

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -NOVEMBER 4, 2020- -5:45 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:46 p.m.

Roll Call – Present: Councilmembers Daysog, Knox White, Oddie, Vella and Mayor Ezzy Ashcraft – 5. [Note: The meeting was held via WebEx.]

Absent: None.

Consent Calendar

Vice Mayor Knox White moved approval of the Consent Calendar.

Councilmember Oddie seconded, 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. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*20-682) Recommendation to Approve Eric Levitt, City Manager, Lisa Maxwell, Assistant City Attorney, Lois Butler, Interim Community Development Director, and Nanette Mocanu, Assistant Community Development Director, as Real Property Negotiators for the Potential Lease for the Marina and Commercial Area of the Ballena Isle Marina. Accepted.

The meeting was adjourned to Closed Session to consider:

(20-683) Conference with Real Property Negotiators (Pursuant to Government Code Section 54956.8); Property: Ballena Isle Marina & Commercial Property; City Negotiators: Eric Levitt, City Manager; Lois Butler, Interim Community Development Director; Nanette Mocanu, Assistant Community Development Director; Lisa Maxwell, Assistant City Attorney; John McManus, Cushman & Wakefield; Current Tenant: SHM Ballena Isle, LLC; Issue Under Negotiation: Real Property Negotiations Price and Terms

(20-684) Conference with Labor Negotiators (Government Code Section 54957.6); City Negotiators: Eric Levitt, City Manager; Gerry Beaudin, Assistant City Manager; and Nancy Bronstein, Human Resources Director; Employee Organizations: International Association of Firefighters, Local 689 (IAFF); Under Negotiation: Salaries, Employee Benefits and Terms of Employment

(20-685) Conference with Legal Counsel; Workers' Compensation Claim (Pursuant to Government Code § 54956.95); Claimant: Employee - Fire Department Claim Nos.: ALAZ-005351; ALAY-005242; ALAX-005046, and ALAY-005516 Agency Claimed Against: City of Alameda

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding the Real Property, staff provided information and Council provided direction with no vote taken; regarding Labor, staff provided information with no vote taken; regarding Workers' Compensation, staff provided information by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye; Ayes: 5; these four workers' compensation claims were filed by a Firefighter who first joined the City on January 22, 2017; applicant filed a claim for a back injury suffered during a training on April 19, 2019; applicant also filed a claim for a shoulder injury sustained on June 10, 2018 while carrying heavy equipment; in addition, applicant suffered an ankle injury on July 13, 2016, after rolling their ankle; applicant's last claim is for cumulative trauma injury to their shoulder and back; applicant is filing for industrial disability retirement in conjunction with this settlement; the Council authorized the City Attorney to settle the pending workers' compensation claims in an amount not to exceed \$100,000.

Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 7:00 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING
WEDNESDAY- - NOVEMBER 4, 2020- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:10 p.m. Councilmember Oddie led the Pledge of Allegiance.

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

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(20-686) Proclamation Declaring November 1, 2020 as Extra Mile Day.

Mayor Ezzy Ashcraft read the proclamation.

Adam Elsesser, Cindy Houts, James Assia, Sean Whiskeman, and Alisa Rasera-Holden made brief comments.

ORAL COMMUNICATIONS, NON-AGENDA

(20-687) Rob Schmidt, Alameda, discussed termination of Common, an internet provider, Bay Farm Island service; stated internet service is essential.

(20-688) Joseph Cohen and David Vasquez, Climate Action Citizens for Alameda, discussed potential solutions for the City's climate challenges; stated the former Google/Makani headquarters in Alameda Point could be space for the Climate Action Resiliency Plan (CARP); graphics and details have been developed for the space.

CONSENT CALENDAR

Councilmember Oddie moved approval of the Consent Calendar.

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. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*20-689) Minutes of the Special City Council, Joint City Council and Successor Agency to the Community Improvement Commission and the Regular City Council Meetings Held on October 6, 2020. Approved.

(*20-690) Ratified bills in the amount of \$4,787,880.46.

(*20-691) Recommendation to Accept the Work of McGuire & Hester for the Cross Alameda Trail/Ralph Appezzato Memorial Parkway Improvements, No. P.W. 03-18-11. Accepted.

(*20-692) Resolution No. 15721, "Ratifying the Proclamation of the Director of Emergency Services and Continuing the Declaration of the Existence of a Local Emergency in Response to the COVID-19 Pandemic, Consistent with Government Code Section 8630(c)." Adopted.

REGULAR AGENDA ITEMS

(*20-693) Presentation on Tsunami Awareness.

The Fire Captain gave a Power Point presentation.

Mayor Ezzy Ashcraft outlined a recent major earthquake near Turkey and Greece; stated it is important to not spectate tsunamis.

Councilmember Oddie inquired whether the City is conducting [tsunami] drills.

The Fire Captain responded staff has been working with the Alameda Unified School District (AUSD); stated conducting drills is part of being tsunami-ready; AUSD has been working on safe locations for students and providing information to parents; the Fire Department is working on zone havens for evacuations.

Councilmember Oddie inquired whether outreach to Home Owner Associations (HOAs) has been conducted for Bay Farm Island and Harbor Bay; stated HOAs are able to effectively communicate to home-owners; inquired whether there is an evacuation plan for Cardinal Point.

The Fire Captain responded staff has not reached out to Cardinal Point directly; stated the first outreach was to the boating community; many residents live on boats and any effects are most probable within the boating community; due to the low probability of impacts, outreach is conducted with the most effected community first; information has been publicized; however, COVID-19 has slowed the process; staff is moving forward with planning and zone haven information; outlined the need for cooperation from the City of Oakland should Alameda need to evacuate; stated staff has been in contact with the City of Oakland in an effort to coordinate evacuations.

Councilmember Vella stated that she is aware of the amount of work and funding

needed for the boating communities and marina areas; inquired whether staff has been working with local marina operators; stated coordination is needed for the boating community.

The Fire Captain responded in the affirmative; stated staff has been to each marina; the Hazard Mitigation Plan opens up monies to marinas for [tsunami] mitigation measures.

Councilmember Vella inquired whether staff will be assisting in coordination for the mitigation opportunities.

The Fire Captain responded in the affirmative; stated as the City becomes tsunami-ready, the Hazard Mitigation Plan allows marinas to apply for funding.

Councilmember Vella expressed concern for many senior and rehabilitation facilities needing to receive information in a timely manner; stated providing updates will be helpful; although there is a low possibility for tsunamis, timely and safe evacuation plans are most effective for those with different needs; the more time given to people for planning, the better.

The Fire Captain stated staff has been working with Alameda County on transportation planning; efforts have been made at a County level.

Councilmember Vella inquired whether the City is partnering with the Water Emergency Transit Authority (WETA).

The Fire Captain responded in the affirmative; stated staff is part of a Disaster Council; stated the Disaster Council works on partnering and planning; stakeholders, including WETA, are part of the City's collaborative approach to community planning.

Mayor Ezzy Ashcraft stated Cardinal Point has an emergency evacuation plan; local transit systems have been impressive during the Santa Rosa fires and are able to assist in evacuation situations.

The Fire Captain stated staff works with Alameda County to discuss transportation options; tsunami and transportation efforts are on the radar for improvement; noted not every community will be affected by a tsunami and those not affected will be able to provide aid to those affected; having access for community members to take action when needed is important; tsunamis are a very low probability; however, studies show there is a possibility; staff is modeling for success; the City is making great progress to being a tsunami-ready city.

CITY MANAGER COMMUNICATIONS

(20-694) The City Manager made an announcement regarding the Alameda Community Service Awards provided by the Social Services Human Relations Board (SSHRB) and a soft-opening for the free COVID-19 testing site at Alameda Point; stated appointments

can be made at: www.nextgenlabs.com/alamedatesting; made an announcement regarding the new Public Work's Director; stated staff is working on three separate presentations from the Alameda Police Department (APD) to the policing review subcommittees; stated the presentations will be open to the public.

Mayor Ezzy Ashcraft inquired whether the information will be made available on the City's website, to which the City Manager responded in the affirmative.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

(20-695) Consider Directing Staff to Support the Alternative Regional Housing Needs Allocation (RHNA) Proposed by the Tri-Valley Cities and Oppose the Association of Bay Area Governments (ABAG) Executive Board Action regarding the RHBA Proposed Methodology, including Submitting Public Comment and Testimony at the November 12, 2020 ABAG Meeting and Reporting Back to Council. (Councilmember Daysog)

The Planning, Building and Transportation Director made a brief comments.

Councilmember Daysog requested clarification about the ABAG committee meetings; inquired whether the decision about adopting ABAG methodology and housing allocations would be adopted at the meetings.

Mayor Ezzy Ashcraft responded public comment closes on November 12th; stated public comments will be considered at the December 10th meeting; noted ABAG consists of representatives from the nine Bay Area counties; stated the Regional Planning Committee will make a recommendation, which will be provided to the Executive Board; the final decision on the methodology will be made at a meeting in January 2021.

Vice Mayor Knox White stated the proposal looks at reallocating numbers across the region, not just Alameda; requested clarification about how Council direction should be provided.

Councilmember Daysog stated there is concern about the current ABAG formula maximizing certain assets and ignoring certain liabilities particularly to Alameda; a different housing allocation would occur should the liabilities be accounted for; it is an appropriate time for Alameda to join other cities that are concerned about the methodology and the need for a different methodology; stated the factor relates to natural disaster issues, such as liquefaction and earthquake effects; expressed support for Council submitting comments for the November 12th meeting should there be desire to emphasize the liabilities not be weighed in the methodology.

Vice Mayor Knox White requested clarification about issuance of the letter.

Councilmember Daysog stated Council can join the letter and append the methodology as an amendment; Alameda's liability issues can now be raised as other East Bay cities are contesting the current methodology; a lower allocation for Alameda would result should the letter be taken seriously.

Vice Mayor Knox White stated comments submitted acknowledge the requested allocation is less equitable for the region; inquired whether Councilmember Daysog is requesting Council to sign a letter which has a less equitable lens in order to append an unrelated issue; stated that he is struggling to understand the reason for the letter being the vehicle for Council recommendation.

Councilmember Daysog responded that he thinks the letter is okay to submit; stated in addition to the equity lens, Alameda needs to have natural disaster components factored in to the methodology; Council can use the letter as a starting point and modify it during discussion; noted more housing could be allocated elsewhere; less housing should be required in Alameda should natural disaster liabilities be included in the methodology.

Councilmember Oddie inquired whether there is a natural disaster that Alameda is more susceptible to; stated Alameda is not as prone to fires as surrounding cities and the possibility of liquefaction runs up and down the East Bay; noted Alameda would not be the only city affected by tsunamis based on the previous presentation.

Councilmember Daysog responded that he represents the City of Alameda; stated Alameda is at risk for liquefaction in ways that other cities are not; the areas of Otis Drive and west of Main Street are comprised of landfill; there are projects being contemplated for Otis Drive, Alameda Point and estuary areas, which are areas that are potentially subject to natural hazards; natural hazards are enough reason for ABAG to consider; tsunamis are a low probability; however, should still be considered.

Councilmember Oddie stated the [proposed RHNA] option is described as having an emphasis on equity and fair housing; the Council Referral is urgent and important; inquired whether it is urgent and important to tell ABAG not to focus on equity and fair housing.

Councilmember Daysog responded the focus is not solely on equity, but to take into account the negative factors that natural hazards pose to Alameda.

Councilmember Vella inquired whether other cities and locations are allowed to argue that they should receive reduced housing numbers; stated there are significant portions of San Francisco that have been built and rebuilt on marshland or landfill.

Councilmember Daysog responded a representative of San Francisco can make the argument; stated that he can only made the recommendation expressing concerns for Alameda residents.

Councilmember Vella inquired the impacts to evacuations should the units be put-off to neighboring Oakland and the impact to the relationship with Oakland in coordinating evacuation efforts.

Councilmember Daysog responded there is hope for neighboring cities to set aside any differences for built environments while working to address national emergencies as they arise; stated that he imagines neighboring cities Councilmembers would want to work with Alameda Councilmembers in a time of national emergency; the core of the recommendation to Council is a zero sum aspect; should Alameda lower the allocation, the difference will be shifted to neighboring locations.

Councilmember Vella inquired whether the matter is up for consideration at ABAG regardless of Council signing onto the letter.

Mayor Ezzy Ashcraft stated the Housing Methodology Committee (HMC) recommended proposal AA; the proposal discussed legal housing requirements and criteria for housing elements; equity is a requirement; the vote from the HMC had 75% approval; noted the matter has been opened for public comment and will return to the Regional Planning Committee for consideration on the December agenda.

Stated many communities have had a national emergency related to housing; discussed Alameda's history with land use policies; stated the methodology emphasizes equity; the City did not have a compliant Housing Element from 1990 to 2012; the climate crisis disproportionately impacts low-income people with social vulnerability; discussed the City of Pleasanton's housing policy; urged Council to consider equity and not join the region in attempting to change the formula or methodology; stated concerns about the process should be considered at a process level; Alameda is an Island, but is not isolated from the region and should contribute; Rasheed Shabazz, Alameda.

Urged Council to respect the work of the HMC; stated the Committee met for over one year to develop its recommendation; expressed support for the methodology; stated the alternative proposal has been rejected by all bodies; Proposal AA balances jobs and housing, while providing access to communities of high opportunity; the proposal ensures segregated communities are assigned a fair share of the regions housing needs and does not promote sprawled development; Alameda must do its fair share in meeting housing and equity needs of the community; urged Council to reject the proposal on the table and affirm the proposal put forward by the HMC; Grover Wehman-Brown, Alameda, East Bay Housing Organization (EBHO).

Stated the voters have responded; many residents are concerned about the recent development; discussed social media forums and overdevelopment concerns; stated Alameda has a limited number of bridges and tunnels to escape if needed; traffic delays will be caused with more development; expressed concern about safety and low-income housing subsidies; Janet Lee, Alameda.

Mayor Ezzy Ashcraft stated communicating facts is a constant challenge; some election messaging has not been factual and has resulted in misinformation; outlined the proposal put forth by the Tri-Valley cities; stated residents should consider commuting Alameda residents encountering neighboring cities commuters; the HMC proposal shows a need to distribute and help elevate different populations to give access; outlined discussions related to unique characteristics from cities attempting to lower housing requirements; stated the housing crisis will never get better until all communities are required to help by adding housing; many considerations must be made for housing policies; the methodology has made many considerations; noted that a speaker from ABAG could give a housing presentation at a future Council meeting.

Councilmember Oddie stated that he finds the matter of Council being asked on an urgent and important basis to reject an emphasis on equity and fair housing an insult to his values and to the City's motto "Everyone Belongs Here;" the matter is about not building housing and has been an endless battle.

Councilmember Oddie moved approval of denying the Council Referral and to oppose changing to the proposed alternative methodology; outlined locations for excess Alameda housing units and subsequent traffic consequences.

Vice Mayor Knox White seconded the motion.

Under discussion, Vice Mayor Knox White stated that he will not sign the letter; there is a push for inequitable outcomes; the letter has not been thought through and is a vehicle to request no additional housing; it is possible that natural disasters were not considered and should be a part of the discussion with ABAG. requested a friendly amendment to the motion to call a special Meeting for a workshop; expressed support for outright opposition to the letter; stated the special meeting should showcase the process used to reach the ABAG recommendation and include the expected impact on travel-time, climate equity and affordability and the impacts of shifting units; direction should be provided to staff to return to Council before December 9th and provide the steps needed from Council to ensure the City Charter is compliant with zoning and the General Plan; stated voters have spoken and shown a desired zoning change and do not support Council wanting to follow State Law; Council should have a discussion on the impacts and outcomes of not following State Law; expressed support for standing behind the voters and identifying the communications needed for a policy which is out of compliance with the State.

Mayor Ezzy Ashcraft inquired whether the discussion is extending beyond the scope of the matter.

The City Attorney responded that Council should stay on the RHNA matter; stated should Council wish to provide additional direction, staff should receive it in a future Council Referral.

Vice Mayor Knox White stated that he can bring the matter to the November 17th meeting as a Council Referral.

Mayor Ezzy Ashcraft stated the presentation from ABAG should be reconsidered as a regular agenda item at a regular Council meeting; special meetings can be burdensome; the matter can be accommodated at a regular Council meeting in December.

Councilmember Vella stated there has been a lot of misinformation on Measure Z; Council is not coming up with housing numbers; a regional body is meeting mandates of the State and allocating numbers; the numbers are going to be in the thousands no matter what methodology is used and a place will need to be found for those units; the process has not been conducted secretly and has been conducted publicly for years; the housing obligations have been known; there is ignorance around isolationism; a larger problem is being created and not meeting the obligation will be argued, which is irresponsible; outlined the direct impacts of moving housing allocations to Oakland; stated Alameda is not unique; the cities that would take on the additional housing units are along the shoreline and will be impacted in the same way as Alameda; to take an isolationist approach is ignorant of the fact that the City would create a larger problem for itself; the City would have less control over transit, climate and affordable housing; expressed support for providing education on funding for affordable housing; expressed concern about misconception of affordable housing funding; expressed support for a follow-up work session on RHNA numbers after the [ABAG] presentation on methodology; stated there are many problems with the proposed letter; discussed the Town of Danville; stated Council must be part of the solution and must participate in good faith in the process with surrounding communities, which face the same issues as Alameda; a lot of progress has been made with ABAG over the years to address RHNA needs; stated that she will not be supporting the letter; a presentation from ABAG would be helpful.

(20-696) Vice Mayor Knox White moved approval of suspending Council speaking time

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.

Councilmember Daysog stated Council should direct the City Manager, or designated staff, to express at the November 12th ABAG Planning Committee meeting that due to Alameda's unique exposure to natural hazards, the methodology of allocation of units should not only rest on the question of equity, but also take into account concerns about natural hazards; should the consideration be made, Alameda's housing numbers could be reduced, yet still provide a lot of housing.

Vice Mayor Knox White inquired whether Councilmember Oddie accepts his friendly amendment to the motion.

Mayor Ezzy Ashcraft requested the friendly amendment be restated.

Vice Mayor Knox White stated the amendment is to send direction in opposition to the letter based on the letter being against equity and to have the item return to a larger workshop for discussion with questions outlined related to the letter.

Mayor Ezzy Ashcraft inquired whether the workshop could be on a regular Council meeting, to which Vice Mayor Knox White responded in the affirmative.

Councilmember Oddie accepted the friendly amendment; stated that he will defer to the Mayor regarding agenda placement.

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

COUNCIL COMMUNICATIONS

(20-697) Councilmember Oddie announced the next Stopwaste topic brief will be a resource guide.

(20-698) Councilmember Vella announced National Childhood Lead Poisoning Awareness week; outlined the importance of child blood lead testing; stated the pandemic has delayed needed testing; urged parents not to skip blood lead tests; noted the longer testing is delayed, the more negative impacts on childhood development; stated testing is not mandatory but heavily advised.

(20-699) Mayor Ezzy Ashcraft announced parks are open with mask mandates; urged hand-washing and social distancing; announced that she was appointed as Chair of the League of California Cities State-wide Policy Committee on Housing Community and Economic Development.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 9:20 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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