

MINUTES OF THE REGULAR CITY COUNCIL MEETING
WEDNESDAY- - JULY 5, 2023- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:02 p.m. Vice Mayor Daysog led the Pledge of Allegiance.

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

Absent: None.

AGENDA CHANGES

(23-395) Mayor Ezzy Ashcraft requested the resolutions of appointment be heard before the Consent Calendar.

Councilmember Vella moved approval.

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

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(23-396) Proclamation Commending Cindy Houts for Her Extraordinary Service to the Alameda Food Bank.

Mayor Ezzy Ashcraft read the proclamation and presented it to Cindy Houts.

Ms. Houts made brief comments.

REGULAR AGENDA ITEM

(23-397) Resolution No.16068, “Appointing Anita Battle as a Member of the Library Board.” Adopted;

(23-397A) Resolution No. 16069, “Appointing Deborah Gibbons as a Member of the Library Board.” Adopted;

(23-397B) Resolution No. 16070, “Reappointing Gerald Bryant as a Member of the Social Services Human Relations Board.” Adopted;

(23-397C) Resolution No. 16071, “Appointing Cindy Pile as a Member of the Social Services Human Relations Board.” Adopted; and

(23-397D) Resolution No. 16072, “Reappointing Dianne Yamashiro-Omi as a Member of the Social Services Human Relations Board.” Adopted.

Councilmember Vella moved adoption of the resolutions.

Councilmember Jensen seconded the motion, which carried by unanimous voice vote - 5.

The City Clerk administered the Oath of Office to Ms. Gibbons, Ms. Pile and Ms. Yamashiro-Omi who all made brief comments.

ORAL COMMUNICATIONS, NON-AGENDA

(23-398) William Eckert, Alameda, expressed concern over rates charged by Greenway Golf on Fridays; stated Alameda residents should get certain privileges over non-residents.

(23-399) Alain Himy, Alameda, expressed concern over Greenway becoming difficult to deal with in terms of how things are handled; residents have had no say.

(23-400) John Beimares, Alameda, stated residents need more transparency from Greenway about completion of the nine-hole course and the manager position being filled.

(23-401) Paul Beusterien, Alameda, commented on the parade; discussed the League of Women Voters work on Ranked Choice Voting and the San Leandro Bay Adaptation working group.

(23-402) Rich Schacht, Alameda, commented on Greenway's contract; discussed points in contract that have not been met.

(23-403) Joe LaParo, Alameda, commented on the parade; discussed the Veterans' Building repairs.

CONSENT CALENDAR

Councilmember Jensen moved approval of the Consent Calendar.

Councilmember Vella seconded the motion.

Under discussion, Councilmember Herrera Spencer recorded a no vote on the Environmental Protection Agency grant funds [paragraph no. 23-408] and the Exclusive Negotiating Agreement [paragraph no. 23-409] and requested the vehicle purchase [paragraph no. 23-414] be removed from the Consent Calendar for discussion.

On the call for the question, the motion carried by unanimous voice vote - 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*23-404) Minutes of the Special and Regular City Council Meetings Held on June 6, 2023. Approved.

(*23-405) Ratified bills in the amount of \$3,193,339.63.

(*23-406) Recommendation to Authorize the City Manager to Execute a One-Year Agreement with Rise Housing Solutions to Provide Inclusionary Housing Program Management and Compliance Services, Substantially in the Form of the Attached Agreement, with the Option of Four One-Year Extensions for a Total Five-Year Compensation Amount Not-to-Exceed \$300,000 and No More than \$60,000 in a Single Fiscal Year. Accepted.

(*23-407) Recommendation to Authorize the City Manager to Execute a Third Amendment to

the Agreement with CivicWell to Hire One Sustainability and Resilience CivicSpark Fellow for the 2023-2024 Service Year, Increasing Compensation by \$31,000, for a Total Aggregate Compensation Not-to-Exceed \$117,500. Accepted.

(23-408) Recommendation to Authorize the City Manager to Execute All Necessary Documents with the United States Environmental Protection Agency to Accept \$1,472,500 in Grant Funds to Add Stormwater Bioretention Areas at Three Roundabouts as Part of the Central Avenue Safety Improvement Project.

Since Councilmember Herrera Spencer recorded a no vote, the matter carried by the following vote: Ayes: Councilmembers Daysog, Jensen, Vella and Mayor Ezzy Ashcraft – 4. Noes: Councilmember Herrera Spencer – 1.

(23-409) Recommendation to Authorize the City Manager to Execute a Fifth Amendment to the Exclusive Negotiating Agreement between the City of Alameda and Brookfield Bay Area Development Holdings LLC and Catellus Development Corporation for the West Midway Project by 14 Days to July 19, 2023.

Since Councilmember Herrera Spencer recorded a no vote, the matter carried by the following vote: Ayes: Councilmembers Daysog, Jensen, Vella and Mayor Ezzy Ashcraft – 4. Noes: Councilmember Herrera Spencer – 1.

(*23-410) Recommendation to Authorize the City Manager to Execute a Five-Year Agreement with St. Francis Electric for On-Call Maintenance and Repair Services for Municipal Street, Park Pathway, and Parking Lot Lighting Systems in an Amount Not-to-Exceed \$1,680,375. Accepted.

(*23-411) Recommendation to Authorize the City Manager to Accept the Improvements Completed by Catellus Alameda Development, LLC, for Fifth Street Extension. Accepted.

(*23-412) Recommendation to Authorize the City Manager to Accept the Improvements Completed by Catellus Alameda Development, LLC, for Alameda Landing Waterfront Park, Phase 2. Accepted.

(*23-413) Recommendation to Authorize the City Manager to Accept the Improvements Completed by Catellus Alameda Development, LLC, for Estuary Park Driveway Extension Improvement Plans. Accepted.

(23-414) Recommendation to Authorize the Purchase of Seven Vehicles Consistent with the Revised Vehicle Replacement Policy in Amounts Not-to-Exceed \$488,969.67 from National Auto Fleet Group.

Councilmember Herrera Spencer stated that the staff report indicated the vehicles being purchased are more fuel-efficient and she wanted clarification on the record.

The Public Works Director gave a brief presentation.

Councilmember Herrera Spencer moved approval of the staff recommendation.

Councilmember Jensen seconded the motion, which carried by unanimous voice vote - 5.

(*23-415) Resolution No.16073, “Approving a Fiscal Year 2023-24 Budget Amendment Re-Appropriating Funds in the Fleet Replacement Fund (Fund 601) in the Amount of \$1,440,571 from Fiscal Year 2022-23 to Fiscal Year 2023-24.” Adopted.

(*23-416) Resolution No. 16074, “Approving a Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 1245 and the City of Alameda for a Thirty-Six Month Term Commencing July 1, 2022 and Ending June 30, 2025.” Adopted.

(*23-417) Ordinance No.3343, “Authorizing the City Manager to Execute a Third Amendment to the Lease with Small Size Big Minds, Inc., a California Corporation, for Building 35, Located at 2450 Pan Am Way at Alameda, California, Extending the Lease Term by 12 Months with an Additional 12 Month Extension Option, for a Total Potential Extension of 24 Months.” Finally passed.

CONTINUED AGENDA ITEMS

(23-418) Recommendation to Authorize the City Manager to Execute an Agreement with Usio Inc. to Serve as the Financial Partner for the City of Alameda’s Guaranteed Basic Income Pilot Program (Rise Up Alameda) in the Amount of \$2,987.50 for Disbursement Services and Passthrough Funds of \$3,600,000 to Be Used for Direct Payments to Program Participants for a Total of \$3,602,987.50 with Funding from American Rescue Plan Act of 2021 Funds.

The Development Manager gave a Power Point presentation.

Councilmember Herrera Spencer inquired why the lottery is not public, to which the Development Manager responded the lottery is not public to protect the identities of individuals applying.

Councilmember Herrera Spencer stated other programs assign numbers to keep names confidential; inquired why the same cannot be done.

The Development Manager responded City Staff will not know the names of those selected; stated the research partner will assign a randomized ID.

Councilmember Herrera Spencer inquired whether the people will know what number they are given for the lottery, to which the Development Manager responded people will not be given a number for the lottery.

Councilmember Herrera Spencer inquired how people will know that their name is actually being submitted to the draw and what is the oversight.

The Development Manager responded people will receive acknowledgement when they have successfully applied to the program.

Councilmember Herrera Spencer inquired how the people will know their name is being submitted to the drawing.

The Development Manager responded eligible applicants will automatically be placed into the lottery.

Councilmember Herrera Spencer inquired whether there is an independent organization is overseeing the lottery, to which the Development Manager responded in the negative.

Councilmember Herrera Spencer stated applicants must be a resident, however, there is no clear definition of residency; inquired whether staff could provide a definition for the term residency.

The Development Manager responded applicants must be an Alameda resident; stated applicants will have to provide verification, such as a utility bill or a cell phone bill that ties their name to an address in Alameda.

Councilmember Herrera Spencer inquired how long someone has to be a resident for, to which the Development Manager responded utility bills go back several months; stated staff will be using a verification system similar to the public library.

Councilmember Herrera Spencer stated that she understands people do not have to have a utility bill to participate in the lottery; inquired whether someone who could confirm whether or not applicants must have one.

Mayor Ezzy Ashcraft requested staff to clarify whether there is more than one way to determine residency.

The Development Manager stated a utility bill is the most common form of verification; applicants can also provide a cell phone bill or a cable bill, amongst other things.

Councilmember Herrera Spencer inquired how the determination would apply to someone who has recently become unhoused.

The Development Manager responded that staff will work with local organizations and community providers to make sure applicants from the unhoused community are known individuals.

Councilmember Herrera Spencer inquired whether staff will be exercising discretion in regards to that determination.

The Development Manager responded there would be some discretion in the case of a potential unhoused applicant.

Councilmember Herrera Spencer further inquired how long the winner of the lottery would have to remain living in Alameda in order to continue to receive the funds.

The Development Manager responded the funds are unconditional; stated once participants are selected, they will receive funds for the 24 month duration of the program.

Councilmember Herrera Spencer inquired whether participants would still receive funds if they moved out of the City or State, to which the Development Manager responded in the affirmative.

Councilmember Herrera Spencer further inquired if one would still receive funds if they moved out of the country.

The Development Manager responded in the affirmative; stated that there are many pilot programs around the country; of the over 15,000 recipients of guaranteed basic income (GBI) programs, less than 3% file for an address change and most are within the jurisdiction; the City's research partners have no knowledge of someone ever filing an address change out of state or out of the country; said changes are not anticipated.

Councilmember Herrera Spencer stated other programs within the State have some focus on those who are in the foster care system, single parents, or veterans; inquired why the pilot program does not focus on those demographics.

The Development Manager stated the focus of the program is low-income Alameda residents earning less than 50% of the area median income; stated the recommendation is based on the Council subcommittee, City Council, and staff.

In response to Councilmember Herrera Spencer's inquiry about the subcommittee, the Development Manager stated the subcommittee included Mayor Ezzy Ashcraft and former Councilmember Knox White, as well as other community organizations, and staff.

Mayor Ezzy Ashcraft stated that the Development Manager and his team met with community organizations.

The Development Manager stated over the course of the process, staff has met with dozens of community organizations, as well as other cities from around the country.

Councilmember Herrera Spencer inquired whether staff is aware of any other cities providing \$1,000 a month for 24-months with the only criteria being low-income; stated that she could not find a similar program.

The Development Manager responded there is not another program in the country doing exactly what Alameda is doing.

Councilmember Herrera Spencer stated \$4.6 million for 150 people works out to about \$30,600 per person; inquired whether the City has any other programs where taxpayer dollars are being used to give one person that much money.

Mayor Ezzy Ashcraft stated that the staff report indicates 150 households; households typically consist of more than one person; the City would be helping generations, not individuals, move out of poverty.

The Development Manager clarified \$3.6 million in pass-through funds will be direct payments to the recipients; \$4.6 million is the total program allocation approved by Council.

Councilmember Herrera Spencer inquired whether the \$4.6 million is from the American Rescue Plan Act (ARPA), to which the Development Manager responded in the affirmative.

Councilmember Herrera Spencer inquired whether the funding could be spent on other things, to which the Development Manager responded in the affirmative.

Councilmember Herrera Spencer inquired whether more than one person in one household

could receiving money.

The Development Manager responded more than one eligible adult can apply from any given household; stated the chances of two individuals from the same household being selected is miniscule due to the lottery process.

Councilmember Herrera Spencer requested clarification whether the occurrence could still happen.

The Development Manager responded in the affirmative; stated staff can change the policy if Council so desires.

Councilmember Vella inquired what would occur if one of the recipients passes away during the two year period.

The Development Manager responded although it has come up in a lot of pilot programs, staff is trying to plan for the possibility; stated the policy proposed allows another eligible adult in the same household as the recipient to be identified to continue to receive the benefit for the duration of the program; stated if there is not another eligible adult, staff would propose a new lottery selection and a new recipient would receive the funds for the duration of the program.

Councilmember Vella requested clarification about the tax implications and how the program would interact with other public benefits and eligibilities.

The Development Manager responded the Internal Revenue Service will consider the disbursements a gift ; stated benefits potential applicants may currently receive could be affected; staff has been applying for income exemptions for certain programs and is waiting on a resolution with the State that would exempt income from CalFresh and CalWorks; staff has received an income exemption for the vast majority of housing choice vouchers and has been assured that 95% of recipients will be covered under the waiver.

Councilmember Vella inquired whether or not a driver's license or voter registration could count for proof of residency, to which the Development Manager responded the proposed policy for proof of identification requires a utility bill or similar; stated other programs have found a license or registration successful; staff is open to suggestions from Council.

Councilmember Jensen inquired whether the program will provide benefits counseling to people who are selected so other potential supportive benefits are not lost.

The Development Manager responded two benefits counselors will be hired to provide applicants with a one-on-one session in order to understand how their circumstance might be affected; stated \$50,000 has been set aside for a Benefits Conservation Fund to help enrolled participants with an unexpected loss of benefits.

Councilmember Jensen expressed concern over older adults, specifically veterans and seniors, who receive other income-based benefits; stated the fund and benefits counseling would be imperative; inquired about grant funding and how staff will oversee transactions in order to reduce potential overruns or a need for contract amendments.

The Development Manager responded staff is proposing the full amount of the pass-through

funds be made through 8 equal payments of \$450,000 in order to balance efficacy and ensure staff is not providing a lump sum to the provider; in order to do so transparently, staff will have full access to the platform to monitor when payments go out and how funds are being spent.

Councilmember Jensen inquired whether recipients would be able to contact the City in the case of fiscal or program discrepancies.

The Development Manager responded participants will have direct contact with the Program Coordinator for Operation Dignity as well as access to Usio's Customer Service, which is available 24 hours a day, 7 days a week and is provided in 150 languages.

Councilmember Jensen inquired whether the City Manager could share information on how the ARPA funds have been dedicated for this program and what the potential, or non-potential, would be for any other usage of the funds.

The City Manager responded some funds were used for the City's fiscal recovery and other programs; stated although there are many items the money could be spent on, the anti-poverty program would help support Alameda residents; investing in something smaller may have a big impact on residents and being able to nationalize a program; the data will help the City's housing program, homelessness programs, and others; more precise programs will not cost as much and will have far-reaching benefits to other social services programs in the City.

Councilmember Herrera Spencer inquired whether or not the \$4.6 million could be transferred to the General Fund and be used for other items, to which the City Manager responded a certain amount could be provided to the City, however, the City would not be able to use all of it; stated investing in this program makes sense.

Councilmember Herrera Spencer inquired whether or not the money could have gone to working on the Veterans Building to which the City Manager responded there are many different needs that are unfunded in the city.

Expressed support for the program: Ashley Gregory, Alameda.

Expressed support for the anti-poverty program that will invest in low-income Alameda residents: Marilyn Rothman, Alameda.

Expressed support for the program: Jennifer Rakowski, Alameda.

Expressed support for the program; stated that he believes it should be award to those who have resided in Alameda and supported the community for a long time; stated a lottery system would not do so; other qualification checks should be added, such as tax records, school records or others: Gary Walters, Alameda.

Expressed support for the program; stated often times there are risks with free money programs, but beneficiaries meeting with counselors would reduce the risk; expressed concern over payment methods, point of control, and disbursement methods: August J, Alameda.

Expressed concern about how beneficiaries of the lottery might choose to spend the money; stated that he does not support the lottery being private and does not support the program: Jim Strehlow, Alameda.

Expressed support for the program, which is a great way to support those living in poverty: Bennett Schatz, Alameda.

Stated that he does not support the program as it would help a select few and there are many others in need: Paul Beusterien, Alameda.

Councilmember Vella stated that she would like to stay away from over-regulation of participants and does not support looking into beneficiaries' nativism as past discriminatory practices made it difficult for people to own homes; expressed support for keeping the money in the same household as the beneficiary in the case of a death; stated that she would like to make a change to the proposed policy to add an exception to allow a minor to be the new recipient in case the beneficiary was a single-parent who dies or becomes incarcerated in order to not adversely impact a minors in the house; she does not support controlling or regulating where recipients move.

Vice Mayor Daysog stated although the program is great, he is hesitant on approving a total of \$4.5 million on only 150 households when he understands there are 12,000 to 14,000 low-income households in the City.

Councilmember Herrera Spencer inquired how many low-income people over the age of 18 live in Alameda would be eligible for the program, to which the Development Manager responded an estimated of over 9,000 households meet the 50% Annual Median Income (AMI) threshold.

Councilmember Herrera Spencer requested clarification about how many individuals opposed to households, since more than one individual per household can meet the eligibility requirement.

The Development Manager responded an estimated number of over 18,000 eligible adults meet the 50% AMI threshold.

Councilmember Herrera Spencer encouraged the public to read over an article by CalMatters from May 2, 2023 that notes most of the 43 programs similar to the one being proposed are funded by private money; stated that she would prefer the lottery to be public; she believes 150 people receiving \$30,000 is not an appropriate expenditure of tax-payer dollars when over 18,000 residents are in need; the money could fill up the hole in the City's budget that was lost during the COVID-19 pandemic.

Councilmember Jensen stated to her understanding, ARPA funds may be used for this program and other social programs, but cannot completely be used for other capital and General Fund expenses; staff has to look at administrative expenses as well as total cost of program and lack of restrictions; Stanford and University of California, San Francisco (UCSF) have done extensive research on guaranteed basic income programs and have found that a guaranteed income can help get people out of homelessness and most beneficiaries of similar programs have been single parents and/or heads of households; expressed support for the program.

Mayor Ezzy Ashcraft stated that she believes it is better to work to keep people out of becoming homeless than it is to lift people out of it; she is proud of Alameda for doing so; she rejects the idea that helping 150 households is not enough; the pilot program is meant to spur programs in other cities and states to eventually get the federal government involved; using ARPA funds is appropriate because the funds were intended to help cities and individuals impacted by COVID-

19, specifically individuals who are of color, low-income, and are single-parents; expressed support for the program and confidence about its success.

The City Manager stated staff would be happy to incorporate recommendations for beneficiaries in the event of death or incarceration.

Mayor Ezzy Ashcraft stated doing so would make her feel better as children face many challenges and do not choose the family they are born into.

Councilmember Vella moved approval of the staff recommendation with the direction given by her and her colleagues.

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

Mayor Ezzy Ashcraft called a recess at 8:39 p.m. and reconvened the meeting at 8:50 p.m.

REGULAR AGENDA ITEMS

(23-419) Recommendation to Consider Providing Direction for the Commercial Streets Program to Improve the Park Street and Webster Street Striping Plans; Extend the On-Street Parklet Program; and Maintain the Alameda Avenue Street Closure.

The Deputy Public Works Director gave a Power Point presentation.

Councilmember Jensen requested clarification about what it means for staff to be working with business and parklet owners; inquired whether there were any penalties or incentives.

The Deputy Public Works Director responded working with parklet owners means helping them understand what space is available and how businesses can modify the space; stated staff has been doing regular inspections on parklets to determine whether or not any outstanding issues need to be addressed; the City reserves the right to require parklet owners to remove parklets if they do not meet certain criteria.

Councilmember Jensen inquired whether parklets would be encroaching once the striping is done and if some current parklets do not meet the design standards, to which the Deputy Public Works Director responded in the affirmative; stated some parklets were not rebuilt to the new guidelines and have to be modified.

The Interim Base Reuse and Economic Development Director stated staff wants to find out whether Council supports the basic direction of the plan; staff is unable to restripe the street until all the parklets are fixed.

The City Manager stated if businesses are in violation of the agreements, staff would ask them to make changes or their agreement would be revoked and the business will no longer be able to have a parklet in the right of way.

Councilmember Jensen inquired whether there would be new agreements with every business once the plan is approved by Council, to which the Interim Base Reuse and Economic Development Director responded in the affirmative; stated agreements are annual; in the future Council would be able to change or eliminate the program if so desired.

Councilmember Jensen inquired whether it is possible to go back to having four lanes while keeping the parklets, to which the Interim Base Reuse and Economic Development Director responded in the negative; stated if the City went back to having four lanes, parklets would not fit.

Councilmember Jensen inquired whether all 19 of the Park Street parklets are directly on Park Street or if those on Santa Clara and Pacific Avenues are included.

The Interim Base Reuse and Economic Development Director responded the Park Street parklets is the Park Street Commercial District and includes the parklets on side streets.

Councilmember Jensen inquired whether there would be a \$2,400 assessment per year per parklet, to which the Planning Director responded in the affirmative; stated the money covers permitting and inspection costs, amongst other things.

Councilmember Jensen inquired whether there is any information on the loss of parking meter revenue associated with parklets.

The Interim Base Reuse and Economic Development Director responded staff was not proposing there be rent on top of permitting costs because parklets are benefitting, not only individual businesses, but the business district as a whole; stated if Council would like to institute an annual rent on top of the permitting cost, is within Council's purview, however, staff does not see a parking revenue less since there are plenty of vacant parking spaces, as well as a parking garage in the district.

Councilmember Jensen inquired about potential future parklets and whether or not parklets are only intended for restaurants, to which the Interim Base Reuse and Economic Development Director responded currently, it mostly restaurants have parklets, but other business are included.

Councilmember Jensen inquired whether or not new parklets could be approved if a business opens or closes after restriping is complete, to which the Interim Base Reuse and Economic Development Director responded in the affirmative; stated staff is not anticipating a huge increase in new parklets; businesses desiring a parklet currently have one; if a new business would like one, they would be able to as long as criteria is met and enough space is available.

Councilmember Herrera Spencer inquired why a public survey has not been done since 2021 to ask the public how they feel about the parklets.

The Interim Base Reuse and Economic Development Director responded the public seems to feel as though the program is a success; staff does not sense that many people would like to see parklets shut down; if Council is interested, staff could conduct a new survey.

Councilmember Herrera Spencer stated a park is something a community can use without having to pay; because parklets are extensions of businesses, the public is excluded from sitting

there unless purchasing something; inquired why spaces are not open to the general public for them to enjoy without having to purchase anything.

The Interim Base Reuse and Economic Development Director acknowledged that staff has to do a better job of enforcing the fact that the space is open to the public; stated the public should not be prohibited from using the space.

Councilmember Herrera Spencer stated doing so would be a significant change; the spaces are currently limited and should be public; she would like to make sure that is the direction staff is proposing.

The City Manager stated moving forward with the agreements, staff would ensure the business understand that the public cannot be excluded; noted the fee being charged to the Park Street businesses is consistent with the fee being charged to a business with a large sidewalk being used for sidewalk dining.

Councilmember Herrera Spencer requested confirmation on whether staff would require every parklet to be open to the public at large to use at their leisure moving forward, to which the City Manager responded the agreement would indicate the public cannot be precluded from being able to sit in the parklet.

Councilmember Herrera Spencer stated that she often sees cars double-park causing traffic; inquired whether striping would be dashed as opposed to two solid double yellow lines to allow traffic to go around; inquired what is the proposal for dealing with double parked cars.

The City Manager responded that she spoke to the Chief of Police about enforcement.

Mayor Ezzy Ashcraft requested clarification; stated her understanding is parking is under Public Works.

The City Manager stated double parking is classified as a traffic enforcement issue.

Mayor Ezzy Ashcraft inquired if the Police would be sent out, to which the City Manager responded in the affirmative; stated if a person is parked at a parking meter, it would be a Public Works issue, however, if someone is blocking the street and is double parked, it would be a Police traffic enforcement issue.

In response to Councilmember Herrera Spencer's striping question, the Deputy Public Works Director stated staff recommends solid center lines for commercial corridors; striping is the same as when there were four lanes; stated staff does not want to encourage people to cross the center line for passing reasons; the vehicle that should move is the one that is double parked; staff is looking at having more loading zones and places for turnover along the curb to address the double parking issue; staff is aware of the issues double parking causes for bike lanes and wants to ensure safety to those in bike lanes as well.

Councilmember Herrera Spencer inquired how the City will enforce allowing the public is able to sit in parklets for an unlimited amount of time without having to purchase anything.

The City Manager responded staff would take time to educate businesses to make sure they are fully aware of the agreement; stated staff will make sure businesses are complying and apply

the same type of enforcement and inspection which is done during construction of the parklets.

Mayor Ezzy Ashcraft inquired about what would happen if a restaurant with outdoor dining would like to seat customers outdoors but every table is taken with members of the public enjoying the space; inquired about the legalities behind said hypothetical.

The City Attorney responded members of the public are legally allowed to enjoy the public spaces, especially on the street where parklets are located; stated the public has significant rights to be there; it is no different from being able to sit freely on the curb; law enforcement personnel does not have the authority to move people; if they are otherwise law abiding, restaurants could consider softly advising people that food and drinks are available for purchase, provide a menu, and do a number of things to encourage sales.

Mayor Ezzy Ashcraft stated staff should make it abundantly clear to business owners that they are unable to control the behavior of the public and although they will be charged a certain amount for the space, it does not mean one hundred percent of the space is available for their use.

Councilmember Herrera Spencer inquired how the City plans to communicate to the public that they have the right to stay an unlimited amount of time at the parklets without having to purchase anything, to which the City Manager responded staff would not be actively publicizing it; stated that she does not recommend they do so as the intent is to create sales tax revenue and help businesses.

Mayor Ezzy Ashcraft inquired whether there were any spaces in the Park Street and Webster Street business districts where the public can sit and enjoy themselves in an area that is not directly a parklet, to which the City Manager responded in the affirmative; stated Park Street has the Alameda Avenue community space and Webster Street has the Taylor Street lot, now named the Evening Garden; staff will encourage people to use both spaces and could publicize the locations as its policy goals differ from parklets; parklets are for economic development, sales tax generation, and to support small local businesses.

Councilmember Herrera Spencer inquired why more money is not being charged to businesses if it is in regards to economic development; inquired why the City is not going to educate the public that they have the right to the property.

The City Manager responded staff is trying to support small businesses and restaurants that were impacted by the COVID-19 pandemic by encouraging them to be successful and generate revenue, as opposed to making revenue from fees being charged to small businesses.

Councilmember Herrera Spencer inquired whether the healing garden is open to the public 24 hours a day, to which the City Manager stated she is not fully aware of the hours of operation; staff might want to shut down the area at some points to prevent noise issues.

Expressed her support for retaining the two traffic lanes that has provided a calmer, pedestrian friendly environment for the district; expressed support for reducing parking confusion by moving it to the curb; expressed support for the continuation parklets, which enhances the vitality and energy and provides an economic benefit to the entire district, not just the parklet permit holders; expressed support for the continuation of Alameda Avenue offering a community gathering space and dining area: Kathy Weber, Downtown Alameda Business Association.

Stated that she does not support the designs for Webster Street and Park Street as it was supposed to be a temporary, emergency COVID-19 remedy and the public was never consulted; recommended Council not move forward with the program until a public survey is done; some citizens would like the streets to return to the way they were pre-COVID: Karen Miller, Alameda.

Expressed support for the staff recommendations as fewer, slower cars make more sense for commercial areas; stated protected bike lanes are preferred rather than painted bike lanes; expressed concern over double parking in bike lanes; stated BikeWalk Alameda supports the proposed strategies: Cyndy Johnsen, BikeWalk Alameda.

Stated that he believes the parklet rent is light and would recommend businesses be charged by square footage as opposed to a flat fee; expressed support for a public survey; stated although he is not in full opposition of parklets, he believes the purpose should be to support a rendering of services as opposed to a sale of goods: Matt Reid, Alameda.

Stated there is no longer any justification for continuing the parklet program; expressed concern over the California Environmental Quality ACT (CEQA); stated the project has affected the environment by impacting Police, Fire, and ambulance transit as well as impairing evacuation in the case of a natural disaster: Jay Garfinkle, Alameda.

Expressed safety concerns for cyclists and over CEQA; stated there has been no public survey conducted since peak COVID-19: Carmen Reid, Alameda.

Expressed safety concerns for cyclists and about evacuations; stated closing off Alameda Avenue negatively affects businesses on the street: Jim Strehlow, Alameda.

Expressed support for the restriping plan and parklet program; expressed support for having bike lanes in the business district; recommended some type of barrier in between bike and car lanes to further protect cyclists: Zac Bowling, Alameda.

Expressed support for the proposed plan; stated the two main commercial corridors lack basic cycling infrastructure, which can be dangerous and inconvenient for cyclists; stated the plan does nothing to address dangerous conditions on Webster Street between Atlantic Avenue and Lincoln Avenue: Bennett Schatz, Alameda.

Expressed concern over the utilization of the parklets; stated parking on the street can be chaotic; there are places in the commercial district where parklets are not being used efficiently; recommended there be a fee to businesses to encourage better utilization of the space: August Z, Alameda.

Expressed support for continuation of parklets and one-lane driving lanes; stated the parklet program agreement allows the business to restrict the use during businesses hours and the space becomes public once the business is closed; he would like to keep it that way: Ron Mooney, Alameda.

Expressed support for staff's proposal; stated the State's Safe Sidewalk Riding Bill would prohibit jurisdictions from preventing and/or outlawing sidewalk riding on corridors that do not provide bike lanes; if the proposal is signed into law, it would mean Alameda would have to

allow sidewalk riding on Park Street and Webster Street; most would agree they do not want to have bike riders on business district sidewalks: Denyse Trepanier, BikeWalk Alameda.

In response to Mayor Ezzy Ashcraft, the Fire Chief stated the development and review team thought the proposal would be an improvement to the current situation since more space is provided for vehicles to pull to the right to allow emergency vehicles to go through in accordance with laws; although cars would be pulling into a bike lane, it would help give emergency vehicles more space to drive up and down both Park and Webster Streets.

Councilmember Vella stated that she is supportive in-part but has concerns; she is supportive of the road diet and adding bike lanes; there could be better usage of space as some parklets are being underutilized; parklets should have a cleaner look or be built with different materials since many are closed off and make it hard to see businesses behind them; used the Berkeley parklet program as an example; stated parklets were not built everywhere, but rather in natural places and are permanent and uniform in terms of visual aesthetics; parklets in Alameda were meant to be temporary and were not built to last; one can tell which are holding up and which are not; recommended staff think about short-term parking for deliveries, food pick-ups, Americans with Disabilities Act (ADA) spaces, as well as adding more bike parking; expressed support for Alameda Avenue staying closed, but would like to see the City invest more to create a permanent space that feels inviting, as well as in the Healing Garden; stated there should be a focus on permanence as well as accessibility.

Councilmember Jensen expressed support for most of staff recommendations; inquired whether existing agreements allow restricted usage, to which the City Manager responded in the affirmative; stated new agreements will not allow for businesses to restrict usage of parklets.

Councilmember Jensen recommended a restriction on right-hand turns on the commercial corridors of Park Street and Webster Street to improve pedestrian safety as was done on Grand Street and Otis Street.

Mayor Ezzy Ashcraft requested clarification about right-hand turn restrictions on Grand Street and Otis Drive.

The Deputy Public Works Director stated some right-turns are restricted, but doing so on red is permitted; inquired whether Councilmember Jensen would like to have no right turns on red.

Councilmember Jensen responded in the affirmative; clarified the restriction is on Park Street and Otis Drive, not Grand Street, however Grand Street has barriers protecting the bike lane.

Vice Mayor Daysog expressed support for the program; stated activation of the space has far exceeded initial intentions; seeing the public enjoy the spaces has been great; although he has not heard many complaints, it is important to remind the public, as well as businesses with parklets, that seating is open to the public and they are not required to purchase anything; expressed concern about problematic parking on Park and Webster Streets; expressed concern about cyclists on sidewalks; expressed support for adding bike lanes; stated it may slow down traffic, but the trade-offs is worth it in terms of having an active space.

Expressed support of restriping, parklets, and spaces such as Alameda Avenue and the Healing Garden: Linda Asbury, West Alameda Business Association.

Councilmember Herrera Spencer requested clarification about parklets being used for product sale; inquired whether the use would continue to be allowed.

The City Manager responded new agreements will make it clear spaces will need to be available to the public.

Councilmember Herrera Spencer inquired what would happen if the space is filled with product the store is selling and there is no space.

The City Manager responded staff is not suggesting a change, however, if Council would like to focus on restaurants usage, staff could review the matter; stated if someone wants to be in the space, they would be allowed to do so and it would be made clear to businesses.

Councilmember Herrera Spencer inquired whether staff explored the idea of having three lanes with a center lane and bike lanes on either side or two bike lanes together, to which the Deputy Public Works Director responded the bike lanes would be wider than the standard 5 foot wide bike lane; lanes would include a 2-foot buffer; stated there would not be enough space to add a center turn lane; there is less need for a turn lane as there are not very many driveways between intersections.

Councilmember Herrera Spencer expressed concern about cars double parking; stated the City does not have the Police power to move cars along; inquired who the members of the development and review team are in regards to public safety.

The City Manager responded the team has members from all departments, including Fire, Police, Public Works, Planning and Building, Transportation, and Alameda Municipal Power (AMP); stated every department provides comments through the process; more complicated projects are reviewed several times.

In response to Councilmember Herrera Spencer's inquiry about the width of the widest emergency vehicle, the Fire Chief stated a 12-foot wide lane is ideal and gives clearance need mirror-to-mirror.

Councilmember Herrera Spencer inquired what the width is if a car pulls over into the bike lane and how much space would be available in the middle for emergency vehicles.

Mayor Ezzy Ashcraft requested clarification to the question.

Councilmember Herrera Spencer clarified the question concerns emergency vehicles; she believes the space will be impeded and would like to get on the record the numbers staff used to come up with the proposal; inquired what the width would be in the middle once cars pull into the bike lane and whether it is wide enough for the City's widest emergency vehicles.

The Deputy Public Works Director responded the bike line plus the buffer is 7 feet, which is the width of a typical parking space and is enough space for a typical vehicle; stated if cars on both lanes pull over to the side, there is enough space for a 12-foot vehicle.

The City Manager stated staff is exploring technology at intersections to provide pre-emption for public safety vehicles and is working on implementing a solution as quickly as possible.

Councilmember Herrera Spencer inquired what the width of the center lane that would be created for emergency vehicles, to which the City Manager responded it would be up to 22-feet wide if vehicles pull over on both directions as one lane is 11-feet wide, making it an 11-foot travel lane next to a 7-foot bike lane.

Councilmember Herrera Spencer inquired whether the width from curb-to-curb is 36 feet, to which the Interim Base Reuse and Economic Development Director responded there are two 11-foot lanes and two 5-foot bike lanes, each with a 2-foot buffer; stated if cars in both lanes pull over, there are two 11-foot lanes, which adds up to 22-feet for a 12-foot fire truck.

Councilmember Herrera Spencer stated community space should be open to the public at all times as opposed to dedicating it to one business that places product there closing off space to the public; there are underutilized spaces; provided the example of Café Jolie which has its parklet on the side street as opposed to a main street, which she believes is a better use; stated Alameda Avenue and the Healing Garden should be treated as parks and the City should provide seating at all times; stated it is important to have bike lanes on the street; multimodal transportation should be the priority, not the parklets; safety is the main priority; cited accidents from the first quarter of the year; expressed concern over CEQA; requested clarification regarding concerns.

The Interim Base Reuse and Economic Development Director stated adjustments would be made to an existing street; the proposal is to have two travel lanes in either direction, which it is not a CEQA change; there is a categorical exemption that specifically calls out the addition of bike lanes as something that should not be considered an environmental impact by California law.

Councilmember Herrera Spencer inquired why there is no space for a center lane if the City is going from four lanes to two lanes with bike lanes, to which the Interim Base Reuse and Economic Development Director responded there is space for a center lane and two travel lanes, however, there is no space for a center lane, two travel lanes, two bike lanes, and two parking lanes.

Councilmember Herrera Spencer stated that she does not support not having any right turn lanes as the street gets backed up constantly.

Mayor Ezzy Ashcraft stated center turn lanes are not needed on business districts which are unlike residential streets where people are given the opportunity to get into driveways and make turns; expressed concern over barriers; stated Council gave direction to staff in November 2021 to implement concrete barriers for both corridors, which has not been completed; there have been two collisions on parklets, one in which diners were injured; discussed insurance and assumptions; stated all barriers are currently water barriers; she would like to see staff move forward with concrete barriers as soon as possible; a date should be worked out by which concrete barriers can be expected and accomplished; she is generally in favor of continuing the parklets; inquired what the need is for retail spaces to have parklets as they are infrequently used; stated that she would like to continue helping restaurants with outdoor seating as some customers, some of which are immunocompromised, are not yet comfortable with indoor dining; if restaurants do not have space for outdoor dining because the general public is taking up the space, they may decide not to renew their agreement the following year; she would like to remind the public that Alameda Avenue and the Healing Garden may be better; outlined her recent Alameda Avenue experience; stated it is not very attractive; the pavement was in

deplorable condition; these places are not a 24/7 operation; there are residential units over retailers; she has received some noise complaints; she likes that there is parking on Alameda Avenue but would like it to be bigger and painted green to make it more visible; stated there should only be one parklet per business; inquired whether it is necessary for bars to have outdoor spaces as she would like to make sidewalks as walkable as possible; stated, in regards to comments about an up-to-date public survey, her type of public survey is seeing people enjoy the spaces on Park and Webster Streets; she would like to add spaces not be for purely retail, unless it is a shared space and it can be rented out for a pop-up as well as the direction on Alameda Avenue as noted.

Vice Mayor Daysog moved approval of the staff recommendation with direction.

The City Manager stated that she predominantly hears a majority in favor of the striping plan, which would get meters back up and get bike lanes in; a majority are in favor of the parklet program, but there is a little difference on whether they stay as part of a business or become solely public spaces; she recommends moving forward with staff recommendations and coming back to the parklet program with criteria.

Councilmember Vella stated that she would like to hear more detail and regulation over materials used to construct parklets, what they look like, and where they are placed; she does not believe it should be opened up for the entire street the way it has been.

The City Manager inquired whether there is consensus on trying not to privatize parklets.

Councilmember Vella stated there needs to be public space options; although space on Alameda Avenue is great, there may be other opportunities towards the other end of Park Street or other places to build a small parklet; staff would have to flesh through what the policy is going to look like relative to rental terms, duration, and utilization.

The City Manager stated a plan should be fleshed out for Alameda Avenue that is more detailed in regards to what is going to be allowed in the space and make it more organized and attractive; stated the current plan is to have barriers in place by November before holiday season and staff will do everything in to ensure it happens.

Councilmember Vella stated two more points made were to add more loading zones as well as more bike parking and being more considerate to the types of bikes people are using.

The City Manager stated the loading zone situation is currently being worked on, however, staff will make sure to add bike parking configurations as well as double parking enforcement.

Councilmember Jensen reminded staff that she pointed out there should be a restriction placed on right-hand turns in some streets.

Mayor Ezzy Ashcraft inquired which specific streets, to which Councilmember Jensen responded that she would like to see it be implemented on the streets that are in the commercial corridors that turn from two lanes to one lane.

Councilmember Vella inquired whether staff could study doing so and come back to Council, to which the Deputy Public Works Director responded in the affirmative.

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

(23-420) Public Hearing to Consider Introduction of Ordinance Amending the Zoning Map for the Approximately 6.73-Acre Property at 250 Singleton Avenue (APN 74-905-9-7) to Remove the G Overlay, Special Government Combining District Designation, as Recommended by the Planning Board.

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

Councilmember Herrera Spencer moved introduction of the ordinance.

Councilmember Vella seconded the motion, which carried by unanimous voice vote - 5.

CITY MANAGER COMMUNICATIONS

(23-421) The City Manager expressed appreciation to the Recreation and Park Department and other City departments and staff for their work organizing the Fourth of July Parade; stated staff will continue to work with equestrian experts and will reach out early to everyone next year; announced that she has appointed Justin Long to lead the Recreation and Parks Department; expressed appreciation to Alameda Police Department for their investigative efforts in an ongoing case; expressed appreciation to the Alameda Chamber of Commerce for hosting the Annual Business Excellence Awards.

ORAL COMMUNICATIONS, NON-AGENDA

(23-422) Jureta Walker, Alameda, stated she has been trying for over a year to get Alameda Point Collaborative (APC) to transfer her to another unit and is currently living in a shelter as she does not feel safe in her residence; asked for help from the Mayor and City Council; stated the Court awarded her with a protective order against her harasser in March 2023, which she submitted to APC to transfer units; she feels as though APC is retaliating against her and is threatening to evict her; she went to her residence to retrieve items, found her television missing and has since filed a police report.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(23-423) Designation of Voting Delegates and Alternates for the League of California Cities Annual Conference.

Vice Mayor Daysog moved approval of reappointing Mayor Ezzy Ashcraft as the delegate and Councilmember Vella as the alternate.

Councilmember Vella seconded the motion, which carried by unanimous voice vote - 5.

(23-424) Mayor's Nominations for Appointments to the Commissions on Persons with Disabilities, Golf Commission, Public Art Commission (PAC), Recreation and Park Commission and Transportation Commission.

Mayor Ezzy Ashcraft nominated Kathryn Beehler and Kathleen Bonsmith for appointment to the Commission on Persons with Disability Issues; Lynn Jones and Andrew Dewey for appointment to the Golf Commission; Liz Rush and Peter Platzgummer for reappointment to the PAC; Kareem Burney, Wesley Radez and Drew Swartz for appointment to the Recreation and Park Commission; and Scott Weitze and Drew Dara-Abrams for appointment to the Transportation Commission.

(23-425) Councilmember Vella discussed the Fourth of July Parade; discussed a Lead Poisoning Prevention board meeting; stated it would be nice to make sure Code Enforcement Officers are getting recertified; encouraged people do blood lead testing as there are lasting impacts.

(23-426) Mayor Ezzy Ashcraft stated that she attended the League of California City (LCC) Policy Committee on Housing Community and Economic Development and spoke about what is needed from the State to address homelessness; she spoke to the League of Women Voters about Dignity Village; discussed opening of Centi-Bioscience, the retirement event of the Library Director, the LCC bocce tournament, a luncheon with the Police Chief of the City's sister city in Varazze, Italy, and the Fourth of July Parade.

(23-427) Councilmember Herrera Spencer stated that she serves on the Oakland Airport Noise Forum and wants to make sure the public knows about going online to fill out a survey about noise made by planes; discussed recent police incidents; discussed attending a summer concert at South Shore Center, which are free to the public, and encourage donations to support Alameda Education Foundation; discussed the 5K run before the Fourth of July parade that benefitted the Midway Shelter for Women and Children, the retirement of the Library Director, Ham Radio Field Day, the Chamber of Commerce Business Awards, and mixers for the West Alameda Business Association and Downtown Alameda Business Association.

(23-428) Councilmember Jensen stated that she did a ride along with a Police Officer; discussed the Fourth of July parade, the West Alameda Business Association mixer, and a rotary event; announced the Household Hazardous Waste Program is sponsoring a free one-day event at the Oakland Coliseum on Sunday, July 9th from 9 a.m. to -1 p.m. and appointments must be made online.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 11:07 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
WEDNESDAY- -JULY 5, 2023- -5:30 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:36 p.m.

Roll Call – Present: Councilmembers Daysog, Herrera Spencer, Jensen, Vella and Mayor Ezzy Ashcraft – 5. [Note: Councilmember Vella arrived at 6:09 p.m.]

Absent: None.

The meeting was adjourned to Closed Session to consider

(23-393) Conference with Legal Counsel – Pending Litigation; Significant exposure to litigation pursuant to Government Code Section 54956.9, subsection (d)(2); Number of Cases: One (As Defendant - City Exposure to Legal Action), City of Alameda Claim Number: GH004333; Plaintiffs: Daren Chan and Jennifer Chan on behalf of Wilma Chan

(23-394) Public Employee Performance Evaluation; Pursuant to Government Code § 54957; Positions Evaluated: City Manager - Jennifer Ott

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding Pending Litigation, staff provided information and Council provided direction by the unanimous voice vote – 5; and regarding the Performance Evaluation, no action was taken.

Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 6:55 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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