

MINUTES OF THE SPECIAL CITY COUNCIL MEETING  
TUESDAY- -APRIL 21, 2020- -2:00 P.M.

(20-218) A special meeting was called to allow the City Council to attend the Alameda Business Community's Town Hall: Tuesdays at 2 pm.

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Lara Weisiger  
City Clerk

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

MINUTES OF THE SPECIAL CITY COUNCIL MEETING  
TUESDAY- -APRIL 21, 2020- -6:30 P.M.

(20-219) The special closed session meeting was cancelled.

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Lara Weisiger  
City Clerk

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
TUESDAY- - APRIL 21, 2020- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:01 p.m., led the Pledge of Allegiance and made brief comments.

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

Absent: None.

AGENDA CHANGES

Vice Mayor Knox White moved approval of calling a recess to convene the 7:01 p.m. meeting and consider the urgency items first.

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

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The meeting was recessed at 7:08 p.m. and reconvened at 10:10 p.m.

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Councilmember Oddie moved approval of delaying the Charter amendment [paragraph no 20-234] per the suggestion of the League of Women Voters and others; proposed the item be delayed until 2 weeks after the shelter in place orders have been lifted and be presented at a special meeting.

Mayor Ezzy Ashcraft stated that she agrees in part to Councilmember Oddie's proposal to move the item; discussed the background for selecting the Charter Subcommittee; noted the Subcommittee has been tasked with looking over the entire Charter, especially the items raised by the Grand Jury report; stated public trust in elected officials is important; expressed support for continuing the item to the next meeting; stated the item is simpler than others; Council is not voting to raise pay, the vote will allow the possibility of placing separate ballot initiatives on the November election; the next meeting has a light agenda; noted Measure 2 language allows the City to add a prosecutor, which is important to consider; stated correspondence received has requested a full and robust discussion with full participation from the public; that she agrees in part and disagrees in part; expressed support for a full and robust discussion with public participation; speaking to Council in person is a kind of luxury; outlined difficulties with childcare or access to meetings in general; stated there will be limitations to meeting in groups all through summer and into the fall; expressed support for continuing the item to the next Council meeting and for scheduling two special meetings to address the meatier items; stated each item deserves its own separate

hearing; expressed support for a Zoom meeting, which allows speakers to be heard rather than having comments read, and for having the meetings well publicized ahead of time for as full and robust of a discussion as possible; stated packing the Council Chambers with people will not happen for a while.

Councilmember Vella seconded the motion.

Under discussion, Council member stated these are uncertain times; expressed support for tabling the item at least until the shelter in place order has been lifted; stated the primary focus of most people are on day-to-day items, not Council discussions related to initiatives; the November election is still unclear; expressed concern for bringing certain Charter changes to the election in November based on current voting access conditions; stated a number of bills and legislation being worked on; decisions should not be made in the middle of the night; expressed concern that essential workers will not being able to comment or participate at a special or regular meeting and about staff bandwidth and workload; expressed support for one special meeting to be agendized earlier in the day to allow participation; expressed support for tabling the item until the shelter in place has been lifted.

Mayor Ezzy Ashcraft stated the same avenues to submit comments will be allowed at the special meetings, people can e-mail or text; those that want to show up in person can have access on devices; expressed support for two special meetings; stated the topics are fairly meaty and can be time-consuming.

Councilmember Vella stated there are people working long hours that are not thinking about items aside from providing essential work and cannot respond in way that they would normally be able to; expressed concern about people not having the time or capacity to dig through recommendations; stated the conversation should be robust; all items should be considered should be in front of all Councilmembers and constituents.

Councilmember Oddie expressed support for Councilmember Vella's comments; stated many people are worried about their health, jobs, and family; stated it is a bad look for Council to have this discussion when people are preoccupied; Measure A and Charter Section 7-3 are not part of the current agenda item; the idea of a City prosecutor has come up this year.

Mayor Ezzy Ashcraft stated that not all items have originated from the Grand Jury report; some items have come from evaluating the Charter, finding deficiencies and wanting to make improvements; these are exceptional times; an election is occurring in November.

Councilmember Oddie stated the Charter discussion should happen at a later date.

Vice Mayor Knox White stated all items were brought to Council, including a couple being brought by Councilmember Vella; the City prosecutor item was based on direction provided by a unanimous Council vote last September; expressed support for a way to

slim down the conversation; stated there is no specific language ready to place on the ballot; feedback is desired; expressed support for having the item related to Council pay, City prosecutor and remote meetings on the May 5<sup>th</sup> meeting; stated direction can be provided at the May 5<sup>th</sup> meeting for consideration of additional meetings to take place after the shelter in place order has lifted; stated tonight Council can discuss specific items to be continued to May 5<sup>th</sup>.

Councilmember Vella expressed support for the three items to be considered at the May 5<sup>th</sup> meeting and tabling the remainder until after the shelter in place order has lifted.

Mayor Ezzy Ashcraft expressed support for continuing the item to May 5<sup>th</sup> to whittle down the items and make a decision for next steps on May 5<sup>th</sup>; stated more information may be available at that time.

Vice Mayor Knox White stated some items such as term limits could be part of a simpler conversation; expressed support for a discussion allowing a future Council to raise pay if and when the economy is better, allowing the City Attorney's office to prosecute without approval of the District Attorney (DA), and clarifying the absence and remote meeting participation as related to parenting and family care; stated the items can then be written into ballot language after the May 5<sup>th</sup> meeting; the last meeting in June is projected to be without a shelter in place order; stated many people are submitting correspondence electronically.

Mayor Ezzy Ashcraft stated remote attendance based on shelter in place restrictions is a reason to broaden the exception.

Councilmember Vella inquired whether the Subcommittee could pare down the agenda item to the items discussed by Vice Mayor Knox White if the item is tabled until a future date.

Vice Mayor Knox White responded in the affirmative; stated that he and Councilmember Daysog could pare down the item and provide it to staff for the May 5<sup>th</sup> meeting.

Councilmember Daysog expressed support for the proposal; stated the current items are important, but not as heavy as the other items; the item is technical in nature; expressed support for paring down the item.

Councilmember Oddie inquired whether the Subcommittee can provide items in time for agenda publishing and whether giving direction during an agenda changes motion is appropriate.

Mayor Ezzy Ashcraft stated the Subcommittee has already discussed paring the item down.

Vice Mayor Knox White stated the idea is to pare down items for the May 5<sup>th</sup> meeting.

Councilmember Oddie stated the item can be placed on a special meeting if it cannot to be completed in time for the regular meeting.

The City Attorney stated Councilmembers are able to say whether or not they are willing to support a particular motion based on representation from other Councilmembers; the vote is related to continuing the item or if the item should be heard at the current meeting; additional items are informational only.

Vice Mayor Knox White inquired whether edits can be made prior to the agenda publishing on Thursday, to which the City Attorney responded in the affirmative.

Councilmember Oddie expressed support for the proposal.

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Due to technical difficulties, the meeting was recessed at 10:39 p.m. and reconvened at 10:59 p.m.

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Mayor Ezzy Ashcraft stated Council needs to take action to continue the meeting to tomorrow night at 7:00 p.m.; inquired whether Council is able to continue the meeting.

The City Attorney requested a motion be done; stated prior to continuation, a motion should also be made to continue the Charter amendment to a date specific; once a motion is adopted to continue the meeting, other motions on specific agenda items cannot be considered.

Vice Mayor Knox White inquired whether revised information could be provided for the continued meeting occurring on April 22.

The City Attorney responded Council can only discuss the items included in the staff report; stated the agenda materials have already been published for the meeting and a new staff report would not be able to be submitted.

Vice Mayor Knox White inquired whether a subset of the staff report could be submitted.

The City Attorney responded in the affirmative; stated as long as the changes are contained within the staff report already submitted without any new items.

Vice Mayor Knox White stated that he already sent revised language and is ready to consider the revision tomorrow or at the May 5<sup>th</sup> meeting.

Councilmember Vella expressed support for continuing the item until May 5<sup>th</sup>.

Councilmember Oddie expressed support for the pared down version being brought back to the May 5<sup>th</sup> meeting.

Mayor Ezzy Ashcraft expressed support for continuing the item to the May 5<sup>th</sup> meeting.

Councilmember Vella moved approval of a substitute motion continuing the Charter amendment to May 5<sup>th</sup>.

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

Vice Mayor Knox White moved approval of continuing the current meeting to April 22, 2020 at 7:00pm

Councilmember Vella seconded the motion; requested a friendly amendment to have the start time be 6:30 p.m.

Mayor Ezzy Ashcraft expressed support for a 6:00 p.m. start time.

Vice Mayor Knox White amended the motion to a 6:00 p.m. start time.

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

#### PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(20-220) Proclamation Declaring the Month of April as Autism Awareness Month 2020. Not heard.

(20-221) Proclamation Declaring the Week of April 19 to 25, 2020 as Alameda County Victims' Rights Week. Not heard.

#### ORAL COMMUNICATIONS, NON-AGENDA

Not heard.

#### CONSENT CALENDAR

(20-222) Minutes of the Special City Council Meeting, the Special Joint City Council and Successor Agency to the Community Improvement Commission Meetings and the Regular City Council Meeting Held on March 17, 2020. Not heard.

(20-223) Ratified bills in the amount of \$3,184,612.02. Not heard.

(20-224) Recommendation to Accept the Work of St. Francis Electric for Streetlight Conduit Replacement Project, Gibbons and Southwood, P.W. No. 04-19-18. Not heard.

(20-225) Recommendation to Authorize the City Manager to Execute Five, Five-Year Agreements, in an Amount Not to Exceed \$150,000 Each, Annually, to Advanced Mobility Group (AMG); Fehr and Peers; Iteris Inc.; Kimley-Horn and Associates, Inc.; and Parisi Transportation Consulting for On-Call Consulting Services for Transportation Planning and Engineering Services for Individual Total Cumulative Amounts Not to Exceed \$750,000 Each and a Combined Total Cumulative Amount Not to Exceed \$3,750,000. Not heard.

(20-226) Recommendation to Set June 16, 2020, for a Public Hearing to Consider Collection of Delinquent Integrated Waste Management Accounts Via Property Tax Bills. Not heard.

(20-227) Recommendation to Support Resource Recovery Coalition of California's Emergency Solid Waste Funding Proposal, which Provides Additional Support to Alameda County Industries in Response to Financial Impacts of the COVID-19 Pandemic. Not heard.

(20-228) Adoption of Resolution Preliminarily Approving the Annual Report Declaring the City's Intention to Order the Levy and Collection of Assessments and Providing for Notice of Public Hearing on June 16, 2020 - Island City Landscaping and Lighting District 84-2 (Various Locations). Not heard.

(20-229) Adoption of Resolution Preliminarily Approving the Annual Report Declaring the City's Intention to Order the Levy and Collection of Assessments and Providing for Notice of Public Hearing on June 16, 2020 - Maintenance Assessment District 01-01 (Marina Cove). Not heard.

(20-230) Adoption of Resolution Approving that the Pavement Management Project be Funded Through the State's Road Maintenance and Rehabilitation Account for Fiscal Year 2020-21. Not heard.

(20-231) Adoption of Resolution Authorizing the City Manager to Apply for and Receive up to Three Hundred Thousand Dollars (\$300,000) in Local Government Planning Support Grant Program Funds. Not heard.

(20-232) Final Passage of Ordinance Approving a Development Agreement By and Between the City of Alameda and Boatworks, LLC Governing the Boatworks Project for Real Property Located at 2229 to 2235 Clement Avenue. Not heard.

#### REGULAR AGENDA ITEMS

(20-233) Adoption of Resolution Establishing Policies on Street Width, Lane Width, Crosswalks and Bulb-Outs to Promote Safe, Livable Streets and Environmentally Sustainable Transportation Choices;



(20-233 A) Recommendation to Provide Direction to Staff on Tools for Improving Safety at Intersections. Not heard.

(20-234) Adoption of Resolution Recommendation to Provide Direction on Potential Measures Amending the City Charter. Not heard.

(20-235) Introduction of Ordinance Amending Alameda Municipal Code Chapter 30 (Development Regulations) to Modify Accessory Dwelling Unit Regulations to Implement and Comply with State Law and Make Other Administrative, Technical, and Clarifying Amendments pertaining to Appeals and Youth Centers Definition, as Recommended by the Planning Board. Not heard.

(20-236) Introduction of Ordinance Amending Section 1 (Part) of Ordinance No. 3226 N.S. and Section 4-60.40 of the Alameda Municipal Code to Extend from July 1, 2020 to July 1, 2021, or to Another Date Determined by Council, the Increase in Minimum Wage within the City of Alameda to an Hourly Rate of Fifteen Dollars. Withdrawn.

(20-237) Introduction of Ordinance Authorizing the City Manager, or Designee, to Execute a Twelve Month Amendment to the Lease with Pacific Pinball Museum, a 501(c)(3) Non-Profit Organization, with the Option of Four One-Year Extensions, for Building 169, Suite 101 Located at 1680 Viking Street at Alameda Point. Not heard.

(20-238) Introduction of Ordinance Amending the Alameda Municipal Code by Amending Section 2-19 (Commission on Disability) to Change the Number of Members to Seven and Change the Name to the Commission on Persons with Disabilities. Not heard.

(20-239) Recommendation to Provide Direction to the City Attorney to Consent, Modify or Reject Law Firm Goldfarb Lipman's Request to Waive Conflicts of Interest In Connection with Goldfarb's Legal Representation of the City of Alameda and the Housing Authority of the City of Alameda. Not heard.

#### CITY MANAGER COMMUNICATIONS

Not heard.

#### ORAL COMMUNICATIONS, NON-AGENDA

Not heard.

#### COUNCIL REFERRALS

None.

#### COUNCIL COMMUNICATIONS

Not heard.

ADJOURNMENT

At 11:09 p.m., the meeting was continued to April 22, 2020 at 6:00 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

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

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL  
TUESDAY- -APRIL 21, 2020- -7:01 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:07 p.m.

ROLL CALL - Present: Councilmember Daysog, Knox White, Oddie, Vella and Mayor Ezzy Ashcraft – 5. [Note: This meeting was conducted via WebEx]

Absent: None.

AGENDA ITEMS

(20-240) Recommendation to Accept a Budget Update for Fiscal Year 2019-20 General Fund Revenue and Expenditure Projections through June 30, 2020; and

(20-240 A) Resolution No. 15642, Altering the Pension Funding Policy for Fiscal Year 2019-20 to Not Invest Reserved Funds in Discretionary Pension Payment Due to COVID-19.

The City Manager made a brief presentation.

The City Treasurer stated the Budget Analyst has done great work; assumptions from surrounding cities have been taken and applied to current numbers related to the current fiscal year budget; analysis of revenue impacts has been conducted; the situation will be fluid during the last four months of the fiscal year; there is a distinction between lost revenue and deferred revenue; many items shown are lost revenue, such as sales tax from restaurants and Transient Occupancy Tax (TOT) from hotels; discussed a report about lost revenues affecting restaurants; stated deferred revenue, such as transfer taxes and rent are anticipated; collection of sales taxes is being deferred for many businesses; much of the revenue from this period will not come back; management is proactive; the City is in a strong position financially; there is hope for more clarity by the time the May budget workshops occur; it is reasonable to expect some of the issues to carry over into the 2021 budget.

The City Auditor stated the financial uncertainty will require constant monitoring; information provided by the Finance Department shows variances, but is generally correct and consistent; the pandemic will not allow past practice to dictate the manner in which the City can track revenues and expenditures; uncertainty of cash flow will necessitate a timely review of the City's budget; recommended the City institute a policy of having budget analysis significantly more frequently; stated there should be a minimum monthly review of information to enable management to react to the effects of the pandemic; stated the information will enable reallocation of funds; the revenue and expenditure update that has been presented has allocated \$750,000 to COVID-19 expenses and economic assistance.

Councilmember Oddie stated the City has been working hard to increase its sales tax and TOT; the City is less dependent on said taxes; noted there is merit to more frequent updates; stated updates have previously been provided up to nine months after the fact; going forward, Council having more information would be better.

Councilmember Oddie moved approval of the staff recommendation.

Councilmember Daysog inquired whether the expenditure line for Police shown is desired or actual, to which the City Manager responded the estimated actuals is projected for June 30<sup>th</sup>.

Councilmember Daysog stated the City is aggressively recruiting for Police Officers; should the City end up with more hires, the figure could be higher.

The City Manager stated the estimate is based on recruitment; staff is confident in the figure.

Vice Mayor Knox White seconded the motion.

Under discussion, Vice Mayor Knox White stated previous staff and Council put the City in a position to have a cushion and allow for necessary planning; expressed support for staff's recommendation; stated various scenarios will be discussed in July.

Councilmember Vella stated more frequent budget updates will be needed; expressed concern about the burden on staff; stated additional budget asks will require critical information; expressed support for previous decisions related to budget preparations; inquired whether federal aid will impact the budget; questioned whether the City would be in a position to recoup money; expressed support.

The City Manager responded anything received from the federal government will be a positive; stated staff is planning to review the budget strategy in October; not all estimates will be available for the May 2020 work session; staff will work with an outside consulting firm for a report back late September.

Mayor Ezzy Ashcraft expressed support for the item; stated the situation is very fluid; noted the duration of the shelter in place is unknown; stated some restrictions may be loosened; social distancing is making a difference; expressed support for past Council budget actions; stated the City does have reserves, but is spending more than it is bringing in; the proposal presented is prudent; the situation will continue to be assessed; noted the City Manager has experience with budgets.

Councilmember Daysog expressed support for the staff recommendation; stated that he appreciates the flexibility of staff and Council regarding the pension reserve; the amount set aside for the pension formula is out of whack and should be discussed further; the City has been holding down expenditures on the Police side.

Mayor Ezzy Ashcraft expressed concern about discussing items that may not be part of the noticed agenda.

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

(20-241) Resolution No. 15643, “Amending the Fiscal Year 2019-20 Budget to Increase Appropriations in the General Fund by \$250,000, in the Base Reuse Budget by \$97,500, and in the Commercial Revitalization Budget by \$250,000 in Order to Fund a \$600,000 COVID-19 Small Business Relief Grant Program to Help Mitigate Barriers to Capital for the Most Vulnerable Alameda Small Businesses and Restaurants; and Recommendation to Provide Direction to Staff Regarding Implementation of the Minimum Wage Increase.” Adopted.

The Economic Development Manager gave a brief presentation.

Mayor Ezzy Ashcraft stated the issue surrounding minimum wage could be made into a third rail of local politics or it could be an intelligent, civil discussion looking at the issue from all sides; questioned how to protect local businesses and workers simultaneously; stated three members of Council were present for a noticed town hall meeting for small businesses; Council should consider small business employees will be out of work if the business goes under; expressed concern for future removal of restaurant tables allowing for further needed social distancing; questioned the criteria needed to allow a slight delay in implementing the minimum wage increase; noted the grants will be available for small businesses with 1 to 25 employees; inquired the process for a business with only one employee; expressed concern about employment; inquired whether there is a distinction between individually owned versus corporate owned businesses and restaurants; questioned whether a Starbucks or Burger King with 25 employees would be eligible for the grant; noted there is reference to the number of eligible businesses; more money is needed; expressed support for staff to address how small businesses will be notified of the 10 day application period; stated the window is short; that she would like to make sure everyone is able to apply.

The Economic Development Manager responded a small business is typically a mom and pop shop that is owned and has one employee; stated Starbucks would not qualify for funding if it is corporate owned; some restaurant chains or coffee chains are franchised and considered a small business, which would then qualify for funding; noted a franchised Starbucks with 30 employees would not qualify; stated many franchise businesses have more than 25 employees; there are 67 grants outside of Alameda Point and 13 for businesses within Alameda Point, totaling 80 grants; staff plans to utilize a mailing list from the Finance Department, provide the information in an Economic Development newsletter, and businesses associations will get the word out about the grant funding.

Councilmember Daysog inquired whether staff has considered geographically targeting

assistance to businesses; stated Alameda Point money can only be sent to businesses within Alameda Point; businesses are spread out throughout the rest of the City; inquired whether there is a possibility of targeting businesses in specific areas, such as Park Street, South Shore, and Webster Street excluding Alameda Landing; there are limited dollars and Council needs to make difficult decisions about efficient funding; expressed support for the concept of small business funding.

Mayor Ezzy Ashcraft requested clarification about whether the inquiry is directed at the pros and cons of geographic targeting, to which Councilmember Daysog responded in the affirmative.

The Economic Development Manager stated staff finds importance in ensuring business districts are viable when the pandemic is over; staff has considered geographic targeting and will readily accept Council direction.

Councilmember Vella inquired how members of the business community would receive information if they are not associated with traditional business associations; and whether the money could apply to preschools or daycare facilities.

The Economic Development Manager responded the funding will apply to all small businesses; stated staff is going to send out the information to a wide array of businesses; there is a separate list for child care businesses that will receive the informational notice; all small businesses will be receive information.

Mayor Ezzy Ashcraft inquired the reason behind sending the information to large businesses which may be ineligible to receive funding, to which the Economic Development Manager responded the community talks to each other and many businesses encourage each other to apply for funding through a network.

Councilmember Vella expressed support for the item; inquired whether there are other potential funding sources being looked at for future opportunities

Mayor Ezzy Ashcraft stated that she has submitted a Council Referral for the next meeting; noted a community member has discussed exploring the idea of creating a tax exempt special fund to provide gap resources to be matched with grants or philanthropic donations to local businesses, renters and other local organizations that have been significantly impacted by COVID-19.

The City Attorney stated for items generally related to the agenda item, Council is authorized to give brief staff direction without significant deliberation; the issue is related, but not agendized; staff recommends to provide brief direction to staff to bring an item to Council for consideration and action.

Councilmember Vella inquired whether other grants could be looked at by staff members as well; stated this is a great start and she would like to see if other options exist.

The City Manager responded having staff look into other funding opportunities could be part of the direction to staff.

Vice Mayor Knox White stated the staff report notes grant sizes for funding up to \$7,500; inquired whether consideration has been given to allowing some businesses to donate portions of grants to other businesses; whether the intent is to provide 80 \$7,000 grants or up to 80 at \$7,500.

The Economic Development Manager responded the intention of the staff report was to allow for \$7,500; stated the alternatives included a range between \$5,000 and \$10,000; noted Council may select a different amount.

Councilmember Oddie inquired whether restrictions can be placed on the funding awards related to non-publicly traded entities.

The Economic Development Manager responded Council may provide direction to exclude said entities.

Councilmember Oddie stated that he would like a breakdown of the timeline; noted that he would like to know the deadline and disbursement dates.

The Economic Development Manager responded the information will go out by Monday; stated the ten days would begin after the information goes out; proposals would be reviewed within two weeks; following review, checks will be sent out within 30 days.

Councilmember Oddie inquired whether the application close date would be May 7, to which the Economic Development Manager responded in the affirmative.

Councilmember Oddie inquired whether it is possible to put a placeholder on the May 5<sup>th</sup> agenda for Council discussion of the matter in the event more than 80 applications are received; expressed concern about delaying the process due to Council reauthorization.

The Economic Development Manager responded that she is unsure changes can be made to the resolution; noted Council can change the recommendation to state: "as funds apply;" the resolution is related to funding; staff is requesting approval of the program; the reference in the staff report provides a concept.

Councilmember Oddie inquired whether there will be adequate notice for business community members.

The Economic Development Manager responded many businesses are responsive to e-mail; stated staff can ensure capital letters be used by for maximum visibility.

Councilmember Oddie stated the minimum wage increase can be included in the

communication; inquired the reason for omitting the Governor's ability to off-ramp; and whether there is a requirement for a conflict or ethics check of panel members that are not employed with the City.

The City Manager responded a restriction in funding for corporate-owned businesses could create issues; stated restricting publicly-traded businesses would help clarify;; noted a restriction of financial institutions could be considered by Council as well.

Councilmember Oddie inquired whether a single accountant could be eligible.

The Community Development Director responded the accountant would need at least one employee; noted the Governor will not make an announcement regarding the minimum wage off-ramp until August 1<sup>st</sup>, which is past the City's July 1<sup>st</sup> deadline; stated the panel can be limited to two Economic Development staff members, a representative from Support of Competitive Research (SCORE), a representative from the small business development center, and two non-profits which work closely with small businesses.

Public Comment Read Into Record:

Expressed support for the grant program; expressed concern for the number of businesses the grant is likely to help; urged Council to consider a larger vision for an "Alameda Strong" campaign; outlined funding breakdowns; noted tax deductions for donations: Linda Asbury, West Alameda Business Association.

Questioned whether the City can work with private funders to supplement the grant program; expressed support for the item: Ron Mooney, Alameda.

Stated the poorest people should not be supporting business owners by losing an anticipated wage increase; noted rent, utilities and food costs have increased; stated changing the wage increase would take more notice: Catherine Pauling, Alameda.

Mayor Ezzy Ashcraft noted the regular meeting will not begin at 8:30 p.m.

Vice Mayor Knox White stated that he will not support a delay in the minimum wage increase; the businesses community has been discussing the minimum wage increase a lot; inquired whether Council could provide direction to staff to find ways to augment the current program; stated there is a need to augment the program and set up something for long-term; many businesses and fundraisers in town are looking at ways to help increase funding; if every business take the full amount, the City will be helping less than 10% of all businesses; he expects the program to be over-subscribed; there is money to spend for business marketing; questioned whether the item could be agendaized for the May 5<sup>th</sup> meeting to discuss shifting funds from one business to another; stated a longer term economic crisis will follow the pandemic; Council will need to roll-out programs to help the change; his goal is to help save as many businesses as possible to keep a strong commercial sector; strong business marketing programs will



be important going forward; expressed support for a re-opening committee for the businesses community; the community could review street organization and parking; staff should come back with a plan to re-open in June; \$7,500 grants will only carry businesses for a month or two; expressed concern about spending too much time on geographic equity and limiting certain spaces; stated Council needs to work fast and be as equitable as possible; expressed concern about spending too much time effectively causing a delay in the implementation of programs and funding; expressed support for the recommendation with the augmentation of moving forward with a matching fund and bringing back a funding recommendation for increasing the size of the program at the next meeting.

Councilmember Daysog stated Council must allow the small mom and pop shops a fighting chance to survive; the grant program is a positive step; many local-owned stores will need temporary relief from the minimum wage increase; smaller stores do not have financial reserves like national chains; 60 to 90 days would be a reasonable delay; expressed support targeting the grant to specific commercial areas; stated that he would support staff tracking how many applications are received from each known commercial business area within the City.

Councilmember Vella expressed support for giving staff general direction to move forward with trying to expand funding for the grant program through various funding sources; expressed concern for restaurants and businesses; stated the diverse cuisine throughout Alameda should stay; expressed concern about preschools and daycare facilities; stated that she would like to ensure childcare facilities are available; expressed support for businesses which provide activities; stated many businesses will have to re-think how they open when the shelter in place order is lifted; noted activity and after school programs will also need assistance; expressed support for looking at funding for arts based providers and not for profit organizations, which provide important activities; stated that she will not be supporting a delay in the minimum wage increase; all options should be exhausted when looking at ways to keep businesses afloat; she does not want to hurt the lowest wage workers by delaying the wage increase; expressed concern for the inability to pay rent and make-up for lost wages; the grant is a good first step; expressed concern about creating too much bureaucratic red-tape, spreading grants throughout the City and to different types of businesses and conflicts of interest; stated that she is supportive of the panel description; expressed support for publicly traded companies being ineligible, and limiting language around financial institutions, such as banks or lenders; stated that she does not want all funds to go to landlords for payment of rent; the funding should be spent trying to keep the businesses afloat in other ways; commercial landlords should be working with businesses.

Councilmember Oddie stated there is more creativity to be had; businesses have been impacted; his weekly take-out business is no longer operating; a recent call showed rent is the number one concern; a three week deferral on rent with six months to repay yields 1.5 times the monthly rent; deferred payment deserves should be discussed at a later time; expressed support for staff direction to work on a public-private partnership sooner rather than later; stated that he is happy to contribute by ordering take-out, extra

tipping, or pre-paying for services; expressed gratitude for staff's work on conflicts; stated staff has exercised good judgement; noted his first choice would be to have the process contained within staff; stated publicly traded companies should not be eligible; there may be some issues with franchises; this is just the beginning, many other proprietors that do not have employees will need assistance and Council should consider providing assistance; he will not support a delay in the minimum wage increase; expressed support for understanding how businesses deal with the increase should it prove to be impactful; expressed concern that the action is not enough; stated a trigger should be added in the event a high amount of applications are received, the City Manager could be authorized to fund an additional amount or additional funding could be considered at the next Council meeting.

Mayor Ezzy Ashcraft stated more funding is needed; the City's funding should be considered as a last resort; businesses should apply for federal grants; outlined available funding; stated staff has connected with the business community and provided resources; façade grant funds could be used to help reposition floorplans for businesses and restaurants to prepare for reopening; she does not support a geographical quota; good criteria have been created, along with the proposed panel; Council must resist the urge to be all things to all people; her first criteria is to keep people housed; expressed support for helping renters and keeping businesses open; stated there is not majority support for delaying the minimum wage increase; she does not support a blanket delay; questioned whether staff could provide criteria for allowing a slight delay in implementing the minimum wage increase, such as an employer providing benefits or maintaining its workforce in majority or whole; questioned whether the topic lends itself to subcommittee review; stated the subcommittee could be herself and Councilmember Oddie; she would hate to see a business go under.

Councilmember Vella moved approval of the staff proposal to start the small business grant program at \$7,500 per grant, adding direction based on Vice Mayor Knox White's comments related to a business which does not need all \$7,500 being able to return a portion of the grant back to the fund for allocation to other businesses, directing staff to look at other public-private partnerships and funding available in the future, taking into account all feedback given from speakers and Councilmembers, directing staff to work on this immediately and allow the program to begin as soon as possible, and that no financial institutions or publically traded companies can be recipients of the grant.

Vice Mayor Knox White seconded the motion, with the understanding that the direction also includes no bureaucratic hoops be in the way of the program starting.

Under discussion, Councilmember Oddie proposed a friendly amendment to include the Community Development Director's panel composition.

Councilmember Vella accepted the friendly amendment.

Councilmember Oddie proposed an agenda item be placed on the next Council meeting to discuss the matter in the event of popularity.

Mayor Ezzy Ashcraft inquired whether the subcommittee could be allowed to weigh-in the event of a hardship.

Vice Mayor Knox White responded the idea of inserting elected officials in that decision making capacity is problematic; stated the decision should come from staff.

Mayor Ezzy Ashcraft questioned whether staff could to bring something to the attention of the subcommittee.

Councilmember Oddie stated the suggestion relates to delaying the minimum wage versus the subcommittee evaluating the applications.

Mayor Ezzy Ashcraft stated that the discussion can be left as-is; noted staff can reach out if needed.

Councilmember Daysog stated that he would have preferred a 60 to 90 day delay in the minimum wage increase, but he is overall satisfied; expressed support for the motion.

The Economic Development Manager requested flexibility on Standard Performance Evaluation Corporation and SCORE in the event they are not available.

Mayor Ezzy Ashcraft requested Council consensus.

Vice Mayor Knox White stated that he would add any other similar entity.

Mayor Ezzy Ashcraft stated all other parameters laid out by Council should be followed as well related to conflict of interest.

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

(20-242) Urgency Ordinance No. 3274, "Implementing Emergency Measures to Assist Local Businesses During the State of Emergency Caused by the COVID-19 Pandemic." Adopted.

The Community Development Director made brief comments.

Councilmember Vella moved adoption of the urgency ordinance.

Councilmember Oddie inquired whether there has been thought to allowing consumption of alcohol on streets.

The City Attorney responded State law generally precludes open containers from being taken onto public streets; staff can look into the issue outside of State law should

Council desire.

Councilmember Daysog requested the item be bifurcated with cannabis items separated due to his recusal on such items.

Councilmember Vella inquired the difference between allowing alcohol consumption during street fairs and Councilmember Oddie's inquiry.

The City Attorney responded there are specific authorizations for closed street events.

Mayor Ezzy Ashcraft inquired how to conduct two votes on the item.

The City Attorney responded Council could take a vote on general support for everything in the ordinance except cannabis; Councilmember Daysog could then recuse himself for Council vote on the ordinance as a whole.

Vice Mayor Knox White made a substitute motion to make a statement of support for all items in the ordinance, minus cannabis.

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

Councilmember Vella moved approval of the ordinance.

Vice Mayor Knox White seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Absent; Knox White: Aye; Oddie: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4, Absent: 1.

(20-243) Urgency Ordinance No. 3275, "(A) Imposing within the City of Alameda a Temporary Moratorium on (1) Residential and Commercial Evictions Due to or During the COVID-19 Pandemic, (2) Landlords' Shutting off Utilities in Residential and Commercial Rental Units Except for Emergency Situations and Essential Activities, and (3) Rent Increases for Fully Regulated Residential Rental Units Until January 1, 2021, and (B) Repealing Ordinance No. 3273." Adopted.

Councilmember Oddie inquired whether consideration has been given to how base rent will be calculated for landlords and tenants entering into a voluntary agreement to temporarily lower the rent for a short time.

The City Attorney responded regulations are being developed to ensure any rent reduction will not impact base rent calculations.

The Community Development Director stated the regulations were promulgated last week; the regulations are out and include the provision.

Public Comment Read Into Record:

Urged Council to consider small businesses; stated six months is a very short time for people to get back up and running; expressed concern for large property owners being able to weather the virus better than average citizens: Joanne Martin, Hot Rod Shop.

Vice Mayor Knox White moved approval of the staff recommendation as-written [adoption of the urgency ordinance].

Councilmember Vella seconded the motion.

Under discussion, Councilmember Daysog stated the provision freezing rents for residential units until January 2021 is too onerous and unreasonable; a reasonable timeframe would be four months; outlined difficulties with the rent regime and rent formula; stated the allowable rent increase will be much less than 2.8% due to the downgrade in the economy; an eight month rent freeze will create a deep freeze instead; expressed support for a four month rent freeze instead.

Mayor Ezzy Ashcraft expressed support for the motion.

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

(20-244) Recommendation to Consider Rent Relief for City of Alameda Commercial and Residential Tenants, Excluding Cell Phone Towers and Marinas.

The Assistant Community Development Director gave a brief presentation.

Councilmember Oddie stated if a business is able to get back up and running from day one, they should yield a lesser rebate than an alternate business which struggles more to return in need of extra assistance.

The Assistant Community Development Director continued the presentation.

Councilmember Oddie stated that he was hoping to have creative minds look at this item; discussions have been had with businesses showing that rent is the biggest worry; the City should lead by example where others can follow.

Mayor Ezzy Ashcraft stated rent is a concern, but also many are trying to retain as many employees as possible and are attempting to apply for grants; noted creative solutions should be considered during this time; ideas for re-opening should be discussed.

Councilmember Vella inquired whether a business that is a business district anchor should be considered as value; questioned whether profit-splitting could be considered

to be used for repayment of rent; expressed support for rent forgiveness; stated all businesses will be working toward being successful.

Mayor Ezzy Ashcraft stated the proposal could work for the Alameda Theatre; many businesses operate on a thin margin; expressed concern for profit-splitting with businesses which do not currently have said business model; stated that she would like more information related to landlords offering a reduction in rent to be repaid over a period of time.

Councilmember Vella expressed concern about a blanket policy related to rent reduction or abatement; stated some businesses are adapting and changing models; expressed concern about budget impacts; stated, as a landlord, the City needs to work with businesses to see what is possible; there are retail-oriented businesses that could benefit from a longer repayment period; there will need to be a combination of repayment periods or rent reductions; expressed support for the City Manager looking into the duration which a business has paid market rent; stated many tenants pay below market rate, which should be factored into the benefit; stated businesses with profit margins could begin repayment once profits return.

Vice Mayor Knox White expressed support for Councilmember Vella's comments; stated the perfect program is difficult to craft; expressed support for approving a 90-day deferral, directing staff with some guidance to return with a longer term program; stated the government shut down most tenants; Council can show leadership by trying to abate rent to the greatest extent possible for tenants not able to open and conduct business; the City is one of the few with money to provide relief; expressed support for directing the City Manager to look into an abatement proposal; questioned the criteria for not abating rent while a business was closed; stated deferrals will be needed as well.

Councilmember Vella questioned whether abating rent would be applied to the shelter in place order or a longer term; stated that she supports abating rent while under the shelter in place; expressed support for staff addressing whether the intention be to abate rent past the shelter in place order for businesses to figure out how to restart.

Vice Mayor Knox White stated the Alameda Theatre is a good example of a business not being able to re-open the same as the rest of the City; questioned whether the City should collect rent payment from the Theatre should this occur; stated there are bond payments based on what was to be collected; staff can return with more information for a plan through the end of the shelter in place order; the process is similar to the rent program offering 30-days past the end of the order.

Councilmember Daysog stated the City is in a unique position to exercise flexibility in an effort to help businesses; expressed support for staff's recommendation and going beyond the shelter in place order; stated ramp-up time will be needed to regain consumer demand, which should be factored into decision making.

Councilmember Oddie stated the intention of the item is to hear other criteria to include;

a checklist would be involved; the process should be as immune to political pressure as possible; noted one of the criteria for abatement is to maintain employees; expressed support for staff providing recommendations; expressed concern about business resiliency and financial impacts; stated there should be a cap; he supports the idea of repurposing profit participation; three non-profits are listed; questioned what can be done for the businesses which have no revenue.

Mayor Ezzy Ashcraft stated the subcommittee had quite a bit of input; expressed concern about being all things to all people; stated Council is providing input for staff to implement; the item should not be politicized; expressed support for criteria similar to the grant program application related to business viability; stated Council should not be the entity to prop up businesses that were not a growing concern; non-profits should also be accounted for; she is optimistic about the future; the City is helping to slow the spread of COVID-19; scientific advancements will impact the reopening of businesses; outlined potential new norms for restaurants and businesses; urged everyone to do as much as possible; questioned whether Vice Mayor Knox White proposed implementing a 90-day trial with a discussion to return.

Vice Mayor Knox White expressed concern about stepping up to provide community benefits as a factor in credit; stated some businesses are able to provide support and some are fighting for survival; the City can celebrate the intent behind the actions, but it can be problematic; his recommendation is to defer the rent for 90-days to give staff time to come back with a plan.

Councilmember Vella stated that she supports much of the direction from the subcommittee; expressed support for looking at overall resiliency of a business; businesses need to find new ways to operate in a world where social distancing requirements are in place; expressed concern about the City funding things long-term to keep businesses afloat; questioned whether the businesses could also apply for the small business grant; expressed concern about businesses applying for grant funding and rent abatement; stated there should be an overall cap; one to two exceptions would need detailed explanations; expressed support for looking into how much employees are making, and at the overall health of the business; for giving approval for the deferral as-needed; staff can take time to refine the direction provided.

Councilmember Oddie questioned whether the 90-days will begin immediately or include the 60-days of already deferred time.

Vice Mayor Knox White responded his assumption is that most tenants paid in March; stated the start date would be April 1, 2020.

Councilmember Oddie stated the extension would be through June; expressed support for the timing; stated civic contribution could also include paying staff or allowing staff to work at the Food Bank.

Mayor Ezzy Ashcraft expressed support for recognizing civic good deeds, but it should

not be a strong part of criteria; stated financial needs and viability should still be reviewed.

The City Manager stated that he has made note of each Councilmember's input; staff has been given direction with some consistencies; a proposal can be brought back to Council for discussion.

Mayor Ezzy Ashcraft inquired whether the 90-day timeframe works.

The City Manager responded that he supports the timeframe.

Mayor Ezzy Ashcraft inquired whether enough direction has been provided.

The City Manager responded staff can bring a proposal back for consideration.

### ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 9:55 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

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