmative.

In response to Councilmember Herrera Spencer's inquiry, the Recreation and Parks Director stated the City started year-round programming in August of 2020.

Mayor Ezzy Ashcraft inquired whether the City would not contribute to the School District's renovation of Emma Hood if the City chooses to pursue a City-owned site.

The Recreation and Parks Director responded in the affirmative; stated Council can decide to put funding towards both.

Mayor Ezzy Ashcraft stated that she believes the School District can only ask for \$7.5 million in a bond; inquired what would happen if Emma Hood goes out of commission; questioned whether more burden would be placed on existing pools.

The Recreation and Parks Director responded it would be incredibly challenging and difficult for the aquatics community; stated there is potential for the School District to review numbers and find that rebuilding Emma Hood is possible.

Stated Alameda needs a new pool; discussed his use of Emma Hood and Encinal High School pools; stated there is a lack of pool space, practices run late and Emma Hood does not have competition standards; he is missing swim practice to comment; the pools in Alameda do not have adequate space and safety is a concern: Owen DeCourcy, Alameda High.

Stated the issue relates to surface area; there is not enough area for a 50 meter pool; expressed concern about parking at Emma Hood; stated Alameda deserves world class amenities; urged Council to fund a pool for the community, meet the demand and be bold: Jim Wheeler, Community Pool Task Force.

Stated that she has seen the issue of pool availability come to Council many times over the years; many people have had to beg Council for funding and band aids to keep the existing pools running; pools and sports are important to Alameda; urged Council to step up and commit to providing support by building an aquatic center: Linda Gilchrist, Alameda.

Stated that he is impressed with the current proposal; Alameda needs a new public aquatic center; discussed the Alameda Aquatic Masters members and activities; stated there is a strong investment in the community, aquatics facilities and programs; a new pool would support health and wellness; expressed support for Alameda being a top class City: Clifton Linton, Alameda Aquatic Masters.

Stated the Alameda Gators Swim Club has a wait-list to join; more pools would allow more kids to be involved; discussed his family's experiences with aquatics in Alameda; stated swimming and water polo offer alternatives to other land sports; swimming provides a healthy lifestyle, daily exercise and fitness, a social network and time management: Bryan Graham, Alameda Gators Swim Club.

Stated Alameda needs to at least keep the current number of pools, or at best, add to the number; expressed support for having both Emma Hood and a new pool; stated the proposed space barely covers the City's needs; Alameda can provide what other cities have provided; Emma Hood closing would be a loss for the community: Stephanie Lapachet, Alameda Aquatic Masters.

Urged funding for the modernization of Emma Hood pool; stated the pool is old and does not comply with current health and safety standards; the pool is in jeopardy of being shut down by the Health Department unless necessary steps are taken to fix and resolve issues; closing Emma Hood will place strain on the Encinal pool; finding times to use the pools is challenging; swimmers are turned away each year from joining teams: Andrea Long, Alameda.

Stated swimming and water polo have been an important part of his life; closing Emma Hood would be a huge loss to the aquatic programs in Alameda; expressed concern about practices

running late on school nights; stated a new pool would be beneficial to the Alameda aquatic program and make it easier for kids to get home at night: Zach Dortch, Alameda.

Stated that his goal is to get back to swimming and water polo and give back to the youth; programs have been successful regardless of pool-related challenges; discussed his pride in successful aquatic programs; stated that he hopes his kids have the opportunity to be involved in aquatic programs; a new swim center has the opportunity to affect more lives: Marshall Dortch, Alameda High School, Neptune Water Polo Club and Alameda Gators.

Stated \$7.5 million in School District funding would be part of an upcoming bond initiative that has yet to be voted on; the commitment will have to come from the community during the election; the \$7.5 million will not be committed to until approved by voters; urged approval of the best structure possible in a proper location: Ryan LaLonde, Alameda.

Stated that he is an avid swimmer; aquatics can have a great impact on people of all ages; expressed concern about kids practicing late on school nights; stated Emma Hood is a wreck and is ready to be shut down; Encinal pool is too small to host aquatic events; Alameda needs more surface area; new pools should not be put in at the expense of others; expressed support for a new City-owned aquatic center; stated the City needs to work with the School District to ensure Emma Hood is replaced; urged the City to provide free access to schools for large tournaments: Erich Stiger, Alameda.

Expressed concern about people of color not feeling welcome in Alameda pools; urged great emphasis be put on ensuring that everyone feels welcome at Alameda pools; stated that he hopes there is no charge to swim at the pool facilities: Roger Slattery, Alameda.

Stated that she has seen all ages able to use the pools; access to pools is important; the pools have daily use and wear and tear; damage restricts use of pools; repairs would allow more time and users in the pools; aquatics facilities are costly, yet important, to communities: Olivia Fry, Alameda High Swim Team and Alameda Gators.

Discussed inequity of closing a pool; stated a new pool is important to the female demographic; the swimming program at Alameda High is one of the biggest programs; many females drop out of aquatic programs due to lack of access; urged Council to consider providing a new pool or helping the School District: Erica Escalante, Alameda High Swim Team.

Stated there is a necessity for more pool space; many kids are stuffed into pools in order not to turn users away; more space would produce better athletes; it is disheartening to see so many young people being turned away; many core values come from participating in the Alameda aquatics program: Donovan Chan, Alameda.

Expressed support for replacing the Emma Hood pool as soon as possible; stated pool availability for the public falls well below what is available in many nearby cities; he drives to Moraga or Albany to lap swim due to the lack of lap swimming in Alameda; closing Emma Hood without replacement would create difficulties for those who wish to swim; members of the community rely on swimming as their primary form of exercise; urged Council to take action: Jimmy Song, Alameda.

Expressed support for previous comments; stated aquatics in Alameda are extremely important; stated aquatics in Alameda increased during COVID-19; there are enough programs to support having a City-owned pool: Amelia McDonald, Alameda Masters, Alameda Gators and Jets.

Stated water sports have played an important part in her life since she was young; there have been instances of insufficient time for swim teams to successfully practice; many programs share the pool at Alameda High School; expanded pool space is important and would make a huge difference for all users; Alameda needs a safe pool and more space: Annabel Fiero, Alameda High Swim Team, Alameda Gators and Neptunes.

Urged Council to revamp Emma Hood at a minimum; stated the pool is unusable for any serious use; Franklin and Lincoln pools are a good stop gap measure for the Gators and other uses; however, the pools are not good for swim teams; the City must have a prime swimming facility; Alameda Point presents an opportunity with enough space; discussed the San Ramon Swim Center; urged Council to implement a similar program in Alameda: Brendan Macaulay, Alameda.

Expressed support for comments provided by Speaker Macaulay; stated that she is an avid lap swimmer; aquatic facilities help children learn how to swim and provide space for student athletes; redoing Emma Hood and providing an additional swim center site at Alameda Point would be the best scenario; urged Council to consider looking at Alameda Point; stated swimming has kept her going through the pandemic: Julie Lyons, Alameda.

Expressed support for more pools, the renovation of Emma Hood and placing a larger pool at Alameda Point; stated the natatorium looks great; expressed support for adding a rooftop café; stated that she would like better access to pools and free swim programs: Carmen Reid, Alameda.

Expressed support for the City having a new pool and upgrading the current pool; stated that her children have benefitted from the pools in Alameda; however, upgrades are needed; expressed concern about the fees and membership policies resulting in many Alamedans being excluded from community pools; stated access to pools has been exclusionary: Iris Mitchell, Alameda.

Mayor Ezzy Ashcraft requested clarification on the direction to be provided by Council.

The Recreation and Parks Director stated staff is looking for direction about whether Council would like staff to pursue a partnership with the Alameda Unified School District (AUSD) or proceed with a City aquatics center; the concept for a City aquatics center is in the beginning stages and many steps will come before Council in terms of financing and design.

Mayor Ezzy Ashcraft expressed support for both options; stated that she learned to swim at Emma Hood pool; questioned whether there is a way to include the matter in the upcoming budget presentations; stated that she would like Council to think big; a City pool would be a community investment; the School Board has not voted to place the bond measure on the ballot yet; stated the measure would still need to pass; Council must consider different scenarios, including the measure not passing.

Councilmember Knox White stated prior to the pandemic, Council discussed wholly funding the swim center project with AUSD; no decisions have been made; however, the City is not in the

place to step away from the commitment; expressed support for providing direction to work with AUSD to build and jointly operate the community-designed facility; stated the City can look at building a smaller pool if there is a need for additional swim space; the City can provide half of the funding to match AUSD's funds and build the original concept; another pool can be built at Alameda Point for \$7.5 million to \$12 million as an athletic and lap swim pool; Emma Hood's site is good since it has the needed infrastructure; Alameda Point development will grow over the next 20 to 30 years; large swim meets should occur in the downtown area in order to reduce driving, traffic and climate impacts; expressed concern about building on the periphery of Alameda causing people to drive to the location.

Vice Mayor Vella stated that she learned to swim at Alameda pools; the City is celebrating the anniversary of Title 9 and Women in Sports Day; her days spent in the pool were formative; swimming is important to the community; AUSD has not yet taken action; expressed concern about two contingencies of AUSD needing to vote to place the bond measure on the ballot and voters passing the measure; stated that she would like to provide direction to staff to ensure the contingencies are taken into account; if the bond measure does not pass and the City is unable to get the funds needed to keep Emma Hood open, the City needs to find a way to move forward with a plan to ensure that students have access to a pool; Emma Hood needs substantial repairs; expressed support for having a City aquatics center and expanding the pool size to allow programs to grow; stated that she would like to hear recommendations for addressing the contingencies.

In response to Mayor Ezzy Ashcraft's inquiry, the Recreation and Parks Director stated more thought needs to be put into the matter, including further discussion with AUSD; the City also needs to work with County Health for an extension at Emma Hood; AUSD staff has been meeting with County Health; City staff would like the opportunity to further participate in discussions; initial steps would be working with County Health on an extension.

Vice Mayor Vella stated the City is unsure what the bond measure would actually fund or whether supplemental funding would be needed; inquired whether a partnership with the City would be needed for continuing operations of Emma Hood.

The Recreation and Parks Director responded that she has not discussed the funding ongoing operations with AUSD; stated there is potential for a partnership and win-win situation if both the City and AUSD rebuild Emma Hood and build a new City aquatics center; there is cross-over between the two; the City could still provide space for community and Recreation and Parks Department programs; there is potential for a continued joint-use agreement for operations with the School District.

Vice Mayor Vella stated the matter also relates to timing; the City looking at a new aquatics facility will take more time; inquired whether the City could find a way to keep Emma Hood open in the interim.

The Recreation and Parks Director responded in the affirmative; stated the City could develop a plan to do both and convince County Health to keep Emma Hood open while building the City aquatics center; Emma Hood can be re-built once the aquatic center is open; expressed concern over a scenario of only Encinal High School pool being open.

Vice Mayor Vella stated the community will benefit from having a larger aquatic facility; other communities have large facilities and have found ways to utilize them for meets and other needs.

The Recreation and Parks Director stated nearby cities of equal size have both school and city aquatic centers, which are both are easily programmed; many nearby cities have two city pools; it has been proven that the facilities are needed by the community.

Mayor Ezzy Ashcraft expressed concern over an extension with County Public Health; stated the extension buys time; inquired the cost of the time bought related to health and safety impacts and the status of the extension.

The Recreation and Parks Director responded the District indicated the original deadline of May 2022 continues to be in place despite the pandemic; there are issues with the pool; she is confident that the pool can hobble along for a couple of years with the correct maintenance.

Mayor Ezzy Ashcraft inquired whether the maintenance standards are from the City's side.

The Recreation and Parks Director responded in the negative; stated the District is responsible for maintenance under the current joint use agreement.

Councilmember Daysog stated AUSD's pool concept costs roughly \$15 million; AUSD is looking at seeking \$7.5 million through a bond measure vote, with the possibility of the City matching the funds; inquired whether the \$15 million AUSD pool would fulfil the demand; stated the agreement between the City and AUSD potentially effects the City achieving its needs; requested clarification about the City's programs not being significantly lowered and whether the City may not be able to achieve the growth in demand.

The Recreation and Parks Department responded both; stated the \$15 million is AUSD's high estimate to rebuild the existing pool with the same number of lanes; the rebuild will not expand pool space; the existing amount of pool space is not enough for the current demand; local swim teams are having to turn people away; the Recreation and Parks Department programs are rescheduled or cancelled due to lack of space; athletic teams have grown, which is fantastic; however, there is not enough space to accommodate the growth of teams and community programs; the addition of a City aquatics center would both provide the space needed for the current demand and allow for anticipated growth.

In response to Councilmember Daysog's inquiry, the Recreation and Parks Director stated the cost without the natatorium is a rough estimate; staff can try to lower costs.

Councilmember Daysog inquired whether the \$20 million would cover the renderings for design on Emma Hood without the natatorium.

The Recreation and Parks Director responded in the affirmative; stated the cost will be similar for a different location.

Councilmember Daysog stated \$15 million will bring Emma Hood up to code; however, the cost will not necessarily address the larger issue of the increase in overall demand and the need for the City to provide services; the City can build a \$20 million aquatic center, which could address both Emma Hood being brought to code as well as providing the need for more space.

The Recreation and Parks Director stated if the City build the aquatic center at the Emma Hood site, the capacity would be increased to an extent; however, the capacity would not increase as much as if Emma Hood were rebuilt and another aquatic center was built.

Councilmember Herrera Spencer discussed previous problems with Emma Hood pool during her time on the School Board; stated the issue has been present for a long time; the County has stated Emma Hood would be shut down for multiple reasons over the years; Alameda does not have sufficient pool capacity for all users; the current amount of pool users is significantly higher than it was previously; inquired whether the property under Emma Hood belongs to AUSD.

The Recreation and Parks Director responded in the affirmative.

Councilmember Herrera Spencer stated a City pool should be placed on City property; Emma Hood is AUSD's pool; the City helps provide funding for use based on the City's access and use; use has been limited due to the location being at a school.

The Recreation and Parks Director stated the City has to be careful in allowing non-students on campus during the day; Emma Hood is allowed to run daytime programs due to the separation from the school; Encinal High School pool is working on potential solutions; however, daytime, non-school programs are not available on-campus.

Councilmember Herrera Spencer stated the City needs its own pool on City land; the pool needs to meet the needs of the City; AUSD can retain their pools; however, it is important to separate AUSD property and funding; AUSD should lead the future of Emma Hood pool and the City should lead a City pool site; the City would end up with more surface area, which is critical; many swimmers travel and compete all over the area; inquired the cost difference of building the natatorium versus an outdoor pool.

The Recreation and Parks Director responded the difference is significant; stated the base price is about \$7 million to \$8 million, plus an additional \$14 million; the project is increased from about \$20 million to \$34 million.

Councilmember Herrera Spencer stated the City should be looking at as much surface area as fiscally possible for the community; it is more important to have swim capacity; other pools in the City are not covered; uncovered pools have been a lifesaver during COVID-19; she would like to pursue an uncovered City pool; expressed support for looking at public amenities for a pool at Alameda Point; stated the pool can be considered a public amenity, which can receive some funding; the City could potentially use American Rescue Plan Act (ARPA) funding for the project; it is important to continue to keep Emma Hood pool open and operating; the City should figure out how to fiscally cover all options, including keeping Emma Hood open as AUSD's pool; the City can contribute to Emma Hood.

Mayor Ezzy Ashcraft stated Council needs to provide direction to staff; expressed support for clarifying how the budget process ties into the matter; stated not all of Council is of a like-mind; she is hearing interest for finding a way for the City to help with the renovation of Emma Hood as well as look at building a new City aquatic center; the aquatic center presented looks great; she would like to have staff come back to Council with various ways of funding the options presented.

The City Manager stated the mid-year budget is tentatively scheduled for March 1; there is likely not enough time to bring the current matter forth at the same time; the mid-cycle budget is beginning to be scheduled for May; staff can perform analysis and bring back options for Council under the mid-cycle agenda; Council can look at the matter as part of a revenue measure.

Councilmember Knox White stated the School District has spent a lot of money on pools that teams and the community have used; the City has been looking at ways of stepping in to take on operational costs related to pools and allow AUSD to spend money on educating students; questioned the importance of doing something in conjunction with the District; stated Council can ask for options which look at how to get to both results; he has heard consensus around the school issues; Council's actions might help provide AUSD with guidance.

Mayor Ezzy Ashcraft concurred with Councilmember Knox White; stated the School Board will consider the bond measure in the coming week.

Councilmember Daysog stated that he is interested in the path with less moving parts; the first task is to work with AUSD on Emma Hood; the City cannot place a pool at Emma Hood that does not increase pool lanes; if the City builds an aquatic center, the center should be built at the Emma Hood site; a City aquatic center on City land would be ideal; the stance would send a message in terms of a bond measure; it is ideal for a City pool to be centrally located; discussed providing a pool under the current arrangements; stated the City might be able to make sacrifices and achieve a larger aquatic center in the middle of Alameda.

Vice Mayor Vella stated an aquatic center will not be built in a short time; the project will be years out; expressed support for placing a pool at Alameda Point; facilities are needed on the West End; she is not fixated on having the aquatic center located in the middle of Alameda; the School Board is deciding about the bond measure; athletics and access to recreation has a huge impact on mental health; keeping Emma Hood open is the right thing to do; requested clarification about the timing of the School Board vote.

(22-117) Mayor Ezzy Ashcraft announced a vote is needed to hear new items after 11:00 p.m.; stated Council can finish the current matter and hear the Franklin and Lincoln Park Pools matter [paragraph no. 22-119]; the Senate Bill (SB) 9 [paragraph no. 22-120] could be continued to the next meeting.

Councilmember Herrera Spencer expressed concern over starting the Franklin and Lincoln Park pools matter and hearing public comments at the late hour.

Mayor Ezzy Ashcraft stated many people have waited this long to comment; expressed support for moving ahead; stated there should be less public comment.

Councilmember Knox White stated that he will need to recuse himself on the Franklin and Lincoln pools; expressed support for allowing public comment and continuing the Council discussion to a later date.

Mayor Ezzy Ashcraft concurred with Councilmember Knox White; expressed support for the meeting continuing until 11:30 p.m. and for dismissing any staff related to SB 9; inquired whether the SB 9 matter is time-sensitive, to which the City Clerk responded in the negative.

Mayor Ezzy Ashcraft expressed support for finishing the current matter, continuing the SB 9 matter, hearing public comment on the Franklin and Lincoln Park pools, followed by any Council referrals prior to 11:30 p.m.

Councilmember Herrera Spencer inquired the amount of public comment for the park pools matter; expressed concern over the timing.

The City Clerk responded 13 speakers have indicated that they wish to speak; stated the amount is increasing.

Mayor Ezzy Ashcraft moved approval of finishing the current matter, followed by the Franklin and Lincoln Park pools matter for public comment only, and followed by any Council referrals heard prior to 11:30 p.m.

Vice Mayor Vella seconded the motion.

Under discussion, Councilmember Herrera Spencer inquired whether the meeting will continue if public comments continue past 11:30 p.m.

Mayor Ezzy Ashcraft responded Council will finish hearing public comments.

Councilmember Herrera Spencer noted the meeting could continue past 11:30 p.m.

On the call for the question, the motion failed 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 Herrera Spencer moved approval of completing the current matter only; noted the Franklin and Lincoln Park pools matter should be placed first under Continued Items, Section 6, of the next agenda, followed by the SB 9 matter.

Councilmember Daysog seconded the motion.

Under discussion, Councilmember Knox White stated that he feels bad for the people who have waited until 10:50 p.m. to be told that Council does not want to continue for an extra 45 minutes to hear comments.

Councilmember Daysog stated that he supports the motion because the public comments should occur at the same time as Council deliberation; expressed concern for those that have waited; stated the public is better served in having one uniform meeting.

Vice Mayor Vella inquired whether the concern is related to hearing both the public comment and Council deliberation.

Vice Mayor Vella made a substitute motion approving continuing the meeting to hear the Franklin and Lincoln Park pools matter in its entirety.

Councilmember Daysog inquired how the substitute motion differs from the motion proposed by Councilmember Herrera Spencer.

Vice Mayor Vella responded that her substitute motion approves hearing the next matter entirely.

Councilmember Daysog seconded the substitute motion.

On the call for the question, the substitute 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.

Councilmember Herrera Spencer stated a motion is needed to continue the SB 9 hearing to the continued section of the March 1st meeting.

(22-118) Vice Mayor Vella moved approval of continuing the SB 9 matter to the Continued Agenda Items Section 6 of the March 1st agenda.

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

In response to Vice Mayor Vella's request, the Recreation and Parks Director stated whether or not AUSD funding will allow for the project to be placed on a list for a bond measure and whether or not the bond will pass are unknown; recommended working with AUSD staff to further refine the \$15 million cost and propose AUSD work with its architect to see whether the project could happen sooner if the City provides matching funds; stated that she has not considered the ballot measure not passing; however, if so, City staff will need to look into a full City aquatic center at either the Emma Hood site or an alternative to allow for higher participation; City staff can work with County Health to extend the closure date; there has been interest indicated for a City pool to be placed on City-land; staff can connect with design-build firms and review recent projects to gain a sense of whether \$15 million is a realistic budget; her goal is to review whether the City can perform both the assistance for AUSD's repair of Emma Hood and a City aquatic center for a cost of around \$20 million.

The City Manager concurred with the Recreation and Parks Director.

Mayor Ezzy Ashcraft inquired whether staff will be including information related to the matter in the upcoming budget workshops in addition to considering other revenue measures.

The City Manager responded in the affirmative; stated the information will be included in the budget workshop for the mid-cycle report in May.

Councilmember Herrera Spencer expressed concern about Emma Hood pool not having enough capacity and the City ending up with a pool on AUSD property instead of a City aquatic center; stated AUSD needs to come up with the least expensive way of getting the capacity; the City needs to come up with a plan that provides more occupancy; many cities have City pools; she has a problem with focusing on a City pool located on AUSD property; expressed support

for AUSD leading for Emma Hood and the City leading for a City aquatic center; stated the City cannot afford to maintain two pools long-term.

Mayor Ezzy Ashcraft stated that she is excited to see information returns.

Councilmember Knox White expressed support for a lane and use analysis being provided when the matter comes back; stated there is confusion about the original scheme not increasing the number of lanes and water space versus rebuilding Emma Hood; expressed concern about the community paying two separate entities to build two separate pools, or the City building its own City pool leaving Emma Hood to crash and burn or the City not building a City pool and not having the needed capacity; stated the calculus information should be included to ensure that there is no City versus AUSD scenario which hurts the City.

(22-119) Recommendation to Provide Direction on the Operation and Management of the Franklin Park and Lincoln Park Pools.

Councilmember Knox White announced that he would recuse himself and left the meeting.

Mayor Ezzy Ashcraft called a recess at 11:02 p.m. and reconvened the meeting at 11:18 p.m.

The Recreation and Parks Director gave a brief presentation.

Stated that she and her children have been swimming in Alameda as a key holder; she appreciates her children being able to swim every weekend; she has become a better swimmer during the pandemic; expressed support for more equity around the kindergarten times: Jacky Hayward, Alameda Swimming Pool Association (ASPAs).

Urged Council pause negotiations with ASPA in order to solicit public input; stated residents have a vested interest in the outcome of negotiations based on the potential closure of Emma Hood; accessing public pools is a matter of equity; discussed membership requirements for private pools; stated it is immoral to hoard limited pool space when the demand has increased; discussed the history of private pools and the link to racism: Neveen Acero, Alameda.

Discussed accessibility of the pools; stated the annual membership fee is cheaper than most gyms; membership discount programs exist; ASPA is a volunteer organization that has worked successfully for years; the current effort is a solution in search of a problem; the City can subsidize memberships: Brendan Macaulay, ASPA.

Discussed her experience with ASPA being positive; stated that she has been a key holder, has passed the lifeguard test and is disabled; the ability to swim is essential to well-being; the concerns related to lifeguarding are valid; working solutions can happen; urged Council negotiate the lease with ASPA: Julie Lyons, ASPA.

Urged Council to think big and do the right thing; stated ASPA has done an exemplary job of running the pools; anyone can join by completing an application form; expressed concern about reasons being created to cause difficulty for ASPA to operate; stated there is desire to keep Franklin and Lincoln Park pools open; urged Council be part of the solution sought: John Zenner, Alameda ASPA.

Discussed her use of the pools; expressed support for drop-in swim lessons; stated changes might be needed; urged Council to take the matter slowly and work with membership to ensure changes can be implemented over time; expressed concern about the pool being closed for the summer due to changes: Katherine Van Dusen, Alameda ASPA.

Stated that he sees demographic diversity at the pools regularly; Lincoln Park pool could benefit from signage; questioned why Council cannot grant a longer lease for ASPA; discussed fair rate structure plans; stated that he has not seen the City publicize the existing swim facilities; expressed support for ASPA managing the facilities: Jim Strehlow, Alameda.

Urged Council to consider equity, accessibility and the need for community input; stated the City has made efforts to seek community input on other park features; expressed support for the opportunity of a large scale community swimming pool, but the resource will not be accessible for years; stated the lease with ASPA represents an immediate opportunity to increase access: Maia Werner-Avidon, Alameda.

Urged Council to renew the lease with ASPA; stated the pools operate differently than others; ASPA offers unstructured weekend time and drop-in swim classes; other pools do not have the capacity for swim lessons; ASPA could do a better job of making information available regarding pool operations and signage could be improved; ASPA is a community resource: Mary Matella, ASPA.

Stated ASPA has allowed generations to be water-safe; members thrive in the current ASPA environment; discussed the buildings and facilities; stated maintenance of the facilities is largely performed by volunteers; the levels of volunteering are not barriers to membership; ASPA facilities are vital; urged Council to secure an exception to the Surplus Lands Act, renegotiate the lease and use the resources of the City: Betsy Mathieson, ASPA.

Urged Council not to continue negotiating with ASPA and direct staff to explore alternatives for the management of the Franklin and Lincoln Park pools; stated the time has come to start a new chapter; the model for the pools results in private, exclusive memberships inside public parks; there are issues of safety, compliance and access; urged Council end the lease with ASPA: Kristan LaVietes, Alameda.

Stated that he is an avid swimmer; expressed support for the options to swim in Alameda; stated ASPA needs to be preserved as an important option; ASPA must continue to expand and improve; discussed the private pool being on City land; the pool is a co-op; the cost of membership is cheaper than most drop-in services: Erich Stiger, Alameda.

Stated the Franklin and Lincoln Park pools are a special part of the community; the pools provide important life-saving skills; membership costs are reasonable; the pools have been managed by volunteer members; urged Council to continue allowing ASPA to manage the pools; stated volunteer hours are a great way to be inclusive and build community: Carmen Reid, Alameda.

Stated the community is rich and can pay for access to pools; urged people consider the differences in income; stated access to pools is not free or nominal for those who cannot afford membership: Roger Slattery, Alameda.

Urged Council pause the negotiations and reconsider the equity argument that many have made; stated the practice of pool memberships is not inclusive or accessible; expressed support for the use of the pools and volunteerism; stated the pools should be open to everyone or shut down: Seth Marbin, Alameda.

Stated that he is a loyal ASPA member; ASPA needs guidance in the pursuit of safety and membership; ASPA is a great model; more equity and access needs to be addressed; expressed support for the City holding quarterly meetings to provide information to members and allow for questions: Marshall Dortch, ASPA and Alameda Gators.

Stated in response to the concerns for safety, ASPA has insurance; ASPA has remained insurable; discussed lifeguard qualifications; stated there is room for improvement in the courses; expressed support for the pools continuing with improved operations: Randall Miller, ASPA.

Provided a reading excerpt from “The Sum of Us:” Morgan Bellinger, Alameda.

Urged Council to renew the lease with ASPA; stated the City can do a better job of advertising available pools to the public; discussed access differences between ASPA and other Alameda pools; stated the membership fees are economical for families; expressed support for scholarship funds to make memberships affordable: Therese Hall, Alameda.

Stated more needs to be done to ensure swimming is more accessible for all; expressed support for the City being a partner with ASPA; stated ASPA is a co-op and is open and accessible; the City can help with advertising; urged the City to partner with ASPA; stated the hours are focused on youth swimming: Pam Luo, ASPA.

Vice Mayor Vella stated there are equity issues with the matter; discussed her previous use of the pools; noted the ASPA website and pool site has little information posted; expressed concern about the access to the pools being during defined and limited periods of time; stated it is odd to discuss membership on a public resource; expressed concern about safety aspects and little City oversight; expressed support for finding ways to expand public access, for clear information being available and for moving away from the membership model; stated that she appreciates the volunteerism and co-op process; questioned whether there is a reason the City cannot move forward with the same sentiment in opening up the pools to all; stated there is an equity issue with membership and accessibility; she would like to see the pools expanded and opened up to the neighborhood without a membership for access.

Mayor Ezzy Ashcraft stated staff is recommending Council provide the authority to negotiate a short-term lease as opposed to entering into an operating agreement; more access to pools and swimming is needed; expressed support a creative and flexible approach to the matter; stated a few items are non-negotiable, including lifeguards; questioned the amount of lifeguards needed; stated pools are required to have insurance; State law requires trained, certified lifeguards be on site; lifeguards should be included as a term of the lease; questioned the consequences of lease terms not being met; stated there are short-comings and safety must be first; expressed support for an automated, online registration system; stated automated systems are a way to ensure the pool is being used to its maximum capacity; discussed costs being a barrier to access; stated many people do not have the \$400 membership fee saved; questioned whether there is a way for membership not to be paid in a lump sum; and whether the pool can be made available for people that wish to swim on a one-time or drop-in basis; stated the age

requirement for youth access to the pool unattended should be increased; there are ways to do more with the pool; the City can come up with a model which utilizes the pool resource; the City can work with ASPA to get the word out about the pools.

The Recreation and Parks Director stated the 8-year age limit for youths to be allowed in the pool unattended is being reviewed; the Board has agreed to increase the age requirement to 13 in concept.

Councilmember Herrera Spencer stated that her children used the pools for free for multiple summers; noted that she could not get free swim lessons anywhere else in the City; the City does not offer free swim lessons for seniors or children; inquired the cost of City swim lessons.

The Recreation and Parks Director responded that she does not have the exact cost for lessons; stated the City does not offer free lessons; however, scholarships are available for those that qualify and apply.

Councilmember Herrera Spencer stated many renters do not qualify for scholarships.

The Recreation and Parks Director stated the lessons cost \$10 per class.

Councilmember Herrera Spencer stated the City has been lucky to have the ASPA pools and volunteers; the volunteers have found ways to serve children, seniors and people with disabilities; further stated that she never paid for membership at ASPA pools; there are free options for youth and seniors; expressed support for the returning report to show what ASPA offers for free; stated that she supports ASPA; many families utilize ASPA pools; she appreciates the volunteers help in providing accessibility to pools; the volunteer time put into the pools is important; tiny tot swimming lessons range from \$50 to \$100; ASPA has been equitable in serving the community; questioned who pays for the operation and maintenance of the ASPA pools; stated it is not appropriate to continue to ask people to volunteer; expressed concern about increasing volunteer work; stated the pools likely would have been closed long ago if operated by the City; pools are expensive to maintain; the City has been fortunate to have community members working on the pools; ASPA is the most equitable pool available in Alameda; City swim programs are expensive; discussed the history of racism related to pool memberships; stated that she has seen people of color use the pool over the years; commended the community for providing free swimming lessons over the years for many children, including her own; stated ASPA is the only opportunity for free swim lessons; many children do not qualify for swimming scholarships and cannot afford to pay; requested the legal requirements to have lifeguards present at pools be presented when the matter returns.

The City Attorney stated staff can provide information to Council.

Councilmember Herrera Spencer stated that she would like the information made available to the community in advance of the meeting.

The City Attorney stated staff is happy to follow the direction of Council.

Councilmember Herrera Spencer inquired whether the City must have lifeguards to operate the pools.

The City Attorney responded staff can look into the requirements and provide response in writing; stated staff's position has been explained by the Recreation and Parks Director.

Mayor Ezzy Ashcraft stated parents have to be present with children for kindergarten swim; the hours are not always accessible for working parents; expressed support for staff returning with different options; stated the City has many good resources and should get more people involved.

Councilmember Daysog stated that he learned to swim at the Encinal High School pool; swimming pools are a vital part of the social fabric; ASPA has been around for decades and has provided good work; discussed the desire for community pools starting in the 1930s and 1940s; stated the ASPA pool project was in the late 1940s to early 1950s; discussed racist histories related to pools; stated pools have provided an incredible service; good service should be rewarded; encouraged staff to work with ASPA to understand constraints; stated ASPA has operated for many years and understands what works best; expressed support for modifying areas which need collaboration, including the swimming times and parents being present; stated the City should work with ASPA within the current system to ensure vital services are provided; the City can show flexibility in the lifeguard matter and meet ASPA halfway; the fee system in place for ASPA should be discussed; expressed concern over stopping negotiations; stated the partnership should continue.

Mayor Ezzy Ashcraft expressed concern about the City showing flexibility on the lifeguard matter; stated staff should return with more specifics on the topic.

Vice Mayor Vella stated the City must do its utmost to ensure that the minimum requirements are upheld and that a safe environment exists; she would like staff to return with the proposals presented in the staff report; expressed support for opening the matter up to include expanding the days and hours of access; stated pool information needs to be presented better and be more accessible on the ASPA website; expressed support for weekend hours being open to the public; noted only members are able access the pools on the weekend; stated that she likes the idea of an electronic system and the proposal of City approval of policies and procedures; expressed support for public access on weekends, including drop-in options for all lessons; stated the City does not offer enough swim lessons and many lessons fill up quickly; she would like the ASPA lessons and free swim expanded; she supports an online advance reservation system; the system would allow the City to track and better understand the demand and interest; expressed support for highlighting the ASPA pools information on the City website; stated that she would like to see better signage.

Councilmember Herrera Spencer expressed support for ASPA volunteer options being presented.

Councilmember Daysog stated that he would like to ensure staff maintains the intention of keeping ASPA as the provider for the pools; the City should allow flexibility on ASPA matters; good work should be rewarded; ASPA has provided fabulous work for the community; the City should work with ASPA and allow ASPA leadership to continue; Alameda is special in having a volunteer organization; it is possible that the City needs to work on improving its swim programs costs; the City should look at the matter holistically and find improvements for both.

Mayor Ezzy Ashcraft stated the Recreation and Parks Director provided extensive work related to fee increases; inquired whether additional direction is sought from staff.

The Recreation and Parks Director responded that she has enough information to proceed; stated staff will continue to meet with the ASPA Board of Directors.

Councilmember Herrera Spencer stated it is critical that the City work with ASPA and have ASPA be the leader in the matter.

(22-120) Public Hearing to Consider Introduction of an Ordinance Amending Alameda Municipal Code Chapter XXX to Implement Senate Bill 9 Regarding Two-Unit Housing Developments and Urban Lot Splits in Single-Family Residential Zones. Continued to March 1, 2022.

CITY MANAGER COMMUNICATIONS

Not heard.

ORAL COMMUNICATIONS, NON-AGENDA

Not heard.

COUNCIL REFERRALS

(22-121) Consider Having the City Council Address the Zoning of the Harbor Bay Club. (Councilmember Herrera Spencer) Not heard.

(22-122) Consider Having the City Council Review Recreation and Parks Department Community Events. (Councilmember Herrera Spencer) Not heard.

(22-123) Consider Directing Staff to Bring the Rent Program “In-House” to the City Attorney’s Office. (Mayor Ezzy Ashcraft and Vice Mayor Vella) Not heard.

COUNCIL COMMUNICATIONS

Not heard.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 12:44 a.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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