

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -APRIL 4, 2023- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:00 p.m. Vice Mayor Daysog led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Daysog, Herrera Spencer, Jensen, Vella, and Mayor Ezzy Ashcraft – 5. [Note: Councilmember Vella participated remotely using the Just Cause exception, arrived at 7:15 p.m. and left at 9:20 p.m.]

Absent: None.

AGENDA CHANGES

(23-176) Councilmember Herrera Spencer moved approval of moving the Legislative Agenda [paragraph no. 23-186] to the Regular Agenda.

Vice Mayor Daysog seconded the motion.

Under discussion, Mayor Ezzy Ashcraft stated that she would support the motion if the item is moved to the end of the Regular Agenda.

Councilmember Herrera Spencer agreed.

On the call for the question, carried by unanimous voice vote - 4. [Absent: Councilmember Vella – 1.]

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(23-177) Proclamation Declaring April 2023 as Arab American Heritage Month.

Mayor Ezzy Ashcraft read the proclamation.

(23-178) Proclamation Declaring April 2023 as Earth Day Alameda and Arbor Day Alameda.

ORAL COMMUNICATIONS, NON-AGENDA

None.

CONSENT CALENDAR

Councilmember Jensen inquired when people would speak on the Legislative Agenda, to which the City Clerk responded when the matter is heard under the Regular Agenda.

Councilmember Herrera Spencer requested the Resolution Opposing Initiative [paragraph no. 23-182] be removed from the Consent Calendar for discussion.

Councilmember Jensen moved approval of the remainder of the Consent Calendar.

Vice Mayor Daysog seconded the motion, which carried by unanimous voice vote - 4. [Absent: Councilmember Vella – 1.] [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*23-179) Minutes of the Special City Council Meeting Held on March 6, 2023 and the Special and Regular City Council Meetings Held on March 7, 2023. Approved.

(*23-180) Ratified bills in the amount of \$3,491,816.95.

(*23-181) Recommendation to Authorize the City Manager to Execute a First Amendment to the Service Provider Agreement with CSG Consultants, to Increase Compensation in an Amount Not to Exceed \$350,000 for a Total Compensation Not to Exceed \$2,100,000, for Third Party Plan Check Services. Accepted.

(23-182) Resolution No. 16034, "Opposing Initiative No. 21-00424A1, the Taxpayer Protection and Government Accountability Act, which Qualified for the November 2024 Statewide Ballot, and Will Further Severely Limit the Ability of Voters and Local Governments to Raise Revenues for Government Services." Adopted.

Councilmember Herrera Spencer stated knowing the upcoming 2024 ballot topics is important; a position has been taken by the League of California Cities (LCC) to oppose the citizen initiative.

The Finance Director stated the initiative is a citizen's initiative; people have been collecting signatures to qualify for the 2024 ballot; staff and the LCC's oppose ballot measures which will hamstring government's ability to provide existing services; the measure will limit the City's Charter ability to charge taxes; all new taxes will have to have a time period with the ending specified; an end period would create budgeting difficulties since revenues would be unknown; taxes would need to be authorized by voters; the measure changes how fees and taxes are categorized; the burden of proof would fall on the City; the measure is retroactive; any tax adopted after January 1, 2022 would have to be approved by the voters; the City could lose \$800,000 of Transient Occupancy Tax (TOT).

Councilmember Herrera Spencer stated the City has a fee schedule which is approved annually; inquired whether the measure would apply to the fees schedule, to which the Finance Director responded in the affirmative.

Councilmember Herrera Spencer stated the proposed measure requires a sunset date; the hospital parcel tax does not have a sunset date; inquired whether the tax would be required to have a sunset date, to which the Finance Director responded in the affirmative.

Councilmember Herrera Spencer stated the public being aware is important; she plans to support the matter.

Mayor Ezzy Ashcraft mentioned a previous LCC presentation opposing the measure; stated the measure has qualified for the November 2024 ballot; education pieces in opposition will be provided closer to the time of election; approval of the resolution is the first step being cities are taking.

Councilmember Vella stated the measure is a game changer for cities and local agencies, if it passes; the matter needs to be taken seriously and closely watched.

Mayor Ezzy Ashcraft concurred with Councilmember Vella.

Councilmember Jensen stated the measure would cause a terrible precedence; the report indicates the matter would restrict authority for state and local governments to issue fines and penalties for violations of law; some of the proposed provisions are leaning towards destruction of community values.

Vice Mayor Daysog moved adoption of the resolution.

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

CONTINUED AGENDA ITEMS

(23-183) Recommendation to Accept the 2022 Annual Reports on the General Plan, Transportation Choices Plan, Vision Zero Action Plan, and the Climate Action and Resiliency Plan. CEQA Determination: Endorsement of the Annual Reports is Statutorily Exempt from Environmental Review Pursuant to CEQA Guidelines Section 15061(b) (3). (Planning, Building, and Transportation 20962710) [Continued from March 21, 2023]

The Planning, Building and Transportation Director, Sustainability and Resilience Manager and Senior Transportation Coordinator gave a Power Point presentation.

Vice Mayor Daysog stated that he appreciates the annual data indicating trends over time; the figure compared Alameda against the County and State; the figure also normalized the data showing a fatalities per 100,000 comparison scale; any accident, injury or fatality is to be mourned; the figure showed Alameda's fatalities per 100,000 is almost half of the County's; tragic accidents and fatalities do happen, however, the data shows Alameda to be one of the safer places; the City should continue to plan to make roads and neighborhoods safe.

Councilmember Vella expressed support; stated the presentation included helpful tables and graphs; she appreciates the matter being continued to the present time and not being discussed at a late hour.

Councilmember Jensen stated the reports presented were interesting and useful; the former Council took a strong lead with regard to the Climate Action and Resiliency Plan (CARP); the information is useful for staff in developing new projects; she is hopeful that the reports and data are useful for the current Council as priorities are being developed for the budget; the report indicates low and moderate income housing targets were not met in the prior Housing Element (HE); the City has much more ambitious goals in the current HE; inquired how staff proposed to meet the current goals.

The Planning, Building, and Transportation Director responded the HE will be the Department's biggest challenge over the next eight years, as well as meeting the need for affordable housing; the total Regional Housing Needs Assessment (RHNA) is at about 50% for lower income, affordable housing; the City has a 25% requirement at Alameda Point, and a 15% requirement Citywide; the ability to add units within existing buildings and in backyards has been introduced; a recent Association of Bay Area Governments (ABAG) study found that second units without

deed restrictions provide a great source of lower income housing around the Bay Area; the goal will be a major effort; none of the cities in the Bay Area met affordable housing needs, even if the total unit count was met; the goal helps Alameda focus on the biggest need; the City still needs to focus on approving market rate housing, which helps relieve the pressure on prices, supply, and demand; Council has already helped by approving projects, such as Dignity Village and providing housing for the lowest income levels; the approvals have been a huge step in the right direction.

Councilmember Jensen stated Accessory Dwelling Units (ADU) are still being constructed; ADUs are useful and provide some moderate and hopefully low-income units.

The Planning, Building, and Transportation Director stated the ADU program in Alameda has been a huge success and is an example of Council changing the rules to make an immediate difference.

Councilmember Jensen stated that she has asked staff for clarification about Senate Bill (SB) 9; homeowners do not seem interested in the program.

Mayor Ezzy Ashcraft requested clarification about SB9.

The Planning, Building, and Transportation Director stated SB9 is a State law that went into effect one year ago; the program received a lot of publicity; many people were very alarmed about SB9; the program allows for single family homes and property throughout the State to be subdivided into four units; no one in Alameda has taken advantage of SB9; the theory is that Alameda homeowners like where their property as-is; owners are not in a rush to subdivide and sell off portions of their property; there is an interesting balance between loosening regulations making a difference, such as the ADU program, and other programs that have not had a huge impact.

Councilmember Jensen stated the General Plan (GP) is well done; she appreciates how the HE and GP work together; expressed support for the Vision Zero Plan and the Active Transportation Plan (ATP); stated the presentation provided an easy way to understand how the two programs fit together and increase safety while reducing single occupancy auto trips; there is not much going on at Bay Farm Island related to transportation matters; there are no slow streets or establishment of stronger intersection controls, which is concerning; outlined three stop signs along Mecartney Road; stated the roadway is not an immediate priority, however, she would like thoughts and input from staff on ways the street can be reviewed.

The Transportation Planner stated the ATP includes a low stress bikeway vision network; new things are being proposed on Bay Farm Island, however, they are not included in the Plan; the ATP went through a robust prioritization process with a lot of public engagement; the results from the engagement included a focus on the Main Island; upgrades to trails and trail safety was the most common response to Bay Farm topics; Bay Farm has more trails than other parts of the City; trails should be functional; it is not too late to do more as streets are updated and resurfaced.

The City Manager stated a consultant is under contract to look at the intersection of concern and see whether near term improvements can be made to improve safety; neighbors to the area have come up with some ideas; proposed changes will be reviewed; staff is happy to find ways to incorporate increased safety improvements for the area.

The Planning, Building, and Transportation Director stated staff must constantly reevaluate plans; plans are typically data-driven with information about past fatalities and severe injuries; staff creates a severe injury network based on the data; the City must be ready to adjust as circumstances change; the intent of the annual reports is to provide an opportunity to look at plans and discuss necessary adjustments; expressed support for Councilmember Jensen's inquiry indicating the need for staff to adjust and be nimble.

Councilmember Jensen concurred with the Planning, Building, and Transportation Director; stated that she would like to look more closely at Mecartney Road as the project moves forward as well as all high traffic areas.

The Transportation Planner stated there are separated bike lanes and neighborhood greenways in the area.

Councilmember Vella stated plans are dynamic; she would like to have the matter return to Council once the reports are received; expressed support for future presentations including more clarity about the funding needed for the ranked scoring portions of the CARP; stated that she would like to understand the cost of the projects; knowing the outstanding costs for priority projects would help Council plan, even if costs will eventually change, especially for capital projects; many projects are not funded solely through the City budget and have matching grant funding; expressed support for Council being provided with total project funding information, including available grant cycles; stated a lot is coming up related to federal infrastructure dollars as well as State matching dollars for projects.

Councilmember Herrera Spencer stated Council received an email regarding an Alameda Municipal Power (AMP) rebate for an electric bike (e-bike); the person noted the paperwork was submitted multiple times with no response; inquired about the status of the rebate, to which the Planning, Building, and Transportation Director responded staff can follow up with AMP.

Councilmember Herrera Spencer inquired how soon parking charges at the ferries would be implemented, to which the Transportation Planner responded staff is aiming for late spring.

Councilmember Herrera Spencer inquired whether the delay is due to whether or not the parking lot is full.

The Transportation Planner responded in the negative; stated there are mode shift and parking management goals; the low, baseline rate being proposed is aiming at the mode shift goal; one of the biggest predictors of whether or not people choose to drive is whether parking is free at the destination; staff is watching parking lots become fuller and can only respond as quickly as allowable; mobile payment procurement takes time; even when parking lots are not completely full, the City needs to take steps towards implementation; a goal is for later ferry riders to be able to park at the lot with a deterrent against parking in broader neighborhoods.

Councilmember Herrera Spencer expressed concern over parking; stated that she has received correspondence related to parking; she has visited Bay Farm Island ferry parking in the afternoon and the lot was roughly 60% full; there is plenty of parking in lots and people are not back to using public transportation; expressed support for people being able to take the ferry; people are not at the point where the City needs to be worried about charging for parking at the ferry; ; inquired whether the City has current costs for the ferry parking lot at Bay Farm.

The Planning, Building, and Transportation Director responded the City pays maintenance and security costs.

Councilmember Herrera Spencer stated the ferry is an expensive means of transportation for a lot of people, especially round-trip; she will not support charging for ferry parking at this time and will not be able to support the matter unless extensive City costs need to be offset or parking is past maximum capacity as it was prior to the pandemic; inquired staff's proposal for those who choose not to drive and park at the ferry lot.

The Transportation Planner responded the Water Emergency Transportation Authority (WETA) has noticed their highest ridership as Tuesday, Wednesday, and Thursday; stated many Friday's people have the option of working from home; staff is performing mid-week parking management counts to ensure data is collected at the peak; occupancy has gone up about 60%; more counts need to be done; the low cost of \$3 per day is competitive to driving to Bay Area Rapid Transit (BART); discussed AC Transit services to the Main Street and Seaplane Lagoon ferry terminals; stated the ATP plans to connect facilities much better throughout the City.

Councilmember Herrera Spencer stated that it is \$4 to park at Fruitvale BART; taking BART into the City is cheaper than the ferry; requested staff look at the pricing.

The Transportation Planner stated staff has analyzed costs; driving to the ferry terminal and taking the ferry at the current rate is comparable to taking BART.

Councilmember Herrera Spencer stated there are issues related to safety on AC Transit buses; AC Transit and BART have been public about safety information; the City should advocate for safe conditions; she can understand imposing fees for parking on completely full lots, however, she is okay with encouraging people to take the ferry; expressed concern over equity and housing on the West End; stated that she received correspondence about the City using surplus property for low-income, affordable, or transition housing; the correspondence indicated the City could place affordable housing in other parts of the City; she does not think the City is legally required to build transitional or affordable housing on City property; requested clarification about using City-owned land.

The Planning, Building, and Transportation Director stated the City is still struggling to meet the need for affordable housing; Alameda has done a great job stepping up through zoning, the GP and putting its own property into use for housing for the most vulnerable or formerly homeless; the decisions are discretionary and are not required by law; Council has chosen to take action because the affordable housing crisis is so serious; the land the City has available for use is in the West End and former military land which has been conveyed to the City; affordable and market rate housing continues to be built in the West End because that is where most of the vacant and under-utilized areas of land are located.

Councilmember Herrera Spencer discussed traffic fatalities and serious injuries; reviewed the data; stated it is important to focus on the numbers because she is unsure the City's process is reducing the number of severely injured and those being killed; four back-to-back fatalities occurred in 2020 to 2021; the highest amount of severe injuries occurred in 2022; expressed concern over the rising amount of injuries and fatalities; stated that she would like to ensure the numbers are accurate.

The Transportation Planner stated the data is included in the annual report as well as the third section of the Vision Zero website; the chart in the presentation is adjusted by population; Alamedas population has shifted over the years; each year shows the rate of the total number of fatalities and severe injuries adjusted by the population; the chart was done by population to compare to Alameda County and California; staff cannot state the road diets caused a decline, however, a decline still occurred; 2020 and 2021 were rough years everywhere, including Alameda; streets cleared out in 2020 and people began to drive faster and more recklessly; fewer overall crashes occurred, however, the crashes that did occur were more severe; 2021 saw an increase in streets filling up, but not all of the behaviors went away.

Councilmember Herrera Spencer stated that she would like the population data being included for each of the years provided.

The Transportation Planner stated the data came from Census and is included on page 137 of the full report.

Vice Mayor Daysog outlined the chart; stated the City was implementing traffic calming measures during the downward slope; the chart is helpful; normalizing the data to compare Alameda against the County or State is important; discussed the data; stated the 2023 workplan includes expanding publicly available Electronic Vehicle (EV); he eagerly looks forward to the topic as time progresses.

Mayor Ezzy Ashcraft expressed support for the reports; stated that she is impressed with how much is being accomplished with minimal staffing; the City's placement of housing on the East End of the Island is slower than the West End, but it will still happen; transitional housing, including Dignity Village, will open in early May; the City owns the property being utilized, which made the cost of building the transitional housing significantly lower; discussed Everett Commons; stated the City is trying to provide mode shifts in relation to climate change; Alameda is an island and is susceptible to sea level and groundwater rise and global warming caused by greenhouse gas emissions; free parking encourages people to easily park when walking or bicycling would be just as easy; discussed ferry ridership being highest during the week; stated those who chose to drive can pay the cost for maintaining the parking lot; stated an illustrative chart indicates the need to charge for parking at ferry lots; discussed speeding; stated the City has been working on ways to shift modes of transportation; a traffic safety open house was held; discussed a father riding 800 miles on his bicycle in the past year as a result of mode shift; stated the father is not alone; the City is attracting a younger, newer, breed of residents who desire a mode shift lifestyle; it is incumbent upon the City to ensure streets are safe; discussed a meeting with residents of Mecartney Road which illustrated pedestrians need help safely crossing streets; expressed support for flashing crossing beacons being included as a recommendation for Harbor Bay Island; expressed her support.

Vice Mayor Daysog moved approval of the staff recommendation.

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

REGULAR AGENDA ITEMS

(23-184) Mayor's State of the City Address.

Mayor Ezzy Ashcraft gave the State of the City Address.

Councilmember Jensen stated that she has learned a lot from the comments provided related to the businesses, residents, and the City's resiliency.

(23-185) Recommendation to Accept the Annual Military Equipment Report for the Alameda Police Department, Including the Intent to Purchase New Equipment.

The Police Captain gave a Power Point presentation.

Did not comment on the agenda item: Alajandra Salazar and Christian Sica.

Stated that he opposes the use of military grade equipment; urged the City to sell the tank and not have any military equipment; discussed the recent Police recovery of a stolen vehicle; stated the over-response indicates why APD needs to be denied such tools: Erin Fraser, Alameda.

Concurred with Speaker Fraser; discussed a recent community meeting with low attendance; stated the request for rifles is ridiculous; the City does not need any more military weapons and should get rid of many existing weapons: Marilyn Rothman, Alameda.

Expressed support for APD and the proposed equipment; discussed robberies in Los Angeles; expressed support for parking the tank in the tunnel in the event of a threat; stated the equipment is a tool for APD to perform its job: Tod Hickman, Alameda.

Stated Assembly Bill (AB) 41 is a critical measure across the State to allow transparency in law enforcement agencies; urged the City to promote knowledge and understanding; expressed support for trackers on rifles; stated that she would like more restricted robot use and clarification of a critical incident: Jennifer Rakowski, Alameda.

Stated there is a requirement for APD to have capabilities based on the society; the public has a negative opinion about Police; expressed support for APD; discussed crime and shootings in Oakland; stated crime could spill over into Alameda: Matt Reid, Alameda.

Councilmember Vella stated there have been questions regarding rifles; requested clarification about the request; inquired why APD is shifting from assigning rifles to vehicles versus Officers.

The Police Chief responded when he first began with APD, he learned rifles were sent with vehicles, which caused concern; stated the equipment should be treated carefully; one of his first tasks was assigning equipment to Officers; equipment is customized; one rifle cannot be used by multiple people; rifles must be sighted and adjusted for each person; the matter relates to accountability; he would like to ensure equipment is assigned to specific individuals so any damage or handling issues can be reported back related to the specific Officer.

Councilmember Vella inquired whether all Officers are trained on safe handling for all equipment, including rifles.

The Police Chief responded in the affirmative; stated all Officers must successfully complete training, as well as demonstrate an understanding of the policy in order to handle equipment.

Councilmember Vella whether Officers would have been trained even if a rifle had not been directly assigned, to which the Police Chief responded in the affirmative.

Councilmember Vella stated that she understands rifles must be stored at APD and have check-out procedures; inquired whether Officers would be taking rifles home.

The Police Chief responded rifles would be assigned to the Officers; stated Officers will take their rifle with them to training; rifles are currently stored at APD for Officers to check in and out.

Councilmember Vella inquired whether there would be an instance where it would be permissible for an Officer to take a rifle home, to which the Police Chief responded the only time the action would be authorized is for off-site training or if a Range Master takes equipment for repair.

Councilmember Vella stated that she does not necessarily support spending City dollars on APD having more weapons; some equipment can be shared among different Officers; each rifle must be sighted and setup specific to each Officer in order to be utilized correctly; there is reason for the exception; she does not support purchasing additional equipment; Council tries to make approvals on a case-by-case basis; requested clarification about comments made related to people with disabilities.

Mayor Ezzy Ashcraft stated Council received an email; Speaker Rakowski referenced an American Friends Service Committee table that includes recommendations; a recommendation is to consult the Commission on Persons with Disabilities.

The Police Chief stated APD is open to collaborating with anyone recommended; staff recognizes certain members of the community have special needs; he would like to offer training and take said matters into account as staff deploys Officers to calls.

Mayor Ezzy Ashcraft noted the topic can be brought to the Commission on Persons with Disabilities.

Councilmember Vella stated that she would like the Commission to be provided with a presentation ahead of Council during the annual review process for the upcoming year.

Councilmember Jensen inquired whether the proposal to purchase new rifles would be in bulk or at one time.

The Police Chief responded the rifles would be purchased all at once or as they become available.

Councilmember Jensen stated inquired whether extra rifles would be needed due to staffing shortages.

The Police Chief responded APD would have enough equipment to outfit and equip all Officers when fully staffed.

Councilmember Jensen inquired rifles are taken in and out daily when an Officer goes out on patrol.

The Police Chief responded in the affirmative; stated rifles are transported to Officer vehicles at the beginning of their shift and are removed from the vehicle and secured at the end of their shift.

Councilmember Jensen inquired whether rifles would remain in vehicles before, to which the Police Chief responded in the affirmative.

Councilmember Jensen stated that the transparency and accountability of assigning one weapon to each Officer seems to be the best practice; inquired whether about AR-15s have been used in the past six months.

The Police Chief responded the rifles were never used, but were taken into the field on a critical incident; stated the trigger of an AR-15 has never been pulled; in the previous year the rifles were brought for six incidents.

Councilmember Herrera Spencer expressed support for APD staff and the report; stated many comments received from community members relate to APD not needing rifles at all; inquired whether any recently presented crime incidents could support the need for the equipment request.

The Police Chief responded equipment will be assigned to Officers; stated that he would like to properly equip Officers with the potential for serious and critical incidents; the country and region have experienced a couple of incidents of violence; an Officer being properly equipped with a rifle helps in situations similar to Nashville, Tennessee; for an incident where someone is armed with multiple high powered rifles, Officers need to be able to address the dangers; Alameda has several schools, businesses and areas which are vulnerable; there is a goal for Officers to be able to protect vulnerable areas and effectively respond to an active shooter incident.

The Police Captain discussed an incident from March 3, 1983 where Officer Davey lost his life serving a search warrant; stated the person being served the search warrant emerged from the home with an AR-15; APD needs to equip Officers to meet challenges head-on with appropriate equipment.

Councilmember Herrera Spencer stated it is critical for the City to remember the past and the service of Officers; inquired whether the City has recently had shootings.

The Police Captain responded in the affirmative; stated one is too many in his opinion; shootings have occurred in Alameda, including in the past 30 days; APD vigorously investigates discharges of firearms.

Councilmember Herrera Spencer stated there have been comments related to riots in the City; inquired whether Alameda has had incidents similar to a riot.

The Police Captain responded in the negative; stated mutual aid has been provided to other jurisdictions.

Councilmember Herrera Spencer inquired the definition of a riot.

The Police Captain responded there are different types of crowd management and control; stated a sporting event at the Oakland Coliseum would be considered crowd management; crowd control consists of members of the community demonstrating or exercising their first amendment right; the time, place, and manner the right is being exercised dictates whether the demonstration is peaceful or a riot; riots generally include significant acts of violence and vandalism to property.

Councilmember Herrera Spencer discussed an incident of a protest in the Council Chambers; stated crowds caused a member of City staff to be seriously injured; inquired whether the incident would be considered a riot.

The Police Chief responded that he is somewhat familiar with the incident; stated that he was not present for the incident; there had been a bit of violence and certainly a crowd control consideration was made; proper planning, staffing, and equipment are needed for crowd management incidences.

Councilmember Herrera Spencer stated people have provided comments related to break-ins, burglaries, and robberies; inquired whether it would be appropriate for APD to have any of the proposed tools.

The Police Chief responded in the affirmative; discussed a recent incident with someone waiving a replica firearm who wanted Officers to take his life; stated an Officer was able to use a less lethal option.

Councilmember Herrera Spencer moved approval of accepting the report.

Councilmember Jensen seconded the motion.

Under discussion, Councilmember Jensen stated the report indicates the armored vehicle has been used to support activities in other cities, including Oakland; inquired whether drone technology would be a useful tool for APD.

The Police Chief responded in the affirmative; stated drone technology would fall under one of the categories; drone technology falls under the military equipment list; he is paying close attention to legislation regarding the use of canines; depending on the direction of the legislation, drones would certainly be an option and a force multiplier; drones provide perspective, assist with accountability, and help Officers reflect and review tactics and training; drones would not put people in harm's way; many municipalities throughout the nation are utilizing drones.

Councilmember Jensen inquired whether staff could return to Council under the requirements of the law or whether staff would have to wait until next year's annual report to request authorization for drones.

The City Attorney responded the legislation does not preclude the Police Chief from returning to Council to request authority.

Mayor Ezzy Ashcraft inquired why staff did not request drones now.

The Police Chief responded that he is still exploring and further understanding the technology;

stated other initiatives have been his focus; staff has been discussing drone technology and have been reaching out to vendors for demonstrations.

Mayor Ezzy Ashcraft stated legislation is being followed related to canines; requested clarification about the legislation and whether APD will be requesting more canines.

The Police Chief responded legislation is on the horizon; stated there is concern over the use of canines; he would like to understand how the legislation will play out; the legislation will help inform his decision and future recommendations to Council.

Mayor Ezzy Ashcraft discussed her attendance at an APD community meeting; stated that she appreciates understanding the background and research preceding the report and presentation; the American Fund Service Committee, a reputable organization, has done a report; stated that she is satisfied with the policy and is prepared to support the staff recommendation.

On the call for the question, the motion carried by unanimous voice vote - 4. [Absent: Councilmember Vella – 1.]

Mayor Ezzy Ashcraft called a recess at 9:26 p.m. and reconvened the meeting at 9:45 p.m.

(23-186) Recommendation to Approve the 2023-24 Legislative Agenda for the City of Alameda.

The Communications and Legislative Affairs Officer gave a brief presentation.

Councilmember Jensen requested clarification about how the priorities and information was developed.

The Communications and Legislative Affairs Officer stated when she began working for the City, a legislative agenda was already adopted; every two years, the agenda is updated based on current events; she works with staff to determine updates and changes for Council consideration.

Councilmember Jensen inquired whether there has been an individual meeting for the current legislative agenda.

The Communications and Legislative Affairs Officer responded in the affirmative; stated that she had individual meetings over Zoom with the City's State lobbyist Rosanna Carvacho Elliott, the City Manager, and each Councilmember.

Councilmember Jensen stated the changes are easy to follow; the matter is succinct and clear; there is a focus on Alameda Point and environmental quality; the Police Chief is tracking changes to legislation, which should also be highlighted; expressed support for the report.

The Communications and Legislative Affairs Officer stated staff tracks and considers support or opposition for different pending litigation in addition to the Legislative Agenda.

In response to Councilmember Jensen's inquiry about implementation of the Legislative Agenda, the Communications and Legislative Affairs Officer stated that she reviews bills with

the City's State lobbyist and tracks flagged bills; staff determines whether bills are within the Legislative Agenda or if the matter should be brought to Council; if Councilmembers or staff raise specific topics that were not flagged, she reviews the matter.

Councilmember Jensen stated that she pays a lot of attention to Sacramento; inquired whether she can access the positions paper.

The Communications and Legislative Affairs Officer responded in the affirmative; stated once staff starts the process of opposing a piece of legislation, the City website is updated regularly to show its ongoing status.

Councilmember Jensen noted that she will track the status on the City's website.

Councilmember Herrera Spencer inquired whether the housing matter goes through the Director of Housing and whether each director has seen the proposed agenda and has signed off on it, to which the Communications and Legislative Affairs Officer responded in the affirmative.

Councilmember Herrera Spencer inquired whether the matter had been presented in the current format and approved, to which the Communications and Legislative Affairs Officer responded in the affirmative.

Councilmember Herrera Spencer stated the housing portion of the report includes a section on supporting measures which reduce income inequality, including tax deductions for low-income renters, and lowering the cap on the mortgage interest deduction; expressed concern over and inquired why the cap should be lowered.

The Communications and Legislative Affairs Officer responded the matter was requested many years prior by a former Councilmember; Council may amend the Legislative Agenda and remove the topic if desired; the topic was in response to a piece of legislation being supported at the time.

Councilmember Herrera Spencer stated the cap was reduced in 2018 at the federal level; inquired whether the matter pertains to federal issues.

The Communications and Legislative Affairs Officer responded the matter is more directed at the State level and the State mortgage interest deduction.

Councilmember Herrera Spencer stated that she would like the information clarified; the federal cap was reduced; many people in California are unhappy with the result; some legislators have been trying to get the topic brought back up due to the expense of homes; many people are unable to deduct the interest; she would like more interest spent on measures at the State level; people would like to write off more due to the expense of homes.

The Communications and Legislative Affairs Officer stated the matter can be considered; the home topic had been directed at the inequality of the lack of support for renters and the amount of deductions for homeowners; by potentially lowering the deductions, money would be used to increase support for renters.

Councilmember Herrera Spencer stated that she is a renter and she appreciates trying to address tax deductions for renters, however, she disagrees that one impacts the other; she

would like to encourage people to be able to buy a home and be able to deduct mortgage interest; the issue should come back to Council for discussion; requested clarification on the specific incentives and overall topic of promoting social equity, including when the general principle will be implemented.

The Communications and Legislative Affairs Officer stated the general principle has not changed; the matter carried over from past years; Council can consider amending the item or providing something new; the general principle is for the City to support legislation; provided examples of how staff uses the Legislative Agenda; stated staff uses multiple reasons to support a piece of legislation.

Councilmember Herrera Spencer stated incentives to encourage and promote social equity could relate to reparations; inquired whether staff would return to Council for direction or whether staff would ascertain Council supports the issue of reparations.

The Communications and Legislative Affairs Officer responded under the current legislative agenda, staff would not have the authority to support reparations; stated staff would have to bring the matter to Council.

The City Manager stated staff would bring any item related to reparations or reparative justice to Council.

Councilmember Herrera Spencer inquired whether staff would be able to perform the same for Universal Basic Income (UBI).

The City Manager responded the City has a guaranteed basic income program; stated if the State offers funding for a similar program, staff would support the matter; if Council wishes to explicitly exclude UBI from the Legislative Agenda, staff can make the adjustment.

Mayor Ezzy Ashcraft stated part of the data being collected as part of the basic income pilot program is to support public policy, which may come from the State level.

In response to Councilmember Herrera Spencer's inquiry, the City Manager stated staff does not broadly interpret matters and looks closely at bullet points; if a bullet point is not included in the legislation, staff will not be looking elsewhere in the introductory language to attempt to justify support.

The Communications and Legislative Affairs Officer stated having one bulleted item will often not be enough; staff's goal is to lend support while feeling confident that the Legislative Agenda fully supports the item; if there is ever a question, staff will bring the matter to Council.

Councilmember Herrera Spencer stated there is a bullet point related to increasing safety around schools; inquired whether the point is in reference to transportation safety.

The Communications and Legislative Affairs Officer responded the document could be made clearer; stated the topic refers to increased transportation, pedestrian, and bicyclist safety around schools.

Councilmember Herrera Spencer stated Alamedans have a difficult time getting on and off the peninsula; stated that she would like the bullet point referencing the Island to include the

peninsula; she would like the support for funding and development of affordable and middle-income housing to include both abilities to buy and rent; the document references efficient redevelopment and leasing of property; the City also sells property at Alameda Point; there is reference to seeking funding for piers; Alameda has piers outside of Alameda Point; the reference should not only be included under Base Reuse.

The City Manager stated that she does not know of any active dredging projects outside of Alameda Point; the submerged lands at Alameda Point are owned by the City; Alameda Point is the only place that she is aware of that the City has pursued funding for dredging in order to maintain the MARAD ships or allow boats to use the piers at Alameda Point.

The Communications and Legislative Affairs Officer concurred with the City Manager; stated the matter was previously put into place specifically for the MARAD ships; the ships are no longer at Alameda Point, however, the dredging portion is still being kept on the Agenda in the event someone else is placed in the location.

In response to Councilmember Herrera Spencer's inquiry about the meaning of safety project under Changing State requirements to Slow Down Safety Projects, the Communications and Legislative Affairs Officer responded that she would have to check with the Planning, Building, and Transportation Director or City Manager.

Mayor Ezzy Ashcraft stated the section is a bit vague.

Councilmember Herrera Spencer stated ; the report is written narrowly related to CEQA exemptions; broad language would raise concerns; CEQA serves a purpose; the language about supporting policing and racial equity consistent with adopting police reform and racial equity recommendations should be changed to reflect actions was taken by Council; it should read: supporting the actions taken by Council; the matter has come before Council for discussion and approval; expressed concern about recommendations going forward without returning to Council for implementation.

The Communications and Legislative Affairs Officer stated that she understands and can change the section to be consistent with Council direction; the second portion of the sentence can be dropped.

Councilmember Herrera Spencer stated the section addressing catalytic converter theft assumes catalytic converters have been wrongly obtained as opposed to someone who needs to purchase a new one after theft; expressed concern over restricting sales for people who need to replace a catalytic converter due to theft; expressed support for clarification; stated the section under Health and Human Services, related to the adopted Police Reform recommendations should refer to Council; expressed support for the report referencing a social service organization that works with the City and the Fire Department; stated money could be available for the services; the report speaks to reducing consumption of sugary beverages, but she is unsure why the topic is narrow; foods contain sugar as well; expressed support for the City promoting healthier foods; stated under Revenue and Taxation, the bullet related to assistance with Other Post-Employment Benefits (OPEB) is missing a word.

Mayor Ezzy Ashcraft stated the section related to catalytic converter thefts, legislation is being supported by the League of California Cities; expressed support for the City supporting legislation that would deter and reduce catalytic converter theft, including restricting sales and

purchases of catalytic converters and/or the precious metals; someone replacing a stolen catalytic converter would not purchase it from non-legitimate dealers; pending legislation would strengthen the penalty for thieves; selling a catalytic converter would require a certificate from the owner of the vehicle.

Vice Mayor Daysog stated the Agenda has many good points; overall, he is supportive; remedying mortgage interest deductions has been a sticking point since 2017; previous administrations reduced the amount of interest able to be deducted from mortgage interest for federal taxes; the cap is concerning for many in Alameda, however, the cap implementation was in conjunction with the ability to deduct State and local taxes from federal income tax; the combination of the two deduction affected coastal areas where the price of housing is high; expressed support for figuring out a mechanism to assist renters; expressed concern over reducing the \$750,000 limit for Alameda; stated many of the homes being sold in Alameda are higher than \$750,000.

Mayor Ezzy Ashcraft concurred with Vice Mayor Daysog; stated there are ways to limit mortgage deductions; discussed past legislation related to primary residence mortgage reductions; stated people should not get mortgage reductions on short-term rental properties; those who can afford a ski condo or vacation home can pay related fees; the government should not provide tax breaks; stated the racial equity committee recommendations are referenced as adopted policies; the term indicates Council adopted the policies; she is supportive of leaving the reference to the committee; not all of the work has been completed; vehicular roadway should be stricken from the section supporting the funding and development of a West End bicycle-pedestrian bridge between Oakland and Alameda; there is reference to supporting efforts to reduce opioid overdose deaths through broad distribution of Naloxone, which conflicts with recent Council direction to address the matter as part of priority setting; expressed support for holding off until Council has had a chance to weigh-in; requested formerly incarcerated individuals be added to the list that references funding for those facing additional housing barriers; stated that she is pleased with the comments and directions provided.

Councilmember Jensen moved approval of accepting the Legislative Agenda.

Councilmember Herrera Spencer inquired whether the Legislative Agenda would return to Council; stated Council provided many comments.

The City Manager responded that she has taken clear notes to ensure changes are made; staff can make the proposed changes or return to Council.

Mayor Ezzy Ashcraft inquired staff's preference.

The City Manager responded staff can make the changes; the matter should not need to return.

Mayor Ezzy Ashcraft inquired whether conflicting views will create complications.

The City Manager responded the only conflicting reference was related to the committee; all other changes fall in line, including mortgage interest reductions.

Mayor Ezzy Ashcraft stated that the mortgage interest section should be refined to include supporting the legislation limitation for second and vacation homes.

The City Manager stated staff can reflect the change in the document; Council could provide direction on the conflicting section; staff can change the language to be clear to indicate adopted means Council action related to committee recommendations.

Mayor Ezzy Ashcraft expressed support for the change in language.

Vice Mayor Daysog stated the topic of formerly incarcerated individuals is a relatively new concept, which he does not recall being discussed; if Councilmember Herrera Spencer's Narcan topic is held off until the priority setting meeting, Council should also hold off on the formerly incarcerated topic for the same reason; Council may choose to add the topics at the priority setting meeting, but he would like to further understand parameters around the term formerly incarcerated individuals.

Mayor Ezzy Ashcraft concurred with Vice Mayor Daysog; stated formerly incarcerated individuals have been identified as a group that falls under those with housing barriers; the topic can be misunderstood and should be brought back for more discussion; the matter will return to Council on the Consent Calendar.

The City Manager stated staff can make the changes or return to Council on the Consent Calendar.

Councilmember Herrera Spencer made a substitute motion to approve having the matter return on the Consent Calendar with Council's corrections and changes included.

Councilmember Jensen seconded the substitute motion.

Under discussion, Mayor Ezzy Ashcraft stated that she would prefer to follow the City Manager recommendation.

Vice Mayor Daysog concurred.

The City Manager stated staff can also discuss any questions with Councilmembers.

Vice Mayor Daysog inquired what occurs with a split vote.

The City Attorney responded any two-to-two vote of Council would not pass; stated Council will ultimately need to pass approving the Legislative Agenda.

Vice Mayor Daysog stated that he is very confident that the City Manager will track the comments provided by Council.

Mayor Ezzy Ashcraft concurred with Vice Mayor Daysog.

Councilmember Jensen stated the discussed has been extended and many changes have been made; it would be appropriate to have the matter placed back on the Consent Calendar to allow the public to have a chance to review of all changes.

Vice Mayor Daysog stated that he will be supportive of bringing the matter back on Consent.

On the call for the question, the motion carried by the following voice vote: Ayes:

Councilmembers Daysog, Herrera Spencer and Jensen – 3. Noes: Mayor Ezzy Ashcraft – 1.
[Absent: Councilmember Vella – 1.]

CITY MANAGER COMMUNICATIONS

(23-187) The Assistant City Manager discussed an alert sent out about avoiding the Park Street and Otis Street area due to stolen vehicle activity, which resulted in an apprehension; stated the Police incentive program is getting good coverage and the results are positive; announced a library closure, the Spring Shindig event and the first community input meeting for the design and Master Plan for De-pave Park; discussed the completion of paving at West Tower and Saratoga Street; stated the July 4th parade planning has begun.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

(23-188) Consider Directing Staff to Proceed with the Purchase of License Plate Readers for Vehicles, Concurrently with the Implementation of Fixed License Plate Readers.
(Councilmember Herrera Spencer)

Councilmember Herrera Spencer gave a brief presentation.

Mayor Ezzy Ashcraft stated that she would support bringing the matter to the Council priority setting workshop on April 24th; bringing the matter to the workshop allows Council to direct the matter for upcoming budget workshop as the soonest option.

The City Manager stated staff can bring the matter to the strategic plan discussion; Council could also wait for 12 months of data before coming back to Council; cameras have a 12 month wait time; staff can go either approach; expressed concern over having too many in-depth policy debates at the priority setting workshop.

Mayor Ezzy Ashcraft stated the matter deserves a staff report and reports are not provided at the priority setting workshops; the matter could be agendaized in the future with a report.

Stated License Plate Readers (LPRs) are an important tool for APD; expressed support for the matter being agendaized: Tod Hickman.

Vice Mayor Daysog stated that he supports Council Referrals being put forward; the matter is a reasonable request; he would like to move forward with the referral.

Mayor Ezzy Ashcraft inquired whether Vice Mayor Daysog would like the matter agendaized for the full Council, to which Vice Mayor Daysog responded in the affirmative.

Councilmember Herrera Spencer stated that her preference is to have the matter heard as soon as possible, by next month or at the priority setting workshop.

Mayor Ezzy Ashcraft noted there is not much difference in time between the options; stated the matter merits a staff report; the matter should be brought to inform the public as well.

Councilmember Herrera Spencer inquired how soon the matter would be brought to Council.

The City Manager responded staff can try to have the matter included in the May 2nd Council agenda.

The City Manager stated staff can turn the report around relatively quickly; the issue relates to agenda management and not creating agendas which are too long; the matter will be prioritized.

Vice Mayor Daysog stated the motion should provide reference to the month of May, not specifying May 2nd.

Councilmember Herrera Spencer stated that her preference is to hear the matter as soon as possible.

Councilmember Herrera Spencer moved approval of having the matter heard as soon as possible in the next month.

Vice Mayor Daysog seconded the motion, which carried by the by the following voice vote:
Ayes: Councilmembers Daysog, Herrera Spencer, Jensen, and Mayor Ezzy Ashcraft – 4.
[Absent: Councilmember Vella – 1.]

COUNCIL COMMUNICATIONS

(23-189) Vice Mayor Daysog discussed his attendance at the Mayor's State of the City address and the joint City Council and East Bay Regional Park District (EBRPD) liaison meeting.

(23-190) Councilmember Herrera Spencer discussed her attendance at the joint City Council and EBRPD liaison meeting, a Police meeting related to weapons, a traffic safety meeting, a meeting with Bay Farm residents related to traffic concerns, the Antiques Fair, and the Park Social dispensary grand opening; announced a mixer for the Chamber of Commerce.

(23-191) Mayor Ezzy Ashcraft discussed attending a Cub Scout dinner and the League of California Cities legislative dinner, participating in March for Meals, traveling to Sacramento with the Alameda County Transportation Commission to address regional transportation and transit projects, and giving her State of the City Address on the USS Hornet; discussed the warming shelter and Eagle Scout Ryan Blue's solar walk project.

ADJOURNMENT

(23-192) There being no further business, Mayor Ezzy Ashcraft adjourned the meeting in memory of Dr. Martin Luther King Junior at 10:54 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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