

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- - DECEMBER 20, 2022- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:28 p.m. Councilmember Daysog led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Daysog, Knox White, Herrera Spencer, Vella, and Mayor Ezzy Ashcraft – 5. [Note: The meeting was conducted via Zoom.]

Absent: None.

RESOLUTION ACKNOWLEDGING SERVICE AND FAREWELL COMMENTS

(22-804) Resolution No. 16019, “Honoring John Knox White’s Service to the City of Alameda.” Adopted.

Mayor Ezzy Ashcraft read the resolution.

Stated Councilmember Knox White will be missed; discussed Councilmember Knox White’s election; expressed gratitude for Councilmember Knox White’s progressive voice and devotion to the City; discussed a Town Hall meeting held by Councilmember Knox White: Zac Bowling, Alameda.

Stated that it is rare for someone to walk away from elected office; Councilmember Knox White has always been extraordinary and his positive impact on Alameda is obvious and appreciated by all; read a comment from a blog; thanked Councilmember Knox White for his service: Former Councilmember Jim Oddie, Alameda.

Expressed gratitude for Councilmember Knox White; stated Councilmember Knox White has been involved with BikeWalk Alameda since 2002 and has inspired new members; discussed his mentorship: Denyse Trepanier, BikeWalk Alameda.

Vice Mayor Vella moved adoption of the resolution.

Councilmember Daysog seconded the motion which carried by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Abstain; Herrera Spencer: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Abstentions: 1.

Vice Mayor Vella, Councilmember Daysog, Councilmember Herrera Spencer and Mayor Ezzy Ashcraft made brief comments thanking Councilmember Knox White.

Councilmember Knox White made farewell comments.

INSTALLATION

(22-805) The Honorable Judge Benjamin T. Reyes II administered the Oath of Office to Marilyn Ezzy Ashcraft, Tony Daysog and Tracy Jensen.

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

Absent: None.

CONSIDERATION OF APPOINTMENT OF VICE MAYOR

(22-806) Councilmember Vella moved approval of appointing Tony Daysog as Vice Mayor.

Councilmember Herrera 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.

COMMENTS BY NEW COUNCIL

(22-807) Councilmember Jensen, Vice Mayor Daysog and Mayor Ezzy Ashcraft made brief comments.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

None.

ORAL COMMUNICATIONS, NON-AGENDA

(22-808) Josh Altieri, Alameda Housing Authority (AHA), provided a monthly update.

(22-809) Tod Hickman, stated that he would like monthly updates to be provided as agenda items, not under oral communications; discussed Councilmembers being aware of public discourse and anger; welcomed Councilmember Jensen.

CONSENT CALENDAR

None.

CONTINUED AGENDA ITEMS

None.

REGULAR AGENDA ITEMS

(22-810) Resolution No. 16020, "Setting the 2023 Regular City Council Meeting Dates." Adopted.

The City Clerk gave a brief presentation.

Expressed concern over the Zoom meeting process; urged Council to provide hybrid meetings:
Tod Hickman.

Vice Mayor Daysog moved approval of the 2023 meetings dates [adoption of the resolution].

Councilmember Herrera Spencer 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.

CITY MANAGER COMMUNICATIONS

(22-811) The Interim City Manager announced a Posey Tube closure, a menorah lighting at Temple Israel, a shop local campaign, modular housing units at Dignity Village and the opening of a warming shelter.

Mayor Ezzy Ashcraft expressed her appreciation for the work done on the warming shelter.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(22-812) Councilmember Herrera Spencer congratulated the newly elected officials.

(22-813) Vice Mayor Daysog expressed appreciation for his designation as Vice Mayor.

(22-814) Councilmember Vella welcomed Councilmember Jensen; stated that she has enjoyed working with Councilmember Jensen in previous capacities and is looking forward to working together as Councilmembers; congratulated Vice Mayor Daysog and Mayor Ezzy Ashcraft on their reelection.

(22-815) Councilmember Jensen expressed appreciation for City staff; stated that she is looking forward to working with staff.

(22-816) Mayor Ezzy Ashcraft discussed her attendance at the Alameda County Mayor's Conference and two menorah lightings.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 8:52 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE CONTINUED DECEMBER 6, 2022
REGULAR CITY COUNCIL MEETING
TUESDAY- -DECEMBER 20, 2022- -5:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:10 p.m.

ROLL CALL - Present: Councilmembers Daysog, Herrera Spencer, Knox White, Vella, and Mayor Ezzy Ashcraft – 5. [Note: The meeting was conducted via Zoom]

Absent: None.

CONTINUED REGULAR AGENDA ITEM

(22-793) Resolution No. 16017, “Adopting the Draft Active Transportation Plan. The City previously certified a Final Environmental Impact Report for the Alameda General Plan 2040 Update. Pursuant to CEQA Guidelines sections 15162 and 15163, none of the circumstances necessitating further CEQA review are present.” Adopted.

The Senior Transportation Coordinator gave a Power Point presentation.

Councilmember Herrera Spencer stated correspondence from staff was added with new information showing annual data.

Councilmember Daysog expressed support for the information presented; inquired whether desired actions pop out from survey respondents; noted the feeling of being unsafe is keeping people from wanting to walk or ride bicycles more.

The Senior Transportation Coordinator responded the survey has a wealth of data and can be found under one of the appendices; stated bicyclists desire to be separated from cars, either vertically or with more space; reducing speeding and installing traffic control devices are desired actions for pedestrians; crossing the street is a big issue for pedestrians.

Expressed opposition to adoption of the proposed draft Active Transportation Plan (ATP); stated the Plan fails to adequately address the needs of Spirits Alley; discussed the state of Spirits Alley; expressed concern about overemphasis of bike lanes; urged Council not to consider the matter due to improper noticing: Tod Hickman.

Stated BikeWalk Alameda is thrilled with the Plan; urged Council to adopt the Plan with one consideration to close the short gap along 8th Street between Central Avenue and Shoreline Drive; discussed the completion of Central Avenue upgrades; expressed support for community involvement and input on the Plan: Denyse Trepanier, BikeWalk Alameda.

Stated a key step to ensure the Plan is implemented successfully is involving residents in specific solutions employed in neighborhoods; the Plan has not vetted the involvement process; urged Council and the City to ensure the Plan adopts clear priorities and guidelines as to how neighborhood will be involved; expressed support for community workshops; discussed local plan options: John Brennan, Alameda.

Stated that he is thrilled by the final draft ATP; there has been a long process with lots of community input; a lot of work has gone into the Plan; expressed support for staff outreach and events; stated the Plan will be great for Alameda over time; urged Council to adopt the Plan: Zac Bowling, Alameda.

Urged Council not to adopt the draft ATP; stated one of the main goals of the Plan is to reduce single occupancy trips across the Island and improve safety for alternative transportation modes; she has not seen what fraction of total trips are actually multi-passenger; carpooling is a key component; the Plan is not inclusive of all groups that need to commute about the Island: Therese Hall.

Stated according to the appendix, most accidents are caused by the bicyclist; bicyclists tend to not realize that they are seen as a vehicle in the eyes of the State; most people do not read a drivers' handbook until ready to drive a vehicle; fewer people are driving cars and reading the handbook; discussed the lack of pedestrian safety updates on Gibbons Drive and Fernside Boulevard: Jim Strehlow, Alameda.

Discussed disability access to her in-law's home; urged Council not to implement any Plan that takes away the ability for disabled elderly people to enter their home; stated it is important for kids to have a safe way to ride bicycles and walk; urged the City to assign more Police enforcement of running stop signs; stated crossing Grand Street is dangerous: Hazel Archer, Alameda.

Urged Council to postpone voting on the draft ATP; questioned whether there have only been three community meetings since 2019; expressed concern over workshops being held with only like-minded people and the process being exclusionary; stated that she would like to see statistics on the aging and disabled population; discussed bicyclists being at-fault in most accidents: Margaret Hall.

Stated the Plan is fantastic overall; urged the City to ensure the project is sufficiently funded to perform as planned: Cyndy Johnsen, BikeWalk Alameda.

Mayor Ezzy Ashcraft stated some speakers indicated there has been no outreach to seniors and individuals with disabilities; inquired whether the indication is correct.

The Senior Transportation Coordinator responded staff held 50 meetings over three major outreach periods in three years; stated the meetings included open houses at Mastick Senior Center; there was a mailing list for reaching out to disabled organizations and homeless populations, as well as a community advisory group; staff worked with Mastick to get a representative on the community advisory group; staff

brought the matter to the Commission on Persons with Disabilities (CPD) twice; the community advisory group included a person with disabilities.

Councilmember Herrera Spencer encouraged people to look at the correspondence staff added; stated the information includes data over time; it is important to look at the data, which does not show an improvement; there were two deaths in 2022; the average annual deaths over 14 years is two; the amount of severely injured for 2022 is 15; the average annual severely injured over 14 years is 8.8; her focus is on the deaths and severely injured; the numbers for injuries are inconsistent; not everyone calls into the Police and reports accidents that do not have severe injuries; discussed the past three years of data; stated the 2022 severe injuries is 15, which is more than double the average for the last 14 years; the decisions being made must be data-driven; the decisions being made either have no impact or have has a large increase to severe injuries and deaths; expressed concern over data being lumped together for selected years; stated that she would like the data to be broken out; she will not be able to support the changes; the changes are not having the desired consequences no matter how well-intended.

Councilmember Know White stated the approach is not how using data to make decisions works; data should not be assigned a meaning; a lot of study has gone into the national problem of increased deaths on roads; road design is not causing the increase in deaths; the number of people drinking and driving causing collisions with people in Alameda is not a street design problem; vehicle design is being recognized as the number one reason why fatalities are increasing; he would like to approve the Plan with three minor changes; the first change includes moving the west 8th Street gap into the short-term timeline; he believes the City will be in the position of wishing the change had occurred instead of rushing the matter through; Council added \$2 million annually to the Capital Improvement Project (CIP) with direction to use consultants as necessary to help increase the amount of work being done; Council has been proactive in trying to ensure staff has the necessary resources to move quicker; the two slow streets are going away for projects planned in the area; questioned whether the removal of the two slow streets should be tied to the opening of the facility; discussed Orion Street improvements; expressed support for a different implementation than the barricades; stated the text on page 50 regarding the estuary crossing and Fruitvale Bridge highlights that the City will do nothing until the bridge is rebuilt; the bridge is a priority, however, the project is a decade away; the County has provided the City with plans for what could be protected bike lanes on the existing bridge; expressed support for language being added to allow the City to pursue protected transportation on the existing bridge with the County until there are funds and plans to rebuild the bridge; getting people to Fruitvale Bay Area Rapid Transit (BART) is a key issue for Alameda as the City continues to address cross-estuary traffic; the Plan is the one place where the City has an opportunity to make it easier and safer for people to get to BART; expressed support for including the proposed changes.

Mayor Ezzy Ashcraft inquired the other slow street near Orion Street, to which Councilmember Know White responded Santa Clara, west of Webster Street.

Vice Mayor Vella expressed support for the Councilmember Know White's recommendations; inquired whether the desired wording for the Fruitvale Bridge and gives staff permission to engage or whether Council is actively requesting staff to engage; stated that she would like to know the timeline.

Councilmember Know White responded that he intended the direction to give staff permission, but not to create additional work, and does not include a timeline; stated that he would like something to the effect that the City will not do nothing until a new bridge is built; there might be opportunities in the future; the Plan should be open to pursuing said opportunities.

Vice Mayor Vella expressed support for all the proposed recommendations; stated it is important to highlight national trends; noted 2021 had a record number of road and vehicle related deaths and homicides; stated there has been a 54% increase over the last decade; the trend is not new and is something that has been coming; the City cannot control vehicle design, however, the City can do everything it can to ensure that its roads are as safe as possible with multimodal access.

Mayor Ezzy Ashcraft stated that she is aware there is only so much money and staff time to go around; inquired the process for moving the section of 8th Street to the short-term timeline; stated when the City moves towards the Central Avenue project starting next year, many people will cut off at the proposed intersection; inquired the reason for the initial delay in the 8th Street plan and what it would take to accelerate the timeline; stated that she would like clarification the timing of the slow street closures.

The Senior Transportation Coordinator responded the 8th Street and Westline Drive project is included in the 2030 Plan as Project 25; stated the goal by 2030 is to have the plans completed and funding secured; the reasoning is due to some of the work along Westline Drive; as the road narrows at 8th Street, a pathway will go through Washington Park; the pathway project is complex and likely more expensive; staff wants to make progress on the pathway, but does not want to promise project completion by 2030; the bus queue jump lanes along Westline Drive included in the Transportation Choices Plan (TCP) are being looked at together; the project is dependent on the budget and resources; the Miller-Sweeney bridge project is also included in the 2030 plan under Project 28; staff has included completion of an initial phase of adding bike lanes to the bridge by 2023; the City previously worked with the County on the matter; staff can look beyond bike lanes and into protected bike lanes with the work being done at Tilden Way; the intent is included in the draft ATP; staff can add information to the Chapter on trails and waterway crossings; the slow streets at Santa Clara have a parallel facility on Central Avenue that will start construction next year; slow streets that move less easily can be maintained until Central Avenue is complete; staff can leave Orion Street, however, she is unsure of the timing of improvements.

The Planning, Building, and Transportation Director stated Orion Street slow street depends on how fast the City can build infrastructure at Alameda Point; the West

Midway project will build a chunk of Orion Street, however, there is no schedule yet for the portion of Orion Street north of West Midway Avenue; staff will have to continue looking at ways to calm traffic in that area of Alameda Point until the new road is built.

Councilmember Know White stated that he would be happy if Council crafts a motion around Orion Street that indicates staff should come up with an interim solution that meets the general goal of slow streets without being an actual slow street; expressed support for providing leeway for future Councils or Transportation Commissions.

Mayor Ezzy Ashcraft expressed support for staff and the information provided; discussed walking near Alameda Beach when school was starting and many students getting off the bus stop near the school; stated some students recovered bikes from the front of the bus; students were riding bikes and walking; expressed support for the items being discussed coming to pass; stated utilization can increase with more parents realizing there are safe modes of transportation for students; other modes help reduce traffic congestion and air pollution; Alameda County has had recent Spare the Air days; stated the time to move forward with the ATP is now.

Councilmember Know White stated Council has heard many concerns over not considering the automobile; the City has a Transportation Master Plan; the current matter is the ATP where the focus and funding of the Plan is to look at walking and biking; read a quote related to rethinking how communities are designed; stated the Plan is another step for the City to take; the Plan will take a long time; the 2030 Plan will not fix the problem, but is a great step towards thoughtful and deep thinking.

Councilmember Knox White moved approval of the ATP with three minor changes: 1) the slow streets on Santa Clara Avenue and Orion Street would keep the slow street designation until the replacement programs on parallel or existing streets are in place, with the guidance that how they are implemented can change with input from the Transportation Commission; 2) add moving the west 8th Street gap to the 2030 plan, and 3) language around the Fruitvale Bridge be added to recognize that the City does not need to wait until a new bridge is built before adding new estuary crossings for active transportation users.

Vice Mayor Vella seconded the motion.

Under discussion, Councilmember Daysog requested a friendly amendment to the motion to direct staff to create an interested parties list of residents and individuals; stated any time the ATP is discussed, the individuals on the list should be informed of the upcoming meeting at least 5 working days prior; the concern raised by Speaker Brennan related to community input is vital; other individuals have expressed desire for more involvement in community workshops; utilizing a list being any time a Board or Commission discusses the ATP is low hanging fruit; many times, people are unaware and do not check the City website for updates; the list would be an easy way to be more proactive in reaching out to individuals who have expressed interest in following the ATP.

Mayor Ezzy Ashcraft inquired whether the City already has a list in place, how people are informed of the project, and how to get on the interested list.

The Senior Transportation Coordinator responded staff uses a service on the City website subscription page; stated there are mailing lists for each Transportation Division project; the ATP mailing list has roughly 600 subscribers; once the ATP is adopted, staff will let people know about subscribing to other projects.

Councilmember Daysog inquired whether subscribers are notified when a matter of the ATP is taken to any Board or Commission.

The Senior Transportation Coordinator responded in the affirmative; stated staff also sends notices of public events and workshops; staff also has a list for Transportation Commission agendas; the general transportation interest list has roughly 1,300 subscribers; most alerts are sent to the general list.

Councilmember Daysog withdrew his friendly amendment to the motion; inquired whether the 8th Street gap project being placed into the short-term priority list would remove an alternative project; noted the City has limited staff time and resources.

The Senior Transportation Coordinator responded the project synergies allow staff to do their best to add in the project.

Councilmember Daysog inquired whether Councilmember Know White is satisfied with staff's assessment of doing their best and whether the motion is flexible enough to accommodate staff's approach for the 8th Street gap.

Councilmember Know White responded as long as staff is funded and supported with the necessary resources to perform the project as outlined, the project can be executed; the motion indicates Council's commitment to ensure the Plan happens by 2030 with an understanding that the resources will be provided via grants and other funding over the next 8 years.

Councilmember Daysog stated Council will have to find the resources and funding; expressed support for the motion and for comments made related to Grand Street; stated many people understand his position; the information and data presented in the ATP is quite compelling; urged residents to look at ATP Exhibit 6 to see the various ways in which the fatalities and serious accidents/injuries were broken down by demographics; the data is Alameda-specific; while the data is great, most residents understand that most cars are unnecessarily speeding; the ATP has a series of strategies meant to make City streets and sidewalks slower and safer; he is satisfied with the ATP; the Plan will continue to evolve due to the long-term timeline; the continuance of evolving will require public participation; he hopes the City can continue to get the word out to allow participation in the Board, Commission and Council meetings; the City does want to slow down traffic; the City is also working to increase

traffic enforcement, which is a vital part of slowing down traffic; it is difficult to promise zero fatalities or serious injuries, however, it is important to put into place a series of strategies that support safer, slower sidewalks and streets; he supports the draft ATP.

Councilmember Herrera Spencer stated the City needs better Police enforcement on streets; Alameda used to be known as a 25 mile per hour (mph) town and is no longer known for the slow speed; there is a problem of cars and bicycles completely disregarding stop signs and signals; the last few years have had less policing on the streets; some of the improvements intended to slow traffic are actually part of the problem; people are being diverted to streets not typically used as a result of slow streets; expressed concern over extreme congestion in multiple places through town; stated Exhibit 6 shows old, pre-COVID data; she requested current data be provided to show the effects of the improvements over the last three years; Alameda has few ways on and off the Island; Alameda's unique characteristics should be considered; she looks forward to having more Police enforcement; speeding and distracted driving are huge problems; she disagrees with the improvements made in the last three years; the amount of severely injured has never been as high as the current number; expressed concern over parking and home access for people with disabilities.

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

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 6:21 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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

794INUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- - DECEMBER 20, 2022- -6:59 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:00 p.m.

ROLL CALL - Present: Councilmembers Daysog, Herrera Spencer, Knox White, Vella, and Mayor Ezzy Ashcraft – 5. [Note: Vice Mayor Vella join the meeting at 7:04 p.m. The meeting was conducted via Zoom.]

Absent: None.

CONSENT CALENDAR

The City Clerk stated the Rojas Flores Landscaping agreement [paragraph no. 22-796] is being withdrawn and will be heard on January 3, 2023.

Expressed concern over the Consent Calendar items; stated the matters should be individual Regular Agenda items and not rushed due to a new Council and City Manager starting; urged Council to table all items until January 2023; expressed concern over City spending, the bottle parcel, transitional housing, the transient occupancy tax (TOT) and zoning amendments: Tod Hickman.

Councilmember Herrera Spencer requested final passage of the ordinances [paragraph nos. 22-799 and 22-800] be withdrawn for discussion.

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

Vice Mayor Vella seconded the motion.

Under discussion, Councilmember Daysog stated that he submitted comments and questions to staff and has posted the responses to his Facebook page.

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

(*22-794) Minutes of the Special and Regular City Council Meetings Held on November 15, 2022. Accepted.

(*22-795) Ratified bills in the amount of \$8,211,752.23

(22-796) Recommendation to Authorize the City Manager, or Designee, to Execute a Five-Year Agreement with Rojas Flores Landscaping, Inc. for Landscape Maintenance

Services - Various Locations (Citywide) for a Total Amount Not to Exceed \$1,031,937. Not heard.

(*22-797) Recommendation to Authorize the City Manager, or Designee, to Execute a Five-Year Agreement with Prime Mechanical Services for Mechanical and Heating, Ventilating and Air Conditioning Preventative Maintenance and Repair at City Facilities for an Amount Not to Exceed \$482,687.09. Accepted.

(*22-798) Resolution No.16018, “Declaring Canvass of Returns and Results of the Consolidated General Municipal Election Held on Tuesday, November 8, 2022, Including Enacting Ordinance No. 3336 N.S. Amending the Alameda Municipal Code by Amending Section 3-61.3 (Tax Imposed) of Section 3-61 (Transient Occupancy Tax) of Division IX (Taxes) of Article II (Taxation) of Chapter III (Finance and Taxation) Increasing the Transient Occupancy Tax from Ten Percent (10%) to Fourteen Percent (14%).” Adopted.

(22-799) Ordinance No. 3337, “Authorizing Acceptance of the Property Located at 2350 Fifth Street from the Successor Agency to the Community Improvement Commission of City of Alameda in Accordance with the Terms of a Purchase and Sale Agreement Between the City and the Successor Agency to the Community Improvement Commission of City of Alameda; and Authorizing the City Manager, or Designee, to Execute a Purchase and Sale Agreement Reflecting a Purchase Price of \$430,000 with the Successor Agency to the Community Improvement Commission of City of Alameda, Execute and Record Necessary Affordable Housing Covenant for Approximately 55 Years, and Take Such Other Actions Necessary to Complete the Conveyance of the Property. [City Council] Sale of Surplus Government Property is Exempt from CEQA Review Pursuant to CEQA Guidelines Section 15312 (Surplus Government Property Sales).” Finally passed.

Councilmember Herrera Spencer expressed support for comments provided by Speaker Hickman; stated that she does not support the transitional housing location; expressed concern over the use of the General Fund, American Rescue Plan Act (ARPA) funds and for the long-term obligation of the General Fund for up to 25 years.

Councilmember Knox White moved final passage of the ordinance.

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

(22-800) Ordinance No. 3338, “Amending the Alameda Municipal Code by Amending: (1) Article I (Uniform Codes Related to Building, Housing, and Technical Codes) of Chapter XIII (Building and Housing) to Adopt the 2022 Edition of Chapter 1, Division II Scope and Administration, the 2022 Edition of the California Building Code, the 2022 Edition of the California Residential Code, the 2022 Edition of the California Historical Building Code, the 2022 Edition of the California Electrical Code, the 2022 Edition of the

Plumbing Code, the 2022 Edition of the California Mechanical Code, the 2022 Edition of the California Energy Code, the 1997 Edition of the Uniform Housing Code, and the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings; and (2) Adopting the 2022 Edition of the California Fire Code, Including Appendix Chapters 4, B, C, D, E, F, G, H, I, K and O, with Necessary Additions and Amendments to Section 15-1 of Chapter XV (Fire Prevention) Due to Local Climatic, Geological, or Topographical Conditions; and (3) Adopt the 2022 Edition of the California Green Buildings Standards Code with Necessary Additions and Amendments to Section 13-10 of Chapter XIII (Building and Housing) Due to Local Climatic, Geological, or Topographical Conditions. In accordance with the California Environmental Quality Act (CEQA), this action is exempt pursuant to CEQA Guidelines section 15061(b)(3).” Finally passed.

Councilmember Herrera Spencer expressed support for Speaker Hickman’s comments; stated that she supports the State requirements; the additional items from the City are an overreach; the cost of electricity is higher than gas for heating; discussed rolling blackouts occurring during the winter due to not having enough electricity to meet the demand.

Councilmember Knox White moved final passage of the ordinance.

Councilmember Daysog seconded the motion.

Under discussion, Councilmember Daysog stated the matter changes the Building Code in order to encourage the transition from natural gas to electrification; the City is putting in certain thresholds; residential units changing more than 50% of the square footage would pull the trigger; any modifications to a home below 50% do not require transition from natural gas to electricity; the transition from natural gas to electricity is not triggered by the sale of a residential property; requested clarification from staff that his assessment is correct.

The City Manager stated Councilmember Daysog’s statements are true; the transition is not based on point of sale; the transition is based upon a 50% threshold of the building foundation being remodeled.

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

COUNCIL REFERRALS

(22-801) Consider Directing Staff to Reform the Fee Towing Companies Require Alameda Residents to Pay to Retrieve Towed Vehicles. (Councilmember Daysog)

Councilmember Daysog gave a brief presentation.

Mayor Ezzy Ashcraft inquired whether Councilmember Daysog is looking to have staff return to Council with information.

Councilmember Daysog responded in the affirmative; stated that he would like Council to provide direction to staff to review and analyze the situation and report back to Council with ways the City can alter towing fees; the email referenced shows a fee of \$800, however, the fee can run higher; the amount is scary for anyone, regardless of income status, but especially for those who are most vulnerable; he would like support from Council to direct staff to analyze the matter and provide recommendations to make the fees less impactful.

Expressed support for the Council Referral; discussed the regressive nature of the fees:
Tod Hickman.

Councilmember Knox White moved approval of directing staff to bring back information on the matter at a future Council meeting with recommendations on how the Council might look to adopt changes.

Councilmember Herrera Spencer seconded the motion.

Under discussion, Vice Mayor Vella inquired the extent of the City's authority on the matter.

The City Attorney responded staff can consider public property tows being contracted by the Alameda Police Department (APD) who negotiates with vendors to engage towing; APD could bring the information on negotiations and discuss whether Council can negotiate lower fees; the City's authority on private property tows is more limited, Council always has the authority to impose price controls, however, the result could include tows not occurring in the City due to businesses choosing not to work in Alameda.

The City Manager stated the referral is timely; the City solicits a tow company provider; pricing can be negotiated with potential providers; APD's current towing solicitation may satisfy the Council direction.

Vice Mayor Vella stated there has been an ongoing issue with excessive towing at Summerhouse; requested an update on the situation be provided as part of the direction to staff.

The City Manager stated staff can include the update as part of the staff report when the matter returns.

Councilmember Daysog expressed support for Council reviewing the Request for Proposals (RFP) prior to publishing; stated the review can be under the Consent Calendar; noted the referral has been on the Council agenda for months.

Mayor Ezzy Ashcraft stated Council is providing direction to staff and it is timely.

Councilmember Daysog stated the direction to staff is fine.

The City Manager inquired whether specific direction is being provided for the RFP.

Councilmember Daysog responded that he does not have specific language to include in the RFP; the RFP provides Council and the public a baseline that will indicate whether it is satisfactory or if portions need to be tightened up a bit; should the motion allow the RFP to come before Council for review, then he is satisfied that everything will be in place.

Councilmember Knox White stated the referral process is not supposed to be a discussion; the process should be quick direction to staff; the motion is clear that there is an issue; staff can bring the RFP to Council if it is necessary; Council is getting outside of the referral; expressed support for the motion remaining; stated staff has heard Council's direction and can bring the RFP to Council for review if it will help the final contract to be approved without issue.

Mayor Ezzy Ashcraft stated the referral indicates a reform to towing company fees; she imagines the RFP will address the fees being charged; when responses come in, staff will review the choices; expressed support for providing direction to staff and not putting the process of issuing RFPs into Council's hands.

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

Mayor Ezzy Ashcraft stated Council needed to move onto the regular meeting.

(22-802) Consider Directing Staff to Address Massive Corporations Purchasing Housing. (Councilmember Herrera Spencer). Not heard.

(22-803) Consider Directing Staff to Create a Requirement for Upfront Payment of Candidate Statements if a Candidate for Local Elected Office Has a Balance Due from a Prior Election. (Councilmember Knox White and Vice Mayor Vella). Not heard.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 7:28 p.m.

Respectfully submitted,

Lara Weisiger

City Clerk

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