

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- - DECEMBER 19, 2023- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:04 p.m.

ROLL CALL - Present: Councilmembers Daysog, Herrera Spencer, Jensen, Vella, and Mayor Ezzy Ashcraft – 5.

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(23-761) Mayor Ezzy Ashcraft read a proclamation declaring December 19, 2023 as Andrew Thomas Day in the City of Alameda.

ORAL COMMUNICATIONS, NON-AGENDA

(23-762) Michael Wesolowski, Alameda Friends and Family for a Ceasefire, spoke about his experience with religion.

(23-763) Lean De Leon, Alameda Island Filipinx, called for ceasefire in Gaza.

(23-764) Deborah Sullivan, Alameda, called for a ceasefire in Gaza.

(23-765) Serena Kohgadai, Alameda, called for a ceasefire in Gaza.

(23-766) Sayed “Mustafa” Sadat, Alamedan’s for Cease Fire, called for a ceasefire in Gaza.

(23-767) Samantha Zimmerman, Alameda, called for a ceasefire in Gaza.

(23-768) Yuesen Yeun, Oakland, called for a ceasefire in Gaza.

(23-769) Maya Weetala, Alameda, called for a ceasefire in Gaza.

(23-770) Shelby Sheehan, Alameda, expressed concern about the City complying with the California Environmental Quality Act (CEQA).

CONSENT CALENDAR

The City Clerk announced the public hearing [paragraph no. 23-774] and called for speakers.

Encouraged Council to approve the needs statement prepared by the SSHRB [paragraph no. 23-774] that recommends there be an emphasis on racial equity for affordable housing and homeless services, amongst other topics: Scott Means, Social Service Human Relations Board (SSRHB).

Expressed concern about CEQA compliances regarding final passage of the AUSD ordinance [paragraph no. 23-777]: Shelby Sheehan, Alameda.

Stated that he is not in support of the Rent CIP ordinance [paragraph no. 23-779]: Garfield Kincross, Alameda Renters.

Stated that she is not in support of the CIP ordinance: Isabel Sullivan, Alameda.

Stated that she is not in support of the CIP ordinance: Nancy Lewis, Alameda.

Stated that she is not in support of the CIP ordinance: Stacey Rodrigues, South Shore Tenants Association.

Stated there should be a relationship between landlords and renters: Ivan Rudenko, Alameda.

Stated that he is not in support of the CIP ordinance: Efrem Williams, Alameda.

Stated that she is not in support of the CIP ordinance: Cam Bui, Alameda.

Stated that she is not in support of the CIP ordinance: Toni Grimm, Alameda.

Stated that she is not in support of the CIP ordinance: Sharon Starmbaugh, Alameda.

Mayor Ezzy Ashcraft stated Council has heard a lot from the renter community; more and more people are slipping into housing insecurity and homelessness; she would love to have Councilmembers who voted in favor of the CIP reconsider, vote down the ordinance and support the modified ordinance previously approved.

Councilmember Herrera Spencer inquired if the CIP has a low-income exemption, to which the City Attorney responded in the affirmative.

Councilmember Herrera Spencer inquired if the CIP proposed ordinance has caps on the amount of pass through, to which the City Attorney responded in the affirmative

Councilmember Herrera Spencer inquired if there is a pass through on fair return.

The City Attorney responded fair return is a federal constitutional requirement not governed by local law.

Councilmember Herrera Spencer inquired if fair return could result in a pass through.

The City Attorney responded it would result in a rent increase if approved.

Councilmember Herrera Spencer inquired if there are any low-income exemptions on said rent increase.

The City Attorney stated a renter's income does not come into play in a fair return application.

Councilmember Herrera Spener inquired whether fair return applications have any caps on the amount of the rent increase.

The City Attorney responded the matter is not governed by local law so the City cannot legislate a cap; the legislation impose a cap of what the landlords can demonstrate as part of the application.

Councilmember Herrera Spencer stated the proposed ordinance has a cap on the amount of pass through; inquired whether there is a cap on the amount of rent increase, to which the City Attorney responded in the negative.

Councilmember Vella stated her preference is there be time for more input and notice be given to residents.

Vice Mayor Daysog inquired if the ordinance incorporates hardship for families who are either low-income, very low-income, or extremely low-income making them not subject to the CIP, to which the City Attorney responded in the affirmative.

Vice Mayor Daysog inquired if staff has thought about ways to better communicate that there are hardships for low, very low, and extremely low-income families.

Mayor Ezzy Ashcraft stated teachers would not qualify for the low-income provisions and cannot afford to live in the City, making it hard to hire teachers.

Vice Mayor Daysog stated there are hardships for those most at risk; inquired if staff has thought about strategies to communicate hardship exemptions.

The City Attorney responded the rent program engages in monthly workshops for landlords and tenants to provide information about all aspects of the rent control ordinance; stated the changes adopted by Council would be incorporated into the workshops in the new year.

The Rent Program Director stated the rent program is looking at updating all CIP materials, including the websites and forms once the ordinance is adopted.

Councilmember Vella inquired what is the income level is to qualify.

The Rent Program Director responded as currently drafted, the provision is available to those who make 80% or less of the area median income.

Councilmember Vella inquired how much that is.

The Rent Program Director responded it varies based on household size; stated Council could give staff direction to use a different standard for the tenant hardship provision; in addition to the area median income, tenants in a public assistance program would also qualify.

Councilmember Vella stated people are one bad day away from losing housing; she is not in support of the ordinance; if Council moves forward, she asks that the hardship provision come back to Council in a timely manner; there is a significant problem with the 80% threshold based off the cost of living; few people are going to have access to the provision; in order to qualify for public assistance, it requires documentation that some may not have or be comfortable submitting; privacy issues and processes need to be addressed.

The Rent Program Director stated for Alameda County, 80% of the area median income would range from \$78,000 annually for a one-person household up to about \$148,000 annually for an eight-person household.

Councilmember Herrera Spencer inquired whether the numbers include benefits or if staff is only looking at the gross income.

The Rent Program Director responded it is based on income; stated staff looks at income reported on taxes.

Councilmember Vella expressed concern about the amount being \$78,000 annually; stated reducing the amount of federal and state taxes taken makes the number not \$78,000;.

Vice Mayor Daysog inquired whether the CIP hardship is based upon a net income or the gross income of \$78,000.

The Rent Program Director responded it would be based upon gross income; stated the details are identified in the ordinance and could be changed with Council direction.

Councilmember Jensen stated Council established a moratorium on CIP for buildings with more than 25 units; inquired what the CIP policy was until that action.

The Rent Program Director responded prior to the moratorium, landlords of any size unit were eligible to apply for a CIP and were eligible to pass 100% of the cost of improvements onto tenants.

Councilmember Jensen inquired if there was a tenant hardship, to which the Rent Program Director responded in the negative.

Councilmember Jensen inquired if the CIP was capped at a certain percentage of the annual rent, to which the Rent Program Director responded in the negative;.

Councilmember Jensen inquired the ordinance establishes the hardship as well as a CIP cap, to which the Rent Director responded in the affirmative.

Councilmember Jensen inquired what the amount the cap would be.

The Rent Program Director responded when there is a CIP application with a pass through, staff would review the 5% cap; stated if the monthly pass through is more than 5% of the tenant's rent, the amortization period would be extended to get it down to 5%; an annual rent increase would be a combination of Annual General Adjustment (AGA), plus any eligible banking, plus the maximum CIP pass through; if the combination adds up to more than 8%, less than the maximum CIP pass through has to be taken or the banked amounts cannot be implemented to get down to 8%.

Councilmember Jensen inquired if the policy change would limit CIP to 5% down from the unlimited CIP that has been in place since the rent program was established, to which the Rent Program Director responded in the affirmative.

Councilmember Jensen inquired whether tenants that meet certain income levels will not have

to pay the CIP or would get a lower CIP.

The Rent Program Director responded tenants who meet the eligibility requirements for tenant hardship, apply, and are approved would be exempt from any CIP pass troughs.

Councilmember Jensen acknowledged concerns about tenants that will be forced out of housing due to the new CIP policy, which in fact establishes CIP barriers and limits for the first time; inquired how Mayor Ezzy Ashcraft and Councilmember Vella were able to approve the initial rent control policy.

(23-771) Mayor Ezzy Ashcraft stated she would like to make a motion to add more time; requested everyone be brought up to two minutes.

Councilmember Jensen moved approval of giving each Councilmember 2 minutes to speak.

Councilmember Vella seconded the motion, which required four votes and failed by the following voice vote: Ayes: Councilmembers Jensen, Vella and Mayor Ezzy Ashcraft – 3. Noes: Councilmembers Daysog and Herrera Spencer – 2.

Vice Mayor Daysog moved approval of giving each Councilmember an additional 1 minute.

Councilmember Herrera Spencer seconded the motion, which carried by unanimous voice vote – 5.

Councilmember Vella stated that she was not part of the Council that voted on the original ordinance, but she voted on the updated ordinance; it was not the intent of the current or previous Council to stick with the structure, but rather add restrictions; if the desire is to move forward, her hope would be Council gives direction to staff to consider the real cost of living.

Mayor Ezzy Ashcraft stated it was always known staff would be coming back; she would urge her colleagues to adopt strong protections now; the threshold should be increased because \$78,000 in gross does not leave much monthly income; the middle class, families with children, teachers, and childcare workers are being lost; more should be done to protect these people; inquired if Councilmember Vella has any suggestions for what that might look like.

Councilmember Vella stated that she would direct staff to come back after meeting with different stakeholder groups and get Council direction in the new year, as soon as possible.

Vice Mayor Daysog stated the point of having the number set for a household of one at roughly \$79,000 is so the household is saved from the burden of the CIP being passed on; the household is eligible for a hardship so they do not have one more thing hoisted on them in addition to other expenses; stated staff can come up with the area median.

Mayor Ezzy Ashcraft stated that she is trying to expand the pool of renters who do not have one more thing hoisted on them.

Vice Mayor Daysog stated the ordinance does not hoist one more thing on them.

Councilmember Jensen inquired the number of renters who have lost housing due to rent

increase based on CIP during the last 6 years.

The Rent Program Director responded only one CIP has been approved and had costs passed onto tenants; stated the increase happened in the last month; the larger displacement concern comes from the current policy being available to landlords to permanently terminate a tenancy.

Mayor Ezzy Ashcraft stated increased rent can drive people away.

In response to Councilmember Jensen's inquiry about Southshore tenants, the City Attorney stated there is no CIP pass through for properties over 25 units.

Councilmember Jensen inquired what the amount would be for tenants in apartments with less than 25 units and an approved CIP.

The City Attorney responded there would be an 8% cap that includes the cost-of-living adjustment, banking, and capital improvements.

Councilmember Jensen inquired if the 8% cap includes CIP and whether there can be no rent increase above 8% with the ordinance, to which the City Attorney responded in the affirmative.

Councilmember Jensen inquired whether a lot of apartments in Alameda are not rent controlled.

The Rent Program Director responded every rental unit in the City is divided and classified as either fully or partially regulated; the majority are fully regulated, meaning they are subject to the annual adjustment rent cap.

Councilmember Jensen inquired if new buildings at Alameda Point and Northern Waterfront are under rent control.

The Rent Program Director responded new construction after 1995 is considered partially regulated, meaning it is not subject to the AGA, but is subject to the rent ordinance protections for no fault terminations.

In response to Councilmember Jensen's inquiry, the Rent Program Director stated for any partially regulated unit, due to State law, the City is not able to implement a cap on the rent increase and the landlord is able to increase the rent by whatever amount desired.

Councilmember Jensen inquired if there is an opportunity for the City to develop rent control for those units, to which the Rent Program Director responded in the negative; stated not as long as current State law remains in place.

The City Attorney stated there is a State law that caps rent increases to 10%, which is not regulated by the City's rent program but is likely applicable.

Councilmember Herrera Spencer stated some renters may not understand that newer apartments do not fall under these rules being created; inquired when the matter last came to Council.

The Rent Program Director responded staff has brought revisions to the CIP policy to Council since 2021.

Councilmember Herrera Spencer inquired if the current CIP policy was adopted in 2022, to which The Rent Program Director responded in the negative; stated the current CIP policy remains the policy that was initially passed in 2016 with the first rent stabilization ordinance.

Councilmember Herrera Spencer stated she was on Council in 2016 and is unsure whether or not she supported it, but assumes she did not; requested clarification on whether staff has not been able to get majority of Council to support changing the policy since 2016.

The Rent Program Director stated each time staff brought the revised CIP policy to Council, the direction has been to do additional research and meet with stakeholders.

Councilmember Herrera Spencer stated that she will be supporting the ordinance; inquired if someone can make a referral or if there can be modifications in the future, to which the City Attorney responded in the affirmative.

Councilmember Herrera Spencer stated there is a process where it can come back again, but she is happy to support the ordinance as is.

Councilmember Vella inquired what the income level for a family of four must be to qualify.

The Rent Program Director stated it is roughly \$112,000 in gross income.

Councilmember Vella stated to be clear, the City will not give hardship to those taking home less than \$80,000.

Vice Mayor Daysog stated the number is \$112,000.

Councilmember Vella clarified the amount is net income; taxes have to be taken out.

Mayor Ezzy Ashcraft and Councilmember Vella recorded no votes on final passage of the CIP ordinance.

Councilmember Herrera Spencer moved approval of the Consent Calendar.

Councilmember Jensen seconded the motion, which carried by unanimous voice vote - 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*23-772) Minutes of the Special and Regular City Council Meetings Held on November 21, 2023. Approved.

(*23-773) Ratified bills in the amount of \$2,779,122.12.

(*23-774) Public Hearing to Consider Approving the Housing and Community Development Needs Statement for the Community Development Block Grant Annual Plan for Fiscal Year 2024-25. Accepted.

(*23-775) Recommendation to Authorize the City Attorney to Execute a Five-Year Agreement with 3Di Inc. for Database Maintenance for the Alameda Rent Program's Online Rent Registry in an Amount Not-to-Exceed \$250,000. Accepted.

(*23-776) Resolution No. 16126, "Setting the 2024 Regular City Council Meeting Dates." Adopted.

(*23-777) Ordinance No. 3359, "Authorizing (1) the Transfer of 0.65 Acres of City Property to the Alameda Unified School District (AUSD), (2) the Granting of a Reciprocal Easement on City Property from the City to AUSD for Public Access, Public Parking and Use Purposes on a 24/7 Basis, (3) Accepting a Reciprocal Easement from AUSD for Public Access, Public Parking and Use Purposes on a 24/7 Basis, and (4) the City Manager to Execute All Necessary Documents in Connection Therewith to Facilitate the Renovation and Rebuild of Wood Middle School." Finally passed.

(*23-778) Ordinance No. 3360, "Authorizing the City Manager to Execute a Lease with the Alameda Transportation Management Association for a Single Office Space in City Hall West at Alameda Point for a Five-Year Lease Term with Base Rent of One Dollar Per Year." Finally passed.

(23-779) Ordinance No. 3361, "Amending Article XV of the Alameda Municipal Code, Amending and Enhancing the Rent Control Program's Capital Improvement Plan (CIP) Program and Terminating the Current Moratorium on CIP Applications for Properties that Have 25 or More Rental Units and Making Other Necessary Updates." Finally passed.

Since Councilmember Vella and Mayor Ezzy Ashcraft recorded a no vote, the item carried by the following vote: Ayes: Councilmembers Daysog, Herrera Spencer and Jensen – 3. Noes: Councilmember Vella and Mayor Ezzy Ashcraft – 2.

CONTINUED AGENDA ITEMS

None.

REGULAR AGENDA ITEMS

(23-780) Presentation of Diversity, Equity, Inclusion, and Belonging Plan Recommendations from the City Staff Led Equity Working Group.

(23-781) Mayor Ezzy Ashcraft suggested providing 5 extra minutes for the presentation.

Councilmember Jensen moved approval of allowing an extra 5 minutes.

Vice Mayor Daysog seconded the motion.

Under discussion, Councilmember Herrera Spencer suggested Council also be given extra time.

On the call for the question, the motion carried by unanimous voice vote – 5.

The Communications and Legislative Affairs Officer and City Manager made brief introductory comments.

The City Manager, Administrative Services Coordinator and Intermediate Clerk gave a Power Point presentation.

In response to Mayor Ezzy Ashcraft's inquired about the number of City employees, the City Manager stated the total number of employees is over 1,000.

The Communications and Legislative Affairs Officer stated the survey was sent to employees with a city email, which is just under 600; , there were 298 responses.

In response to Councilmember Jensen's inquired why the plan was established by staff rather than hiring a consultant, the City Manager stated experts supported and helped the team; when talking about culture change and organizational culture, it is important to have the effort driven by employees and be grassroots; at some point, there might be a budget request related to staffing, but it is not on the table currently.

Councilmember Jensen stated it looks like it has been successful so far and she looks forward to hearing more.

Stated she has been a part of the equity working group from the beginning; expressed support for the vision the group has worked on for the community and City employees: Mirna Moreno, Alameda.

Inquired about the CEQA determination; stated she is glad this is employee led; expressed concern about employee privacy: Shelby Sheehan, Alameda.

Stated that he worked with the equity working group and supports the effort: Walker Toma.

Mayor Ezzy Ashcraft stated that she is proud of the City for undertaking this endeavor; she looks forward to Council training; the City wants to attract and retain exceptional employees and can always learn and do better; she looks forward to next steps.

Councilmember Vella stated that she is grateful to everyone who responded and took the time to participate in a meaningful way because it will lead to better outcomes, work environments and conditions; this is also about transforming into healthier working environments as there is stress at all different levels of the job; she is looking forward to the continued efforts.

Councilmember Herrera Spencer expressed concern about the initial report not including race and religion; stated Council hired a consultant but the City Manager made the decision to no longer work with them; the subject is serious and requires a consultant; expressed concern about certain definitions; expressed concern about the focus being solely on employees; stated there should also be goals focusing on community members and customer service; expressed concern about examples used in the background; stated the City has a lot of part-time employees who should have been included; stated she does not support DEIB, but rather DEIA; there is a lot of work to be done.

Vice Mayor Daysog stated this work is important and he appreciates what was presented, which is a great start; he believes taking public and Council input could go a long way to help strengthen this more.

Councilmember Jensen stated what staff is doing is going to make a meaningful change and

policy, rather than having a consultant; she would be happy to work more closely on this project with everyone.

The City Manager stated staff worked with Seed Collaborative; they helped support staff, conduct surveys, conducted listening sessions, and facilitated different working groups; moving into the implementation phase, staff is looking to bring in support from another consulting company, Circle Up Education, to do training for Council and bring a contract to Council to roll out Citywide trainings.

Mayor Ezzy Ashcraft stated most of Council is supportive of this staff-led effort; Alameda has a good reputation in the Bay and it is initiatives like this that keep adding to it.

Mayor Ezzy Ashcraft called a recess at 9:16 p.m. and reconvened the meeting at 9:30 p.m.

(23-782) Public Hearing to Consider Resolution No. 16127, "Approving a 12-Month Exclusive Negotiating Agreement with Little Opera House Inc., dba Radium, for the Development of 2.13 Acres of Property on Pan Am Way at Alameda Point for a Performing Arts Center." Adopted; and

(23-782A) Introduction of Ordinance Authorizing the City Manager to Execute a 12-Month License for the Temporary Use of the Property for Performing Arts and Special Events. Introduced.

The Special Advisor gave a Power Point presentation and Christopher Seiwald, Radium, gave a brief presentation.

Councilmember Herrera Spencer expressed concern about the placement of the containers; inquired what the plan is for the containers moving forward.

Mr. Seiwald stated the containers can move.

Councilmember Herrera Spencer requested clarification about the view corridor on the second floor of the Naval Air Museum.

The Strategic Advisor stated the passenger lounge on the second floor has a great view over the runways and water, which is identified as a character defining feature; trying to maintain the view corridor is identified as important.

In response to Councilmember Herrera Spencer's inquiry about adding a building, the Strategic Advisor stated if approved by Council, a year long process of designing a building that meets all City regulations and is compatible with the Historic District will start; there will be input from the Historic Advisory Board, the Planning Board, and the community on the designs; Council will receive an update on the design process and the financial terms at month nine; there will be recommendations, but Council would decide whether the project would proceed after a year.

Stated that she is in support of the project: Rachel Lee, Alameda Civic Ballet.

Stated under CEQA, all projects in the Historic District must undergo further review: Shelby

Sheehan, Alameda.

Expressed support for the project: Tina Blaine, Rhythmix.

Expressed support for the project: Jennifer Radakovich, Rhythmix.

Expressed support for the project: Adam Gillitt, Public Art Commission.

Expressed support for the project: Madlen Saddik, Chamber of Commerce,

Expressed support for the project: Doug Biggs, Alameda Point Collaborative.

Expressed support for the project: Cam Bui, Alameda.

Expressed support for the project: Liz Rush, Public Art Commission.

Expressed support for the project: Colin Blake, Anchor Alameda.

Expressed support for the project: Mark Farrell, Anchor Alameda.

Councilmember Jensen stated this is a tremendous resource and something Alameda has been building towards for a long time; she is enthusiastic and supportive of the project.

Councilmember Jensen moved approval of the staff recommendation [including adoption of the resolution and introduction of the ordinance].

Councilmember Vella seconded the motion.

Under discussion, Vice Mayor Daysog stated this is an exciting project and he looks forward to the coming months.

Councilmember Vella stated that she looks forward to seeing the project move forward.

Councilmember Herrera Spencer inquired if staff could address the City's requirements for CEQA and how they are being met.

The Strategic Advisor responded a CEQA review has been done for the redevelopment of Alameda Point; stated staff completed and updated review when the CEQA determination for the General Plan update was approved in 2022; staff is aware of the environmental effects for this kind of development; approval is just an agreement to talk and draft documents and plans and does not result in the construction of anything; if physical changes are approved at the end of the year, another CEQA determination will be needed at that point.

Councilmember Herrera Spencer inquired whether the City Attorney agrees, to which the City Attorney responded in the affirmative.

Councilmember Herrera Spencer inquired how parking fits in with CEQA and where it will be located for the facility.

The Strategic Advisor responded that will be part of the design process.

Councilmember Herrera Spencer stated her understanding is parking will not be within the red rectangle shown on the second page of the presentation.

The Strategic Advisor stated that may be true, however it has yet to be designed.

In response to Councilmember Herrera Spencer inquiry about nearby ferry parking, the Strategic Advisor stated staff will look at public parking lots that are either already in existence or are planned; as Alameda Point develops, where to best accommodate parking is going to be addressed with each project.

Councilmember Herrera Spencer inquired why the red rectangle is not farther to the West.

The Strategic Advisor responded nothing prevents Council from changing the location; stated the land is the area staff designated for a performing arts center in 2022.

In response to Councilmember Herrera Spencer's inquiry about the view corridor, the Strategic Advisor stated the area is where staff thinks the primary view is from the upstairs lobby; the process will require looking at the site to determine where the building goes, as well as looking at Building 77 and how the buildings work together; ideally, a performing arts center will be next door to a museum.

Councilmember Herrera Spencer inquired whether staff has had communications with the Naval Air Museum which is interested in cooperating and coming up with a synergetic plan, to which the Strategic Advisor responded in the affirmative.

Councilmember Herrera Spencer stated the Naval Air Museum has had many cultural events in the parking lot.

In response to Mayor Ezzy Ashcraft's inquiry about the Brown Act, the City Attorney stated Councilmembers may talk about the design of the project and what they would like to see as part of the design.

Councilmember Herrera Spencer shared a picture taken from the second-floor window inside the Naval Air Museum that speaks to the historical significance; inquired if the historical significance could be explained and why it must be acknowledged and worked with.

The Strategic Advisor stated the City will have to consider how the buildings' design, placement, size, and architecture impact the character defining features of the Historic District; the process requires a certificate of approval from the Historic Advisory Board.

Councilmember Herrera Spencer stated earlier Mr. Seiwald said there are three important things, one being location; inquired what the other two are, to which Mr. Seiwald responded location, facility, and purpose.

Councilmember Herrera Spencer stated that she would like to submit a fourth, which is the people that are part of the team; she has participated in multiple events out there and encourages everyone to participate; the project is going to reflect the community and will be amazing.

Councilmember Vella stated that she hopes the steps laid out in the process are followed and allow for design input from Council in the later stages as she appreciates all different views; she wants to make sure the public understands Council is agreeing on the Exclusive Negotiating Agreement; there will be time for input both from public and Council.

Mayor Ezzy Ashcraft stated that she is in support of the project.

On the call for the question, the motion carried by unanimous voice vote – 5.

(23-783) Public Hearing to Consider Resolution No. 16128, “Amending Master Fee Resolution No. 12191 to Add and Revise Recreation and Park Fees for Calendar Year 2024.” Adopted.

The Recreation and Parks Director gave a Power Point presentation.

In response to Councilmember Jensen’s inquiry about youth organizations, the Recreation and Parks Director stated to be counted as an Alameda youth non-profit, 75% of the people in the organization must be from Alameda.

Councilmember Jensen inquired why the distinction is not included for gym rentals.

The Recreation and Parks Director responded the primary usage of the gym facility is non-profit; stated Alameda Vipers represents about 85% of the tournament usage at the facility; rental rates for non-residents are being increased.

In response to Councilmember Jensen’s inquiry, the Recreation and Parks Director stated there are not many for-profit rentals at the gym currently; almost all rentals are by non-profits; staff is proposing the one fee because there are almost no for-profit.

Councilmember Jensen stated that she has been told Alameda Youth Basketball is no longer using the gym because the costs went up; she believes the increase will be a burden on Vipers and local club basketball teams; Alameda Vipers make up 80% of the users at Alameda Point Gym and have been for years so the increase is going to be directed at that organization; she would like to hear other options staff has discussed.

The Recreation and Parks Director stated staff discussed the increase with the Alameda Vipers; the Vipers did not think the fee was absurd, felt it was somewhat fair and requested it be phased over two years, which staff is willing to do; there will be a \$15 increase this year, followed by an additional \$15 next year; staff is looking at trying to cover some of the staffing costs, including maintenance and waste; staff is trying to get the fee up to market rate.

Councilmember Jensen stated that she sees court facilities and rentals being increased by \$2 an hour at Alameda Point Gym; inquired if pickle ball is available.

The Recreation and Parks Director responded pickle ball is currently being offered three days a week for three hours a day; there is a drop-in fee of \$5.

Councilmember Jensen inquired whether staff considered raising the fee since the hourly basketball fee was increased so much.

The Recreation and Parks Director responded staff looked at all Alameda pickle ball space and

is making sure there is an accessible place for the community to play.

Councilmember Jensen stated the City is fortunate to have the Alameda Point Gym because there are so many courts available simultaneously; she appreciates the option to phase the fee in over two years; a 60% increase seems burdensome and she is not convinced it is justified; the Vipers are the only organization really using Alameda Point Gym; inquired about outside soccer clubs and other organizations using athletic fields.

The Recreation and Parks Director responded a majority of the field is allocated to organizations from Alameda; stated there is a great demand for many sports; there is not a lot of opportunity for outside organizations.

Councilmember Jensen stated fees should be different for residents and non-residents; inquired if the gym is used for Vipers practice or just tournaments.

The Recreation and Parks Director responded the gym is used for practices as well.

Councilmember Jensen stated that she understands tournament fees but not practice fees.

The Recreation and Parks Director stated the fee is \$45 per hour for games and practices; the only fee being changed is the tournament fee.

Councilmember Jensen inquired if members have access to the social hall at Mastick.

The Recreation and Parks Director responded members have access to the social hall during the day if they are doing activities.

Councilmember Jensen inquired if it can be rented for bereavement services or other types of social events, to which the Recreation and Parks Director responded in the affirmative; stated there is no discount offered.

The Assistant City Manager stated there are no resident versus non-resident fees for tournaments because it would be challenging to track; the Recreation and Parks Department does track residential status of its organizations by getting a roster for each season; for tournaments, the Vipers collect team registrations, not individuals, so there is no way to determine a residential rate for tournaments.

(23-784) Mayor Ezzy Ashcraft moved approval of hearing the Public Art Master Plan [paragraph no. 23-785], City Manager Communications and Oral Communications.

Councilmember Vella seconded the motion.

Under discussion, Councilmember Herrera Spencer inquired whether Council Communications could be heard.

Mayor Ezzy Ashcraft amended the motion to add Council Communications allowing each Councilmember 2 minutes.

Councilmember Vella seconded the amended motion, which carried by unanimous voice vote –

5.

Councilmember Vella stated a lot of time has been spent reviewing costs; the Alameda Point Gym has been a struggle because there have been many capital improvements; a significant amount of City funding has been spent on the improvements; her understanding is the tournaments are used as a fundraising mechanism; increased costs could be passed onto participating teams from other communities; she is okay doing a tiered increase but would like to make sure the City gets to market; inquired whether there is an opportunity to do cost recovery as part of the process when tournament schedules go out.

The Recreation and Parks Director responded the last allocation recently occurred and there will not be another until mid-February; the rate increase could be considered for tournament fees moving forward.

Councilmember Vella stated that she understands the request to tier it but she does not see a way costs could not be recovered sooner.

The Assistant City Manager stated tournaments are generally eight hours; there is a \$600 additional charge for a one-day tournament, which generally has 400 players.

Councilmember Vella stated a lot has been done to try and support different teams; the reason costs have been so low up to this point is that increases were deferred in the past; the cost of maintenance continues to go up; the City continues to dig itself into a hole; giving people time to plan is important.

Vice Mayor Daysog stated a concern was raised by the Vice President of the Vipers; he understands staff must attempt a fine balance; inflation hits everyone, including City Hall; he appreciates staff's method; he is supportive of what staff has presented for the most part.

Mayor Ezzy Ashcraft stated a lot of Alameda's infrastructure, park structures, and recreation facilities are older and require maintenance and there are costs; what has been proposed is reasonable; she supports the staff recommendation.

Councilmember Herrera Spencer inquired about the consolidated fees for events and if the \$250 per hour fee applies to the Boys and Girls Club using the grass area in front of City Hall West.

The Recreation and Parks Director responded the fee is for special events, such as large outside planned events and is not targeted as a usage fee for small non-profit groups.

The Assistant City Manager stated the area is not under the Alameda Recreation and Parks Department's purview so the fee would not apply; the organization works directly with the Base Reuse Department to do a license agreement for the use.

Councilmember Herrera Spencer inquired if the fee is comparable.

The City Manager stated that she does not know the amount of the license fee.

Councilmember Herrera Spencer inquired if there have been discussions about paying \$250 per

hour with the West End Arts District, which hosts Blues, Brews, and Barbecues, .

The Recreation and Parks Director responded staff did not have discussion with the group, but the fee is lower than what was charged for the event; multiple facilities were rented with multiple fees paid, which added up to more than the fee; he trying to clean it up, make it simpler and be more realistic.

Councilmember Herrera Spencer expressed concern about the 65% increase, which is dramatically more than other increases; inquired if staff has been able to circle back and if they are okay with the increase.

The Recreation and Parks Director responded that he met with the Alameda Vipers to discuss fees; they said the increase is high for one year and indicated the overall increase is not too offensive, but asked if it could be done in two phases.

Councilmember Herrera Spencer inquired if another 33% increase should be anticipated once \$75 is reached, to which the Recreation and Parks Director responded in the negative; stated the increase would get the rate back up to market.

Councilmember Herrera Spencer stated that she would support a 33% increase.

Councilmember Herrera Spencer moved adoption of the resolution as long as it is changed to one charge of \$15 the first year and another \$15 the second year.

Councilmember Vella stated an e-mail from Mary Ann Carter indicated support for a tiered increase; inquired if the increase is something amenable to staff, to which the Recreation and Parks Director responded in the affirmative; stated staff would phase in the increase to \$74 an hour over the course of two years.

Councilmember Vella requested clarification of the motion; inquired whether the motion os to move forward with staff's recommended changed, with the one augmentation being the phased approach to the tournament, to which the Recreation and Parks Director responded in the affirmative

Councilmember Vella seconded the motion.

Under discussion, Councilmember Jensen inquired if the master fee schedule will return to Council next year, to which the Recreation and Parks Director responded in the affirmative; stated staff brings the fees to Council annually.

Councilmember Jensen inquired if next year's tournament fees would be the remainder, to which the Recreation and Parks Director responded in the affirmative.

Councilmember Jensen inquired if what is being established for this year is \$30 instead of a \$74 increase, which leads to the fee being increased by \$14 next year.

The Recreation and Parks Director stated Council would have to adopt the amount next year; this year a \$15 per hour increase is being approved for the tournament fee, which is currently \$45.

Councilmember Vella inquired if Council is approving a two-year fee change.

The Assistant City Manager stated Council has the authority to make changes when the matter returns.

On the call for the question, the motion carried by unanimous voice vote - 5.

(23-785) Resolution No. 16129, "Adopting the Public Art Master Plan." Adopted.

The Development Manager and Jen Krava, Forecast Public Art, gave a Power Point presentation.

Expressed support for the plan: Tina Blaine, Rhythmix.

Expressed support for the plan: Jennifer Radakovich, Rhythmix.

Expressed support for the plan: Adam Gillitt, Public Art Commission.

Expressed support for the plan: Liz Rush, Public Art Commission.

Mayor Ezzy Ashcraft inquired if there is a map of all the public art locations around the City, to which the Development Manager responded in the affirmative.

Mayor Ezzy Ashcraft inquired where the map can be found.

The Development Manager responded on the Alameda Public Art; stated a link in the Master Plan has an interactive map with information about the public art collection.

Mayor Ezzy Ashcraft encouraged people to check it out.

Councilmember Vella moved adoption of the resolution.

Councilmember Herrera Spencer seconded the motion.

Under discussion, Vice Mayor Daysog stated the matter is very important; thanked staff and everyone who worked on the Plan.

Councilmember Jensen stated that she is excited to approve the Plan.

Councilmember Herrera Spencer encouraged the public to participate and visit Studio 23; commended staff, Commission members, and local artists.

On the call for the question, the motion carried by unanimous voice vote - 5.

CITY MANAGER COMMUNICATIONS

(23-786) The City Manager announced CalTrans is closing the Posey Tube tonight for maintenance from 10:00 pm to 4:30 am; East Bay Municipal Utility District is completing work on Sherman Street and Clement Avenue; the City is working on restriping the surface roadway to prevent vehicles from entering bike lanes; traffic signal phasing will remain the same; the Main

Street Ferry Terminal is re-opening January 2; thanked Supervisor Lena Tam's office for presenting the City with a check for \$5,000 to support the City's youth summer internship program; stated the City continues to support local shopping with free parking on Saturdays for the rest of the month at Civic Center garage and West End lot.

ORAL COMMUNICATIONS, NON-AGENDA

(23-787) Claire Valderama-Wallace, Alameda Families and Friends for Ceasefire, called for a ceasefire in Gaza.

(23-788) Laura Thomas, Alameda, called for a ceasefire in Gaza.

(23-789) Cynthia Minster, Alameda, urged Council to continue working on local issues; stated citizens should advocate on foreign policy at the federal level.

(23-790) Michael Yoshii, Alameda Families and Friends for Ceasefire, called for a ceasefire in Gaza.

(23-791) Ashley, Alameda Families and Friends for Ceasefire, called for a ceasefire in Gaza.

(23-792) Josh Altieri, Housing Authority, provided a Housing Authority update.

(23-793) Ysrael Quezan, Alameda Families and Friends for Ceasefire, called for a ceasefire in Gaza.

COUNCIL REFERRALS

(23-794) Consider Directing Staff to Draft an Ordinance Amending the Sunshine Ordinance to Move to a Hearing Officer Model to Hear Sunshine Ordinance Complaints. (Mayor Ezzy Ashcraft and Councilmember Jensen) Not heard.

(23-795) Consider Directing Staff to Draft an Ordinance Prohibiting Animal Testing and Experimentation on Property Owned or Controlled by the City of Alameda. (Councilmembers Herrera Spencer and Vella) Not heard.

(23-796) Consider Providing Direction to Staff to Allow Remote Public Participation under Oral Communications, Non-Agenda (Public Comment) and Clarify who has Authority to Make Such Decisions in the Future. (Councilmember Herrera Spencer) Not heard.

COUNCIL COMMUNICATIONS

(23-797) Councilmember Herrera Spencer shared recent police incident reports.

(23-798) Councilmember Vella thanked the City Manager and staff for the holiday party; expressed appreciation to Firefighters for the Toy Drive; stated that she attended several events, such as the League of California Cities League Leaders meeting; she is glad the community has been able to gather and take time to celebrate; expressed appreciation for the Alameda Point tour and the work that went into making it a success.

(23-799) Vice Mayor Daysog stated that he and Councilmember Jensen attended the AC

Transit liaison meeting; he also attended the US Coast Guard breakfast and All-Hands Ceremony on behalf of the Mayor; he had coffee with Rabbi Minster; he attended the Alameda Point Leasing Tour, the Alameda Holiday City Tree Lighting Ceremony, and the Southshore Menorah Lighting.

(23-800) Councilmember Jensen stated that she and Vice Mayor Daysog attended the AC Transit meeting; she appreciates commentators who have come to share their views, thoughts, and information about Palestine; encouraged everyone to attend youth basketball games.

(23-801) Mayor Ezzy Ashcraft stated that she attended the League of California Cities Board of Directors meeting with Councilmember Vella and voted on the legislation that will be pursued and supported for the coming year; she attended the City Lights celebration, a Menorah Lighting at Upper Washington Park and Temple Israel's menorah lighting at Southshore Center.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 11:52 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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