

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -JUNE 21, 2022- -5:15 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:16 p.m.

Roll Call – Present: Councilmembers Daysog, Herrera Spencer, Knox White, Vella and Mayor Ezzy Ashcraft – 5. [Note: Vice Mayor Vella arrived at 5:21 p.m. The meeting was held via Zoom.]

Absent: None.

Consent Calendar

(22-390) Recommendation to Approve Dirk Brazil, Interim City Manager, Lisa Maxwell, Community Development Director, Len Aslanian, Assistant City Attorney, and Nanette Mocanu, Assistant Community Development Director, as Real Property Negotiators for Building 12, Located at 1050 West Tower Avenue, Alameda, CA. Not heard.

The meeting was adjourned to Closed Session to consider:

(22-391) Conference with Legal Counsel – Existing Litigation Requests for the City to Participate in as Amicus in Pending Litigations: (Pursuant to Government Code Section 54956.9); Case Name: 303 Creative LLC, et al. v Aubrey Elenis et al.; Court: United States Court of Appeals for the Tenth Circuit; United States Supreme Court; Case Number: 19-1413, 21-476.

(22-392) Conference with Real Property Negotiators (Pursuant to Government Code Section 54956.8) Property: 1050 West Tower Avenue, Alameda, CA. Not heard.

(22-393) Conference with Labor Negotiators (Government Code Section: 54957.6); City Negotiators: Nancy Bronstein, Human Resources Director; Nico Procos, General Manager, Alameda Municipal Power; Jessica Romeo, Human Resources Manager; and Steve Woo, Senior Human Resources Analyst; Employee Organizations: Alameda City Employees Association (ACEA); Management and Confidential Employees Association (MCEA); Electric Utility Professionals Association (EUPA); International Brotherhood of Electrical Workers (IBEW); Alameda Police Officers Non-Sworn (PANS); Alameda Municipal Power Unrepresented Employees (AMPU); Alameda Police Management Association (APMA); Under Negotiation: Salaries, Employee Benefits and Terms of Employment.

(22-394) Public Employee Appointment/Hiring (Pursuant to Government Code Section 54957); Title/Description of Positions to be Filled: City Manager.

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding the Existing Litigation, the City was asked to join numerous other local jurisdictions sign on to an amicus brief to be filed in the case where the

United States Supreme Court will consider whether applying a public accommodations law to compel an artist to speak or stay silent violates the Free Speech clause; the 11th Circuit concluded that Colorado's Anti-Discrimination Act ("CADA") is narrowly tailored to Colorado's interest in ensuring equal access to publicly available goods and services; excepting Plaintiffs from CADA would "necessarily relegate Lesbian, Gay, Bisexual and Transgender (LGBT) consumers to an inferior market because Plaintiffs' unique services are, by definition, unavailable elsewhere;" the amicus brief seeks to support the State of Colorado; the Council voted to authorize the City Attorney to sign the amicus brief by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye; Ayes: 5; regarding Labor, staff provided information and Council provided direction by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye; Ayes: 5, and regarding Employee Appointment/Hiring, staff provided information and Council provided direction with no vote taken.

Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 6:32 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 JOINT MEETING OF THE CITY COUNCIL AND
SUCCESSOR AGENCY TO THE
COMMUNITY IMPROVEMENT COMMISSION (SACIC)
TUESDAY- -JUNE 21, 2022- -6:59 P.M.

Mayor/Chair Ezzy Ashcraft convened the meeting at 7:10 p.m.
Councilmember/Commissioner Daysog led the Pledge of Allegiance.

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

Absent: None.

CONSENT CALENDAR

Councilmember/Commissioner Knox White moved approval of the Consent Calendar.

Vice Mayor/Commissioner Vella seconded the motion, which carried by the following roll call vote: Councilmembers/Commissioners Daysog: Aye; Knox White: Aye; Spencer: Aye; Vella: Aye; and Mayor/Chair Ezzy Ashcraft: Aye. Ayes: 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*22-395 CC/22-09 SACIC) Minutes of the Special Joint City Council and SACIC Meeting Held on May 17, 2022. Approved.

AGENDA ITEM

(22-396 CC) Public Hearing to Establish the Proposition 4 (Appropriations) Limit for Fiscal Year 2022-23; and

(22-396A CC) Resolution No. 15917, “Establishing the Appropriations Limit for Fiscal Year 2022-23.” Adopted.

The Budget Manager gave a brief presentation.

Councilmember Herrera Spencer inquired the highest percentage allowable by law.

The Budget Manager responded the City needs to be under 100% of the appropriations limit.

Councilmember Herrera Spencer inquired the amount of the last percentage, to which the Budget Manager responded 69% of the limit.

Councilmember Knox White moved approval of the staff recommendation [including adoption of the resolution].

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

(22-397CC) Resolution No. 15918, “Approving and Adopting the Budget for Fiscal Year 2022-23.” Adopted; and

(22-010 SACIC) Resolution No. 22-15, “Approving and Adopting the Budget for Fiscal Year 2022-23.” Adopted; and

(22-397A CC) Resolution No. 15919, “Approving Workforce Changes and Amending the Salary Schedules for the Alameda City Employees Association (ACEA) and Management and Confidential Employees Association (MCEA) in Fiscal Year 2022-23, Effective July 3, 2022.” Adopted.

The Budget Manager gave a Power Point presentation.

Councilmember/Commissioner Daysog stated the amount is reasonable; there is a transfer in amount of \$9.9 million; inquired the elements of the transfers in which comprise the \$9.9 million amount.

The Budget Manager responded the \$9.9 million amount are the actuals from fiscal year 2020-2021 and is comprised of \$4 million from Alameda Municipal Power’s (AMP) franchise fee, \$3.1 million from the capital program closing about a dozen projects.

Councilmember/Commissioner Herrera Spencer stated correspondence has been received from the business districts requesting funding; inquired whether the request is being considered.

The Finance Director responded the request has not been included; Council may add the request to the budget as part of adoption if desired; staff would have to identify a funding source to cover the request; the amount would likely come out of fund balance.

Councilmember/Commissioner Herrera Spencer stated Council should consider funding a City swimming pool; inquired whether there will be funds for a City swimming pool.

Mayor Ezzy Ashcraft stated the recent Alameda Unified School District (AUSD) bond measure passed; the measure includes funding for half of the amount of a swimming pool.

The Finance Director responded the funding for a City swimming pool is part of a larger question than the current budget; stated the Finance Department will need to work with the Recreation and Parks Department should Council provides direction; staff could return with a study session and proposed funding options.

In response to Councilmember/Commissioner Herrera Spencer, the Budget Manager stated information is included in the presentation under the five-year balancing forecast; the forecast is not an actual budget; forecasts look at what has happened in the past; the current long-term financial model looks back at what has happened in the past 10 years in order to forecast future estimates; staff uses the estimates to increase revenue and expenditure factors; forecasts show higher expenditures than revenues; the forecast does not take into account other potential funding sources or reductions in expenditures; as staff comes back in the future, a balanced budget will be presented.

Councilmember/Commissioner Herrera Spencer stated the five year forecast shows the difference between revenues and expenditures; inquired whether staff has made any modifications in the five year forecast related to a possible recession; stated the net annual activity is a negative amount; inquired whether the City anticipates increasing revenue.

The Budget Manager responded in the affirmative; stated the circumstance can vary; certain revenue sources have more volatility; the City's largest general revenue source is property tax, which is stable even in a recession; staff expects the revenue source to remain stable or continue to increase modestly; the increase can help offset reductions in other areas that are more volatile during a recession.

Councilmember/Commissioner Daysog moved approval of the staff recommendation [including adoption of the resolutions].

Councilmember/Commissioner Knox White seconded the motion.

Under discussion, Councilmember/Commissioner Daysog stated there are many things to fix within the budget; he supports the current matter; a bold step is being taken to try to set aside funds for a municipal swimming pool; expressed support for having a municipal swimming pool; stated the location can change.

Councilmember/Commissioner Knox White stated the pool commitment is to hold funds until needed.

Councilmember/Commissioner Herrera Spencer stated the pool item is described as the Emma Hood Swim Center ear mark, not a municipal swim center; she understands the funding is not for a City swimming pool.

Mayor/Chair Ezzy Ashcraft requested Councilmember/Commissioner Knox White to provide clarification; stated the Finance Director noted the City swimming pool would be a larger discussion.

Councilmember/Commissioner Knox White stated Council directed a \$7.5 million match be ear marked for rebuilding Emma Hood swimming pool, which is an AUSD-owned facility that the City jointly operates and uses; the amount does not include funding for a

City-operated pool built in another part of the City.

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

(22-398 CC) Adoption of Resolution Adopting the One-Time Revenue, Excess Property Transfer Tax, and General Fund Surplus Policy. Not adopted.

The Finance Director gave a Power Point presentation.

Councilmember Daysog stated the idea behind the 2017 formula was spot on; expressed concern about the formula driving too many dollars to help pay down the other post-employment benefits (OPEB) and CalPERS liabilities; stated the City has many challenges; Council must make decisions about how to fund capital and other City improvements and services; Council could have addressed ongoing, annual issues by modifying the 2017 formula; the City has spent roughly \$45 million in five years; any time the City spends that amount of money, the citizens should be included and approve the expenditure; he does not have an issue with the 2017 formula; however, there are concerns with the mechanics of the formula driving too much money into paying down OPEB liabilities; a lot of the excess revenues have not been as a result of the revenue windfalls, but are due to the City budgeting a certain amount for municipal services and the actual spending amount being far less than what was budgeted; discussed constant revenues with lower expenditures causing the General Fund balance to be larger; stated \$15 million was budgeted for government services and roughly \$9 million was spent; underspending has caused excess revenues; eventually, the City will spend the full amount on municipal services; the excess revenues have allowed the City to pay down unfunded OPEB liabilities due to proposed services not being providing; he has put together data from audited statements; expressed support for revenue; stated the City needs to address how to deal with reserves; the City should make an effort to pay down the unfunded liabilities; the City should reign in the formula; he does not think the current formula will result in enough excess revenues to come close to paying the unfunded liabilities; he is not sure revenue adjustments are sufficient; expressed support for the matter returning to Council to determine how to deal with expenditures and excess fund balance.

Mayor Ezzy Ashcraft stated that she agrees with Councilmember Daysog in-part; discussed a 2017 League of California Cities presentation; stated the formula made sense at the time; all City policies should be revisited; she is not wedded to the current formula; she is intrigued by the proposal.

Councilmember Knox White stated the proposal is on the conservative side; expressed support for the Council decision to address the long-term, significant issue; stated Council decided to pay down unfunded liabilities in response to concerns; the current Council has been implementing a policy adopted by a past Council incorrectly; there is a

middle ground that is simpler than the proposal; expressed support for 50% of any excess, unspent funds being spent to pay down OPEB liabilities; stated budgeting for 88 Police Officers when all positions are not filled results in a budget savings; the budget savings can help go towards paying down long-term pensions; the original intent of the 2017 formula was to utilize excess budget savings; surplus was added to reserves; the large reserve yielded large OPEB liability payments; expressed support for Council going with an approach that is easier to understand and based on annual budget actuals; stated percentages of the excess and reserve can be put towards wherever Council decides; the formula moved \$37 million towards the City's long-term liability during the first five year; stated the staff proposal would have resulted in \$16 million; his proposed approach would have yielded roughly \$25 million and is between the current approach and the new proposal.

Vice Mayor Vella inquired whether the language in labor contracts related to OPEB is a factor f; stated agreements bind the City relative to the liabilities; expressed support for the City going beyond OPEB portion of the matter; stated the agreements touch on ensuring the City is paying down the liability; the City has taken responsible actions; she understands the concept of wanting to ensure the City's dollars go towards funding different projects; however, OPEB liabilities are an investment in staff who provide the services; the City is already on the hook; actions taken over the years were needed; Council needs to figure out and change the current policy a little; expressed concern about too many changes to the policy; stated the City should continue to pay down the OPEB liability; she would like to see more funding set aside to pay down the liability; the City has been a leader in its approach; other cities have looked towards Alameda; inquired the impact labor agreements have on the policy proposal; stated the information is helpful to provide perspective on constraints.

The Human Resource Director responded in 2016, the City set up the OPEB trust and made an initial deposit of \$5 million; stated the agreement includes a contribution of \$250,000 per year through 2025; the City will meet with labor in 2025 to discuss continuing the contribution; the City's public safety group members contribute 4% to the OPEB trust if hired prior to 2011 and anyone hired after 2011, contributes 2%.

Vice Mayor Vella stated that she is supportive of changing the policy; however, she does not want to move too much in the opposite direction where the City is not putting money aside; the City has minimal amounts that must be put into the OPEB trust; the City has been focused on paying down the CalPERS obligations, which saves the City a tremendous amount of money in the long run; the investment is smart; the vote to establish the pay down happened prior to her being on Council; however, she is supportive of the policy; minor adjustments to the policy can be made without getting too technical or convoluted; expressed concern about moving in a direction where the amount would be split by 50%.

Mayor Ezzy Ashcraft inquired whether Vice Mayor Vella is looking for middle ground between what has previously been done and what is being proposed, to which Vice

Mayor Vella responded in the affirmative.

Councilmember Daysog stated there appears to be consensus that Council should have greater say in terms of the amount that is set aside for liabilities instead of having a policy that runs on its own; the approach is about changing the policy; expressed support for seeing a better explanation as to what is driving the fund balances; stated the fund balance can either be driven by the revenue side due to gathering more dollars or be driven by the expenditure side due to not spending as much; the public needs to know what the City put \$45 million towards and any projects the differential could have funded; ultimately, the public needs to sign-off on funding the liabilities; expressed support for asking the public to vote on the matter.

Councilmember Herrera Spencer stated the staff report shows \$204.4 million in unfunded pension liability for public safety and another \$92.4 million for miscellaneous and all other employees; there is \$296.8 million in unfunded pension liabilities; inquired whether the amount is correct, to which the Finance Director responded in the affirmative.

Councilmember Herrera Spencer discussed a League of California Cities meeting indicting Alameda had the highest unfunded pension liabilities on a per capita basis; stated it is important to underscore the total amount of unfunded pension liability, as well as how much liability is accrued on an annual basis; the amount should be required to be disclosed; inquired whether the report shows the amount of unfunded liability.

The Controller responded in the affirmative; stated the amount is shown on financial statements; the amount includes the total OPEB liability and the total liability of pension.

Councilmember Herrera Spencer stated the City owes \$296.8 million in unfunded pension liabilities; the five year projection has an ending fund balance that goes down from \$65.1 million in 2022 to \$50 million; the roughly \$300 million is significantly higher than the \$50 million in reserves; the reserve amount is not a real number when unfunded pension liabilities are added; inquired whether the liability amount is being subtracted.

The Controller responded the accounting method is different; stated most long-term liabilities and assets are excluded in the fund liability report; staff focuses on the current budget and excludes anything that is over one year away; the long-term assets and liabilities, including OPEB and pensions, are not included in the fund balance amount.

Councilmember Herrera Spencer stated the City would end up with a deficit of about \$250 million if staff included the roughly \$300 million pension liability amount; the deficit is a problem; she did not vote in favor of the budget; the AUSD swimming pool is not sufficient for the community due to greater demand; discussed correspondence related to high charges for park usage; stated benefits to the people who pay taxes are not able to be enjoyed as much as possible; numbers presented are not real; the City has

unfunded pension liabilities; the reports should include a notation about the \$300 million unfunded pension liability; expressed concern about continuing to incur additional unfunded pension liabilities; stated the liabilities are a current and long-term problem for the City; expressed support for the City spending money to benefit community members; stated the City does not have enough funding; the City is \$250 million short going into a recession; typically, the City has a tax measure every couple of years to try to appear as though the City is bringing in more money; the approach is not fair to many of the community members who cannot afford the increase; it is important to recognize those who pay taxes; expressed support for looking at other formulas; stated that she appreciates the chart showing the City has not been honoring the agreement; it is up to each Council to reflect and figure out the amount to spend on the liabilities; expressed support for Council having flexibility to determine how much to spend; stated that she supports the proposal.

Councilmember Knox White inquired the time period when unfunded liability payments are due and whether the amount is due in the next year.

The Controller responded in the negative; stated the amount is the current value of all future payments to be made to retirees at any given moment.

Councilmember Knox White inquired the time period to pay a \$300 million liability.

The Controller responded the current value is to be paid over time.

The Finance Director stated the analysis is actuarial and happens annually; the analysis projects out the current payroll; the \$300 million amount will not be due next year; the amount will be due over time as people retire.

Councilmember Knox White stated the City arrived at the \$300 million amount as projected 25 to 30 years out; inquired whether the City's budget includes an annual payment for the liability; stated Council is working on ways to get the \$300 million amount decreased quicker than the 30 year time frame; expressed concern about increased interest rates and liability payment amounts.

The Finance Director stated the analysis is correct.

Councilmember Knox White inquired whether there could be an instance of adding the 30 year liability to the annual budget, to which the Controller responded in the negative.

Councilmember Knox White expressed concern about people fearing a \$300 million unfunded liability that needs to be paid in the next two years; stated paying down the liability faster and earlier is better; he would like to find a formula that is more ambitious than what has been proposed; expressed support for the proposed formula's smoothing and reasoning and for Council finding something that brings the City closer to 50% of the annual surplus; stated the simpler the formula, the easier it will be to implement; he

would like the matter to come before Council sometime in the fall.

Councilmember Knox White moved approval of directing staff to bring back the matter sometime in the fall with additional work to bring the number up, based on the conversation.

Councilmember Daysog seconded the motion.

Under discussion, Mayor Ezzy Ashcraft stated that she appreciates the comments provided; the liabilities are a problem and a responsibility the City has; the City's largest expense is personnel; the City needs to expect salary and benefit costs; the City is always concerned about attracting and retaining employees; part of attracting and retaining employees includes salaries and benefits; expressed support for the City looking the problem in the eye; stated the City cannot look the other way and hope that the problem will solve itself; discussed her 2017 proposal that the then Council adopted; expressed support for the motion.

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

ADJOURNMENT

There being no further business, Mayor/Chair Ezzy Ashcraft adjourned the meeting at 8:20 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk
Secretary, SACIC

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- JUNE 21, 2022- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 8:20 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.

AGENDA CHANGES

(22-399) Mayor Ezzy Ashcraft stated that she would call Board and Commission nominations [paragraph no. 22-400] next.

COUNCIL COMMUNICATIONS

(22-400) Mayor’s Nominations for Appointment to the Civil Service Board, Commission on Persons with Disabilities, Golf Commission, Historical Advisory Board, Housing Authority Board of Commissioners, Library Board, Planning Board, Public Utilities Board, Recreation and Parks Commission, Social Services Human Relations Board, and Transportation Commission.

Mayor Ezzy Ashcraft nominated Adrienne Alexander, Alice Nguyen and Eric Robbins to the Recreation and Park Commission and Tina Yuen, Alisha Natchtigall, Geoffrey Johnson, and Saravana Suthanthira to the Transportation Commission

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

None.

ORAL COMMUNICATIONS, NON-AGENDA

(22-401) Josh Altieri, Housing Authority, provided an update on Housing Authority activities.

(22-402) Catherine Pauling, Alameda, suggested rewarding landlords with below market rents.

CONSENT CALENDAR

The City Clerk announced the terms of the City Attorney employment agreement [paragraph no. 22-409] and called for public speakers for the Public Hearings [paragraph nos. 22-418 and 22-419].

Discussed the water shuttle program [paragraph no 22-413] and estuary adaptation [paragraph no. 22-415]; stated the matters should be on the regular agenda: Jim Strehlow, Alameda.

Councilmember Daysog noted that he would recuse himself from the Island City Landscaping and Lighting District hearing [paragraph no. 22-419].

Councilmember Herrera Spencer requested the water shuttle, estuary adaptation and Council meeting dates [paragraph no. 22-413] be removed from the Consent Calendar for discussion.

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

Councilmember Daysog seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Ayes; 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.]

(*22-403) Minutes of the Special City Council Meetings and the May 3, 2022 Continued Meeting Held on May 10, 2022; and the Special and Regular City Council Meeting Held on May 17, 2022. Approved.

(*22-404) Ratified bills in the amount of \$2,656,182.49.

(*22-405) Recommendation to Approve the City of Alameda Investment Policy. Accepted.

(*22-406) Recommendation to Authorize the Interim City Manager to Execute an Agreement, Substantially in the Form of the Attached Agreement, with the Alameda County Fire Department Regarding the Regional Emergency Communication Center and Fire Dispatch and Radio Services. Accepted.

(*22-407) Recommendation to Authorize the Interim City Manager to Execute an Agreement with the Alameda Sun for the Publication of Legal Notices for Fiscal Year 2022-23. Accepted.

(*22-408) Recommendation to Authorize the City Attorney to Consent to Law Firm Shute, Mihaly and Weinberger LLP's (SMW) Request to Waive Conflicts of Interest in Connection with SMW's Legal Representation of the City of Alameda and the Alameda County Waste Management Authority. Accepted.

(*22-409) Recommendation to Approve Amended Agreement for the City Attorney Effective June 19, 2022. Accepted.

(*22-410) Recommendation to Accept the Work of McGuire & Hester for Fire Station No. 2 Pavement Improvements Project, No. PW 05-20-25. Accepted.

(*22-411) Recommendation to Accept the Work of Ranger Pipelines, Inc. for Cyclic Sewer Replacement Project, Phase 17, No. PW 07-20-34. Accepted.

(*22-412) Recommendation to Authorize the Interim City Manager to Execute a Five-Year Agreement with West Coast Arborist for Urban Forest Maintenance Services, Citywide, No. P.W. 07-06-16, in an Amount Not to Exceed \$13,119,805. Accepted.

(22-413) Recommendation to Endorse a Grant Application to the Alameda County Transportation Commission's 2024 Comprehensive Investment Plan Call for Projects for Grant Funds for the Alameda-Oakland Free Public Water Shuttle Pilot Program.

The Planning, Building and Transportation Director gave a brief presentation.

Councilmember Herrera Spencer inquired whether the City has been collecting any money from companies over time.

The Planning, Building and Transportation Director responded every major development along the waterfront contributes money toward transportation; stated the money has been going towards AC Transit Easy Passes to-date; as the City continues to develop transportation programs, there is a desire to expand into water transit; the City would like to provide all City residents and employees access to AC Transit and water transportation; the program is largely funded by new developments; a new water shuttle dock being built at Alameda Landing will be open for public use this summer; Water Emergency Transportation Authority (WETA) operators have stepped in and will run the service.

Councilmember Daysog moved approval of the staff recommendation.

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

(*22-414) Recommendation to Receive an Update on Senate Bill 1383 Procurement Compliance and Approve Approach for Fiscal Year 2022-23 Compliance. Accepted; and

(*22-414A) Resolution No. 15920, “Amending the Fiscal Year 2022-23 Integrated Waste Fund Budget to Increase Revenue in the Amount of \$115,019 and Increase Expenditures in the Amount of \$115,019 to Receive and Appropriate Grant Funds from the California Department of Resources Recycling and Recovery (CALRECYCLE) for Senate Bill 1383 Implementation.” Adopted.

(22-415) Resolution No. 15921, “Authorizing the Interim City Manager to Execute All Necessary Documents with the California Department of Transportation (Caltrans) to Complete the Oakland-Alameda Estuary Adaptation Project for \$500,000 to Develop an Adaptation Concept.” Adopted.

The Planning, Building and Transportation Director gave a brief presentation.

Councilmember Knox White moved approval of the staff recommendation [including adoption of the resolution].

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

(*22-416) Resolution No. 15922, “Approving the Pavement Management Project be Funded through the State of California’s Road Maintenance and Rehabilitation Account for Fiscal Year 2022-23.” Adopted.

(22-417) Resolution No. 15923, “Amending Resolution No. 15851 Amending the 2022 Regular City Council Meeting Dates.” Adopted.

Councilmember Herrera Spencer stated Council meets twice in July, then takes a break in August; the original meeting dates were July 5th and 19th; there are two Councilmembers that are unable to make the July 19th meeting; the proposed meeting dates are July 5th and 12th; questioned why July 26th was not a proposed option; noted Council typically does not meet on consecutive Tuesdays and meetings are staggered to ensure staff is prepared.

The Interim City Manager stated staff is able to deliver agendas for the proposed meeting dates; nothing is harmed by moving the meeting dates up by one week; agenda items have been approved for the July 5th meeting and the agenda items for the July 12th meeting are working through the approval process.

Councilmember Daysog inquired the reason for moving the July 19th meeting to July 12th; stated Council sets meeting dates in December; Council has an extensive holiday period in August.

Mayor Ezzy Ashcraft stated two Council meetings in July will still occur; extenuating circumstances arise which are not always able to be controlled; urged grace and understanding be provided from all Councilmembers.

Vice Mayor Vella discussed being unable to attend the July 19th Council meeting due to a family matter.

Councilmember Knox White moved approval of the staff recommendation [including adoption of the resolution].

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

(*22-418) Public Hearing to Consider Resolution No. 15924, "Approving the Engineer's Report, Confirming Diagram and Assessment, and Ordering the Levy of Assessments, Maintenance Assessment District 01-1 (Marina Cove)." Adopted.

(*22-419) Public Hearing to Consider Resolution No. 15925, "Approving the Engineer's Report, Confirming Diagram and Assessment, and Ordering the Levy of Assessments, Island City Landscaping and Lighting District 84-2, All Zones." Adopted.

Note: Councilmember Daysog recused himself, so the matter carried by the following vote: Councilmembers Herrera Spencer: Ayes; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. [Absent: Councilmember Daysog – 1.]

CONTINUED AGENDA ITEMS

None.

REGULAR AGENDA ITEMS

(22-420) Public Hearing to Consider Introduction of Ordinance Amending Alameda Municipal Code Section 30-10 (Cannabis) to Add the North Park Street Maritime Manufacturing (MM-NP) District as a Location Where Cannabis Industry (Manufacturing) is Conditionally Permitted, as Recommended by the Planning Board. Introduced.

The Planning, Building and Transportation Director and City Planner gave a brief presentation.

In response to Councilmember Herrera Spencer's inquiry, the Planning, Building and Transportation Director stated odor control is a standard operating condition of approval.

Expressed his support for Council approval; stated the use will help generate revenue and jobs:
Zac Bowling, Alameda.

Expressed concern about crime and safety: Jason.

In response to Mayor Ezzy Ashcraft's inquiry, the City Planner stated Kiva Confections, the intended user of the space, makes confections with cannabis as an ingredient; staff does not expect the operation to be any different from other candy manufacturers; the Use Permit, as well as the cannabis operators permit, process will be reviewed by the Alameda Police Department (APD) for any safety concerns; prior to the business commencing operations, a security plan will be in place if APD believes it is necessary.

Councilmember Knox White moved approval of the staff recommendation for the zoning change [introduction of the ordinance].

Councilmember Herrera Spencer seconded the motion.

Under discussion, Councilmember Daysog discussed a marijuana manufacturing district in Oakland; noted odors from the district sporadically waft over to the City of Alameda; inquired whether the proposed type of operation would generate odors above and beyond allowable limits; further inquired the City's available recourse to rein in the process.

The Planning, Building and Transportation Director responded facilities growing cannabis are typically the ones causing odor concerns; stated cannabis will be coming to the facility pre-processed in this case and is being used as an ingredient in the manufacturing process; cannabis regulations set by Council require the facility to be consistent with zoning and have a Use Permit establishing conditions of approval; the conditions run with the land; the proposed user also needs an operators permit issued by APD, which is valid for one year; if a cannabis business in Alameda is not following the established rules, the business loses the right to continue having its permit re-issued each year; the City has a lot of leverage with cannabis businesses; staff will be dealing with odor issues as a condition of approval as required by ordinance.

Councilmember Herrera Spencer inquired whether the Planning Board would host a public hearing.

The Planning, Building and Transportation Director responded a Zoning Administrator meeting will be publically noticed for interested people to attend; matters can be heard at the Council or Planning Board level if needed; staff can automatically bump the hearing to Planning Board if there is increased concern.

Councilmember Herrera Spencer inquired who receives the hearing notices, to which the Planning, Building, and Transportation Director responded everyone within a 300-foot radius.

Councilmember Daysog stated a nearby business owner has raised concerns; inquired whether the concerns have been addressed.

The Planning, Building, and Transportation Director responded anyone concerned about operations should contact the Planning, Building, and Transportation Department; stated staff will be able to relay when public hearings are planned and provide information on the process; any Use Permit can be elevated to the City Council level; specific operation questions can be addressed in the Use Permit process; the question of the current matter relates to allowing the use within the zoning area.

Vice Mayor Vella stated the matter is a tremendous opportunity for the City; expressed support for expanding the current zoning in order to allow the business; stated the use is consistent and Council is merely extending the concept of zoning nearby to include the potential business; it is manufacturing, not a retail business; she hopes the community will help work through the permitting process to address any concerns; cannabis is one of the most over-regulated businesses; the City has the process and ability to address concerns being raised; people should voice concerns during the process and work with City staff and the business to ensure concerns are addressed.

Councilmember Herrera Spencer noted that she visited a Kiva facility in Oakland; stated the facility was non-descript, clean and professional; she is unaware of any safety issues at the facility; expressed support for the business being allowed to manufacture in Alameda; the use will be great for the building and will bring additional revenue and jobs for the community; staff will work on the safety issue; crime tends to decrease in areas with high security.

Councilmember Daysog outlined correspondence received; stated the submitter is concerned about policing.

The Planning, Building, and Transportation Director stated the correspondence alludes to retail use of the property; the proposed use is a manufacturing facility, not retail; staff can reach out to provide more information; the use will not be a dispensary where customers will purchase products; the City has two dispensaries that have not had any serious problems; many people will not know what is being made inside the facility; Kiva will not advertise what is being made inside; he is confident the proposed use will work for the space; Council previously established that four manufacturing companies would be allowed in Alameda; manufacturing has not been created since the adoption of the ordinance five years ago; Kiva will be the first manufacturing company in Alameda; Kiva is a successful company; Kiva would like to bring all of its operations to Alameda.

Mayor Ezzy Ashcraft expressed support; stated a couple of armed invasion robberies have occurred at dispensaries; noted Kiva will provide its own private security; APD will review the security plan; expressed concern over diminishing public concerns.

Councilmember Daysog stated that he is satisfied with the information provided by staff; outlined dispensary break-ins; stated there are challenges with cannabis retailers; expressed support for APD being looped into the process.

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 called a recess at 9:19 p.m. and reconvened the meeting at 9:31 p.m.

(22-421) Public Hearing to Consider Resolution No. 15926, "Authorizing the Interim City Manager to Proceed with the Grand Street Resurfacing and Safety Improvement Project Final Concept and Adoption of Environmental Findings." Adopted.

The Planning, Building and Transportation Director and Deputy Public Works Director gave a Power Point presentation.

(22-422) Councilmember Knox White moved approval of allowing 3 more minutes for the presentation.

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

The Deputy Public Works Director completed the presentation.

Councilmember Knox White inquired whether the matter increases Americans with Disabilities Act (ADA) access to the neighborhood, to which the Planning, Building and Transportation Director responded in the affirmative.

Councilmember Knox White further inquired whether the matter increases safety for all road users and not just certain road users, to which the Planning, Building and Transportation Director responded in the affirmative; stated the staff recommendation is designed to increase safety for all users.

Councilmember Knox White inquired whether the matter increases non-automobile use along the corridor without impacting the access of people using the road for driving.

The Planning, Building and Transportation Director responded in the affirmative; stated staff is trying to make biking feel more comfortable and safe so people will choose to bike; there will still be two lanes of traffic in either direction.

Councilmember Knox White inquired whether there are any City policies that are not consistent with the staff recommendation, to which the Planning, Building and Transportation Director responded in the negative.

Councilmember Knox White stated Council does not typically approve striping plans; inquired the reason staff brought the matter to Council for approval.

The Planning, Building and Transportation Director responded the next steps for the project are to get approval from Caltrans and return to Council with a construction contract; stated staff did

not want to pursue one of the proposed options without Council approval; staff will return for Council approval after spending time and effort is spent and did want to return with something Council would not support.

Councilmember Knox White stated a staff recommendation and an alternative were presented; inquired whether the options are the same in terms of increasing safety, active mode uses and meeting the climate and livability goals.

The Planning, Building and Transportation Director responded staff believes the staff recommendation provides a higher level of safety and will encourage people to ride their bikes due to increased comfort; stated mode share changes will increase.

Mayor Ezzy Ashcraft inquired how the proposed alternative increases ADA access.

The Deputy Public Works Director responded the proposed plan includes an enhanced bus stop within a bus island to provide a fully accessible bus stop; there are designated, accessible parking spaces in the area along with the separated bike lane; noted consultants are preparing grading plans to reduce the slope of the intersections and replace the existing curb ramps to create fully accessible ramps which meet Caltrans standards.

Mayor Ezzy Ashcraft inquired whether staff has had the chance to present the proposal to a disability consultant.

The Deputy Public Works Director responded in the affirmative; stated the consultant has not had the chance to review the plan yet; however, staff is prepared to work with the consultant and receive additional accessibility suggestions.

Mayor Ezzy Ashcraft inquired when staff anticipates hearing from the disability consultant.

The Deputy Public Works Director responded staff will work along-side the consultants as staff develops the final plans; stated staff will be developing the final plans over the coming months; staff will likely work with the consultants during the months of July and August.

Mayor Ezzy Ashcraft inquired whether a consultant has been chosen.

The Deputy Public Works Director responded Council will be approving the consultant for a Citywide ADA assessment contract; stated that he has reached out to see whether the consultant can advise on the current project as well.

Councilmember Daysog inquired whether the bike project along Otis Drive has a protected bike lane from Westline Drive to Grand Street and Willow Street.

The Deputy Public Works Director responded in the affirmative; stated the City has a protected intersection at Grand Street and Otis Drive; the rest is a striped bike lane with a buffer that provides more separation between the bike lane and moving traffic.

Councilmember Daysog inquired whether the alternative is similar to the Otis Drive conditions.

The Deputy Public Works Director responded the proposed street is not as wide; stated the design could not include the same buffered area as Otis Drive; stated the design will likely have

a five to six-foot bike land between vehicle lanes and parked cars.

Mayor Ezzy Ashcraft inquired whether there is a cycle track style separated bike lane configuration on one side of the street near Wood Middle School with regular bike lanes on the opposite side of the street, to which the Deputy Public Works Director responded in the affirmative.

Mayor Ezzy Ashcraft inquired the reason for the bike lane design.

The Deputy Public Works Director responded additional space was needed for access to Wood Middle School; stated based on circulation patterns, there is a center turning lane to allow vehicles to access Wood Middle School; the design does not leave enough room to have the separated facility on both sides of the street.

Mayor Ezzy Ashcraft stated even though the separated facility is the safest for school children riding to school, the proposed design is to only have the design included on one side of Grand Street and the Wood Middle School lot; discussed Walk and Ride to School Day at Wood Middle School; stated watching bicyclists make the left turn was harrowing; inquired how the design will be improved.

The Deputy Public Works Director inquired whether the bicyclists were making a left turn from the sidewalk.

Mayor Ezzy Ashcraft responded cyclists were riding in the bike lane on Grand Street, crossed the intersection at Otis Drive and turned left between cars; stated that she feels as though there should be a better design to ensure kids riding to school are not going to collide with a car.

The Deputy Public Works Director stated one of the safety features being added is a rapid flashing beacon for the mid-block crossing at Wood Middle School.

Mayor Ezzy Ashcraft expressed support for staff working with the School District on available safety options.

Councilmember Herrera Spencer inquired whether the ADA improvements are included from Otis Drive south to Shoreline Drive.

The Deputy Public Works Director responded other ADA improvements are north of Otis Drive; stated the plan includes re-grading the crosswalks and replacing the existing curb ramps.

Councilmember Herrera Spencer inquired whether the improvements are different or the same for each proposal, to which the Deputy Public Works Director responded the same.

Councilmember Herrera Spencer inquired whether there are any differences in the ADA access or improvements from the two proposals.

The Planning, Building and Transportation Director responded in the negative; stated there are differences in lane configuration and parking; staff's proposals for the two concepts regarding ADA are similar; whichever concept Council chooses, staff will then begin a detailed design process to create construction drawings; the ADA consultant will be advising staff on anything

else that should be done in order to maximize access for people with disabilities; staff will not bring forward a construction design that does not improve access for people with disabilities.

Mayor Ezzy Ashcraft stated that she receives many questions related to what is being done by the City to make the intersection of Grand Street and Shoreline Drive safer; requested staff to provide further clarification.

The Deputy Public Works Director stated staff has a contract for a paving and restriping project for the west side of Alameda; the project will address the intersection of Grand Street and Shoreline Drive; staff is bringing the contract to Council at the July 12th meeting; the intersection will be restriped to eliminate the existing left turn lane and better align the east-west bound traffic; the project will also add a high-visibility cross walk.

Expressed support for the staff recommendation; discussed emissions; urged the City to take actions to encourage people to get out of vehicles and reduce greenhouse gas emissions: Joyce Mercado, Community Action for a Sustainable Alameda (CASA).

Discussed parents dropping kids off at school; expressed support for kids being able to safely ride bikes and protective bike lanes: Don Porteous, Alameda.

Stated that she supports pedestrian and bike safety, but does not support the current proposal; expressed concern about safety and delivery trucks; suggested four way stops or traffic circles; expressed support for flashing crosswalks, bike lanes and enforcement: Beth Foote, Alameda.

Expressed support of the staff recommendation; discussed protected bike lanes: Pat Potter, Alameda.

Expressed support for dedicated bike lanes; expressed concern about unprotected bike lanes; urged Council approval: Marisa Johnson, Alameda.

Discussed his use of bike lanes and feeling safe; expressed support for the staff recommendation: Joshua Hawn, Alameda.

Expressed support for the staff recommendation; discussed the benefits of safe bike lanes: Nick Cawthon, Alameda.

Expressed support for the matter; outlined the safety goals of the Transportation and Vision Zero Plans; urged Council to approve the recommendation: Ezra Denney, Alameda.

Expressed support for the staff recommendation with changes outlined in a letter from BikeWalk Alameda; discussed benefits of protected bike lanes; outlined support: Cyndy Johnsen, BikeWalk Alameda.

Questioned residential parking being removed; expressed support for safety; expressed concern about being able to complete home construction: Marsha Broquedis, Alameda.

Expressed support for safety; discussed benefits, cycling and parking spaces: Shiantel Fields, Alameda.

Discussed his experience biking; stated removing parking is a small price to pay for the plan;

expressed support for the staff recommendation: Alex Matevish, Alameda.

Outlined efforts to increase safety, including the Vision Zero Plan; stated Grand Street does not have any feasibility issues; urged approval: Heather Little, Alameda.

Expressed support for separated bike lanes and increased safety for children biking to school; suggested additional flashing beacons at crosswalks between Otis Drive and Encinal Avenue: M J, Alameda.

Expressed support; outlined similar changes in Alameda County; encouraged Council support: Dave Campbell, Bike Easy Bay.

Stated that he submitted a neighborhood petition to develop a better plan; suggested alternate options: John Brennan, Alameda.

Stated that he opposes the matter; expressed concern about cyclists not complying with the law: Jason, Alameda.

Read his 12-year-old son's statement supporting the protected bike lane proposal: Erik Purins, Alameda.

Expressed concern about the current plan; discussed pedestrian safety; urged proposal redesign: Karen Miller, Alameda.

Discussed cycling in Alameda with his sons; expressed support for the protect bike lanes: Kevin Venkiteswaran, Alameda.

Stated that she does not support the current plan; expressed concern about traffic congestion, gridlock, accidents and space for trucks; urged development of a different plan: Margaret Weber, Alameda.

Urged Council to approve the staff recommendation; discussed benefits of the plan; expressed support for a connection to Clement Avenue and the Cross-Alameda trail: Zac Bowling, Alameda.

Expressed concern about deliveries and traffic; suggested a different plan be developed: Efrem Williams, Alameda.

Urged adoption of the staff recommendation; discussed protected bike lanes increasing property values: Alex Spehr, Alameda.

Expressed support for the staff recommendation; urged Council to approve the recommended plan; stated advantages of the plan apply to all users of the street: Drew Dara-Abrams, Alameda.

Expressed support for separated bike lanes; stated the whole City will enjoy the plan; discussed the desires of the homeowners: Josh Geyer, Alameda.

Discussed improvements in the City that have allowed younger children to bike safely:

expressed support for protected bike lanes: Bonnie Wehmann, Easy Street Cycling.

Stated that he opposes the recommendation; outlined concerns: Hale Foote, Alameda.

Outlined ADA concerns; discussed case law: Carol Gottstein, Alameda.

(22-423) Mayor Ezzy Ashcraft stated a vote is needed to hear any new items after 11:00 p.m.

Councilmember Herrera Spencer moved approval of concluding the meeting after the current agenda item.

Councilmember Knox White seconded the motion, which 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.

Discussed the Grand Street being the best option for a north-south protected bikeway network; urged Council to show leadership: Denyse Trepanier, BikeWalk Alameda.

Expressed support for the protected bike lane; urged Council to uphold its policies and vote for the safest option: Savanna Cheer, Alameda.

Expressed concern about speeding on Grant Street; urged additional stop signs be considered: Janine Shafer, Alameda.

Discussed schools providing safe routes to school maps to students; urged approval of the staff recommendation: Jon Spangler, Alameda.

Expressed support for the protected bike lane proposal; outlined her experience biking with her family; urged Council approval: Jacy Gaige, Alameda.

Expressed support for the staff recommendation; stated that she avoids Grand Street in its current configuration; the alternative proposals do not appear as safe as the recommendation: Jennifer Rakowski, Alameda.

Expressed concern over the proposed changes potentially causing head on collisions; encouraged other options: Brendan Macaulay, Alameda.

Expressed support for the staff recommendation; discussed being hit while riding his bike: Vinny Camarillo, Alameda.

Expressed support for changes being deployed on streets where Councilmembers live prior to changes on other streets; expressed concern about bike protection at intersections: Jim Strehlow, Alameda.

Expressed support for separated bike lanes; expressed concerns about safety for his children bicycling: Mason Curry, Alameda.

Expressed support for the staff recommendation; questioned the purpose of infrastructure in

proposed systems for the future: Brian Piper, Alameda.

Expressed support for the staff recommendation of protected bike lanes; discussed dangerous driving and parking; urged Council approval: Michael Sullivan, Alameda.

Expressed support for protected bike lanes; discussed the death of Lily Grace; expressed concern about painted bike lanes: Morgan Bellinger, Alameda.

Showed a video of a road rage driver on Shoreline Drive; expressed support for a protected bike lane: Jonathan Lau, Alameda.

Councilmember Knox White requested clarification about Council direction on the Otis Street bike lanes; stated Council provided direction during the project as to what should be provided in future projects.

The Planning, Building and Transportation Director stated the direction was provided later in the process; staff was running out of time due to funding; Council allowed staff to move ahead with the direction that future projects should have protected bike lanes; the action led to many Council policies and decisions that were included in the Vision Zero plan.

Councilmember Knox White expressed his appreciation for the work on matter and related correspondence; stated letters indicate people are considering concerning trade-offs; many neighbors have expressed concern over loss of parking; loss of parking changes the use of the street; work has been done in order to understand how the City can reach its Vision Zero goals of safer streets and climate goals of increasing active transportation; the goals require trade-offs and policies that indicate street parking is not the number one, two or three priority; the City needs to prioritize increasing active transportation and safety; it is necessary to ask for trade-offs; expressed concern over people not supporting safety for bicyclists; stated re-painting bike lanes in the City makes no change in the safety and will not encourage additional people to bike instead of drive; he is proud of the work done by the Council majority to spend years working on policies and ensuring staff comes back with projects that meet City goals; expressed support for staff's solid work; stated Council needs to be clear and will send a clear message if the matter is not approved; Grand Street is one of the easiest streets for Council to address; other streets in Alameda will have a more difficult discussion; expressed concern over de-prioritizing safety and climate in order to maintain on-street parking within the neighborhood.

Councilmember Knox White moved approval of the staff recommendation [including adoption of the resolution].

Vice Mayor Vella seconded the motion.

Under discussion, Councilmember Herrera Spencer discussed the Vision Zero web page attachment data titled "Traffic Fatalities and Serious Injuries;" stated that she appreciates the passion revolving around safety; however, the data shows deaths have been increasing in the last two years in almost all categories after the City has spent a lot of time adding protected bike lanes, slow streets and road diets; safer streets is the goal; she will not support the protected bike lanes; inquired the distance between Otis Street and Encinal Avenue, to which the Planning, Building and Transportation Director responded the distance is seven tenths of a mile.

Councilmember Herrera Spencer stated another section of Otis Drive is similar in length and does not have the same protected bike lanes opposite the school; students will ride bikes on the street without protected bike lanes and will have to be careful; drivers will have to slow down; the City needs to take actions which result in drivers slowing down; expressed support for speed bumps, additional stop signs and more Police presence; stated the matter is not a magic pill and will not solve Citywide issues; the data does not support that the actions taken by the City over the past two years have reduced deaths and shows the opposite; road rage is a problem and is the result of some of the modifications to streets; discussed City vehicle traffic during commute times; expressed concern over Versailles being a slow street and not able to be traveled, which causes traffic diversion to narrow streets; discussed a decrease in public transportation use; stated the matter is well intended; however, the data does not support the outcomes; she finds the intersection improvements of Grand Street and Otis Drive confusing; traffic slowed when Police enforced speeding; expressed concern over people not being able to park their car in front of their house on Grand Street.

Councilmember Daysog expressed support for public comment and correspondence; stated it is important to receive community input in order to understand the range of perspectives on the matter; discussed driving on Otis Drive; stated a tremendous amount of people use Otis Drive; traffic seems to have slowed between Westline Drive and Willow Street; people have indicated that bicyclists might not use Grand Street if the alternative is adopted; the Otis Drive project is not precisely the same as the Grand Street alternative; however, it is similar and would achieve the goals of getting more people to ride their bikes and slowing down traffic; the staff recommended protected bike lane option is safer; the proposed alternative is not unsafe; Council should not discount the proposed alternative; crossing Grand Street is a safety issue; both the staff recommendation and the proposed alternative implement strategies for increasing the safety of crossing Grand Street; expressed support for the proposed alternative; stated discussed long-term options for unprotected bike lanes using bollards; stated Councilmembers are working to strike a balance between competing concerns.

Vice Mayor Vella stated that she would support adding protected bikes lanes between Otis Drive and Shoreline Drive in the southbound direction; Council has had discussions on the concept of having connected, fluid and safe routes across the Island; the approach of having segments which are safe as possible is not as effective as the goal of having fluid, connected, routes that people can take to get to and from school, as well as across the Island; kids tend to be active and want to be outside; she often walks or bikes through town; expressed concern about looking at only 150 signatures versus the amount of support shown over-time of having connected and safe alternatives to driving with bike routes throughout Alameda; stated it is important for Councilmembers to vote for important matters even near their residence; expressed support for the City achieving optimal safety in having connectivity throughout the City and for expanding the direction to staff to add the southbound connection having protected bike lanes if Council so desires; stated safety is paramount; Council must think about the future, look at the safest possible outcomes and vote based off those goals.

Mayor Ezzy Ashcraft requested recusal regulations for the matter be provided by the City Attorney.

The City Attorney stated that he has discussed any potential conflicts with Mayor Ezzy Ashcraft with respect to the matter; it is clear under State law and Fair Political Practices Commission (FPPC) the Limited Neighborhood Effects Exception for the Public Generally Exception applies because this is a project that affects over 50 parcels and is a road improvement project; State

law does not preclude Mayor Ezzy Ashcraft from participating; noted Mayor Ezzy Ashcraft has assured staff that she is able to be fair and objective in reviewing and voting for the matter.

Mayor Ezzy Ashcraft stated that this project has the potential to be great with protected bike lanes; expressed concern over the impacts on people with disabilities; stated that she has heard concerns from elderly and disabled neighbors about not having access to parking in front of their house; not everyone is able-bodied with the ability to bike through the neighborhood; policy makers must look through the lens of all community needs; she would have preferred the disability consultant to have reviewed the plans as they were being formulated; the City is moving fast and has deadlines that need to be met in order to procure funding; the Commission on Persons with Disabilities (CPD) was consulted as an afterthought and the vote was not unanimous; the CPD expressed concern about how paratransit will pick up riders; expressed support for having the disability consultant weigh-in prior to the Council vote; stated the project will eventually involve Grand Street to Clement Avenue; expressed support for understanding the implications on the disabled community and those who would like to age in place; urged the disability consultant be brought in; stated the matter can return to Council at the first meeting in September; expressed concern over safety due to the zig-zag design; stated the configuration can cause more accidents; Botts' Dots can be installed to help; expressed support for a public safety consultant being brought in to make the design as safe as possible; stated not enough is being done for the intersections; expressed support for flashing beacons at more than San Antonio Avenue; stated speed bumps are needed; she would like protected bike lanes for Wood Middle School on both sides of Grand Street; expressed support for a roundabout at Otis Drive and Grand Street and for providing staff direction to come back with feedback from disability and traffic safety consultants by the first meeting in September.

Councilmember Knox White expressed support for amending the motion; stated the City is on a fast-track; inquired whether Council could provide direction to have the matter return while moving forward with protected bike lanes and the ADA consultant report, and also direct staff to provide speed bumps and additional flashing beacons or signs as soon as possible, but possibly not as part of the first phase, to ensure the City does not miss the original paving and re-striping; stated Council would approve the staff proposal with a protected bike lane and added amenities would follow shortly after; the ADA consultants will provide a report back as part of the contract approval; protected bike lanes would be added on the west side of Otis Drive.

Mayor Ezzy Ashcraft stated that she wants to hear from the entities before voting.

The Planning, Building and Transportation Director requested the Deputy Public Works Director to clarify the schedule and funding timeline.

The Deputy Public Works Director stated there is a hard November 1st deadline for Caltrans to provide grant funds; Caltrans will need to see the plans submitted as soon as possible and as early as August 1st; the more clear direction staff can provide the design consultants, the better chance the City will have to meet the deadlines and finish plans on-time, while being able to answer questions or concerns from Caltrans.

Ryan Shafer, NCE, stated September is quickly approaching; NCE needs to be done with designs and wrap up by September in order to be ready by the November 1 deadline; NCE will need a full two months to finalize the designs.

Councilmember Knox White inquired whether Council direction to return at the September 6th meeting with final designs for final review would be enough time.

Mr. Shafer responded in the affirmative; stated NCE can proceed with one or both alternatives with enough time; if the City goes down the path of performing the design on one alternative and decides on a change in September, there will not be enough time.

Councilmember Knox White amended the motion to approval of directing staff to move forward with the staff recommendation, with the following amendments: the ADA consultant review and identify how ADA needs would be addressed as a part of the plan that comes back on September 6th; staff identify how and where speed bumps can be installed, being extremely broad as it could be speed cushions or whatever right thing the Fire Department needs and approves; additional signs and flashing signs be looked into; the west side of Grand Street between Otis and Shoreline Drives include a southbound protected bike lane; and the Police Department be available to answer any questions about traffic operations; although the Police Department does not typically know how traffic design works, they should do a review and ensure concerns are not being raised.

Mayor Ezzy Ashcraft inquired whether the motion includes the public safety consultant, or whoever, addressing the meandering design.

Councilmember Knox White responded in the affirmative; stated it could be a trained public safety consultant or traffic engineer.

Vice Mayor Vella agreed to second the amended motion.

On the call for the question, the motion carried by the following roll call vote: Councilmembers Daysog: No; Herrera Spencer: No; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: No. Ayes: 3. Noes: 2.

The Planning, Building and Transportation Director stated that he would like clarification that the motion includes the California Environmental Quality Act (CEQA) in the resolution.

Councilmember Knox White responded in the affirmative; stated the amendments to the original motion do not change the CEQA clearing.

Councilmember Knox White moved approval of the staff recommended CEQA exemptions.

Vice Mayor Vella seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: No; Herrera Spencer: No; Knox White: Aye; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 3. Noes: 2.

Councilmember Knox White expressed concern about comments alluding to recently implemented street design being the cause for fatalities on streets; discussed the four fatalities last year; stated the issues are not related to street design.

Councilmember Herrera Spencer expressed concern over continued comments; stated the data speaks for itself.

(22-424) Introduction of Ordinance Amending the Alameda Municipal Code by Amending Article XV (Rent Control, Limitations on Evictions and Relocation Payments to Certain Displaced Tenants) to Adopt and Incorporate Provisions Concerning Capital Improvement Plans (CIP) for Rental Units in the City of Alameda. Not heard.

CITY MANAGER COMMUNICATIONS

Not heard.

ORAL COMMUNICATIONS, NON-AGENDA

Not heard.

COUNCIL REFERRALS

(22-425) Consider Directing Staff to Reform the Fee Towing Companies Require Alameda Residents to Pay to Retrieve Towed Vehicles. (Councilmember Daysog) Not heard.

COUNCIL COMMUNICATIONS

Not heard.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 12:05_a.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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