

**From:** [Toni Grimm](#)  
**To:** [City Clerk](#)  
**Cc:** [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Malia Vella](#); [Jim Oddie](#); [Tony Daysog](#)  
**Subject:** Public Comment for City Council meeting May 6, 2020  
**Date:** Wednesday, May 6, 2020 1:28:20 PM

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Last night I watched the City Council meeting broadcast on Comcast Channel 15. There were multiple interruptions in the sound. Some silences were only for a few seconds, but enough to blot out all or part of what a council member was saying. Another time the sound was completely missing when the city clerk read two letters intended for Public Comment at the beginning of the meeting. (Those letters have not been heard and should be re-read). In a previous City Council meeting, there were even more serious sound problems, blotting out large parts of the meeting.

I understand that the governor has approved teleconferencing for city council meetings, but I believe that he is assuming that a city's technology is working so that all of the meeting can be heard. This is not the case in Alameda. Therefore, these meetings are not completely transparent and are very frustrating for the viewers.

In addition, I am disappointed that the council has seen fit to call two special meetings on topics that are not emergencies. Tonight's and tomorrow's meetings are scheduled for what is a common dinner time, which will make it less likely for many people, especially those with children, to watch. Furthermore, neither of these meetings have been noticed as often or as widely as other special meetings usually are and they are occurring back-to-back with a regular council meeting. I believe these factors will greatly reduce the public's attendance. I could understand the urgency for these special meetings if the council was considering emergency ordinances or relief for the current health and financial emergencies, but this is not the case. While not emergencies, these agenda items are important and should be presented at a time and in a venue when public participation can be easily made.

I understand that the council has to move forward with the city's business even during extraordinary times, but the way the city of Alameda is going about this right now is to sacrifice transparency and I believe this is not in the spirit of the Sunshine Ordinance.

Toni Grimm  
Alameda resident

**From:** [Patricia Lamborn](#)  
**To:** [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Jim Oddie](#)  
**Cc:** [LARA WEISIGER](#); [Eric Levitt](#)  
**Subject:** Charter Amendments Decisions - Please delay for public participation  
**Date:** Tuesday, May 5, 2020 3:21:17 PM

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Dear Mayor Ashcraft, Vice Mayor Knox-White and Council Members Vella, Oddie and Daysog,

I understand there was a decision last week to schedule special meetings of the Alameda City Council on May 6 and 7 covering Charter Article 7-3 (Council Interference with City Manager) and Charter Article 26- also known as Measure A.

I am writing to urge that you delay decisions on what direction to take with our City Charter until the shelter in place order is lifted for governmental meetings. In June I am sure public participation will be allowed and spending Council time on figuring out how to do that safely, would be a better approach.

Both of these Charter issues have been subjects of much interest and concern to residents. It does not inspire public confidence and trust to jam the discussion into one week with minimal advance notice.

I just received my mailed notice of a Public Hearing on the Sewer Service Charge Increase-- Hearing Date June 16 2020. It feels fair and respectful to have been noticed well in advance and informed of exactly what is proposed. It also signals to all Alameda residents that public hearings will be possible in June.

Sincerely,

Patricia Lamborn  
[patricia.lamborn@aol.com](mailto:patricia.lamborn@aol.com)

**From:** [sjslauson](mailto:sjslauson)  
**To:** [City Clerk; announcements@alamedacitizenstaskforce.org](mailto:announcements@alamedacitizenstaskforce.org)  
**Subject:** Against Agenda Item 3-A May 6, 2020 Special City Council Meeting Agenda-Potential Measures Amending City Charter 7-3 and 26  
**Date:** Tuesday, May 5, 2020 1:50:46 PM

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Mayor Ashcraft and Council Members:

This email is sent in opposition to Agenda Item 3-A, because it is unlawful and unconstitutional to restrict full public participation during the pandemic.

Both proposals from the Charter Review Subcommittee Report (CRSR) are defective for the reasons set forth in the letter from the Alameda Citizens Task Force regarding said subject.

Request is made to reschedule Item 3-A to a time when full face to face public participation at a normal city hall meeting can occur.

Thank You

Stephen Slauson  
2426 Otis Drive

## LARA WEISIGER

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**From:** margie <barongcat@yahoo.com>  
**Sent:** Monday, May 04, 2020 8:37 PM  
**To:** Marilyn Ezzy Ashcraft; John Knox White; Tony Daysog; Malia Vella; Jim Oddie  
**Cc:** Eric Levitt; LARA WEISIGER  
**Subject:** Outraged at attempt to amend City Charter during pandemic

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I have just learned that the Council is moving ahead with efforts to amend the City Charter by stealth. This is completely undemocratic. I had no idea the Council was planning to do this until alerted by friends

In a recent essay published in the ALAMEDA SUN, I pointed out that lower income people will NOT benefit by for-profit construction of apartment buildings, that population growth in California has leveled and may even have stopped, and that there is plenty of "market rate" housing. The recent proliferation of "For Rent" signs gives credence to my argument.

There is NO hurry to amend the charter. Put this appalling idea off until after the current emergency is over. You have enough on your plate

## LARA WEISIGER

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**From:** Catherine Bierwith <catherine@grr8lif.com>  
**Sent:** Monday, May 04, 2020 4:58 PM  
**To:** Marilyn Ezzy Ashcraft; John Knox White; Tony Daysog; Malia Vella; Jim Oddie  
**Cc:** Eric Levitt; LARA WEISIGER  
**Subject:** Charter changes

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Subject: Charter changes

Dear Mayor and Councilmembers,

I strongly object to the Council considering significant Charter changes during the Shelter in Place orders. I think these issues need to be discussed in open session with the public being able to weigh in. I realize you may be trying to make an election date deadline but matters of this importance should not be rushed through. I ask you to please reconsider your decision to go forward with these changes until the public is able to address you in person and not have a one sided conversation. We are all having to wait to get on with our lives and this matter is not so urgent that it can't wait as well. Thank you.

Regards,  
Catherine Bierwith  
catherine@grr8lif.com  
510.418.3731

## LARA WEISIGER

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**From:** karenmillercrs@gmail.com  
**Sent:** Monday, May 04, 2020 2:26 PM  
**To:** Marilyn Ezzy Ashcraft; John Knox White; Tony Daysog; Malia Vella; Jim Oddie  
**Cc:** Eric Levitt; LARA WEISIGER  
**Subject:** Charter changes

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Dear Mayor and Councilmembers,

I strongly object to the Council considering significant Charter changes during the Shelter in Place orders. I think these issues need to be discussed in open session with the public being able to weigh in. I realize you may be trying to make an election date deadline but matters of this importance should not be rushed through. I ask you to please reconsider your decision to go forward with these changes until the public is able to address you in person and not have a one sided conversation. We are all having to wait to get on with our lives and this matter is not so urgent that it can't wait as well. Thank you.

Regards,  
Karen Miller

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This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>

## LARA WEISIGER

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**From:** Alameda Citizens Task Force <announcements@alamedacitizenstaskforce.org>  
**Sent:** Monday, May 04, 2020 11:26 AM  
**To:** Marilyn Ezzy Ashcraft; John Knox White; Jim Oddie; Malia Vella; Tony\_Daysog  
**Cc:** Eric Levitt; Yibin Shen; LARA WEISIGER  
**Subject:** Item 3-A May 6 City Council Agenda-Potential Measures Amending the City Charter Relating to Charter Section 7-3

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# ACT

## Alameda Citizens Task Force

Vigilance, Truth, Civility

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Dear Mayor Ashcraft and Councilmembers Knox-White, Vella, Daysog, and Oddie:

Re: Item 3-A May 6 City Council Agenda-Potential Measures Amending the City Charter Relating to Charter Section 7-3

Dear Mayor Ashcraft and Councilmembers Knox-White, Oddie, Vella and Daysog:

ACT strongly objects to Council moving forward to consider amending our Charter during the current Shelter in Place Order. We are even more dismayed by the convening of special meetings on May 6 and May 7 to consider the important issues of Article 7-3 and 26 of the Charter with no more than the scant 7 day notice thereof required by law. Even without the inhibition of public input related to the aforesaid Order, the scheduling of these special meetings with such short notice greatly inhibits public participation, because 1) many members of the public will not be aware of these meetings and 2) community organizations such as ACT are being forced to respond to all of these issues in a very short time frame. We ask that Councilmembers put aside their respective views on Charter amendment in favor of proceeding in a manner that allows for full public participation. However, if Council determines to move forward on Article 7-3. Our comments on the two proposals in the Charter Review Subcommittee Report (CRSR) follow.

We find that neither proposal responds adequately to the concerns of Mr. Jenkins as quoted in the CRSR. Mr. Jenkins is critical of the broad "attempting to influence" language of Article 7-3, stating, "It is unlikely that the City Charter was intended to prohibit a councilmember's sincere and constructive criticism about the manner in which a city manager is making an appointment. Prohibited "attempt[s] by a Councilmember to influence the City Manager in the making of any appointment" should be defined in the context of this kind of malfeasance, especially given that the penalty for violation is to subject a councilmember to removal from office."

In contradiction of Mr. Jenkins, Mr. Daysog ignores the above and maintains the original broad language of the Article 7-3. Mr. Knox-White's version, instead of narrowing the description of the offense, broadens it to prohibit a Councilmember to, "in any manner, directly or indirectly, direct, request or take part in the appointment, discipline or removal of any person by the City Manager or such other officers, or their subordinates." This language disables a Councilmember from expressing what Mr. Jenkins believes to be a legitimate Councilmember action of expressing his, "sincere and constructive criticism about the manner in which a city manager is making an appointment." We agree with

Mr. Jenkins that a Councilmember must have the right to communicate to the City Manager concerns about the process so long as it does not constitute advocacy for a single person or group. Perhaps this defect in the Knox-White proposal could be cured by keeping his definition of the offense but adding a proviso allowing the questioning of process as set forth above.

Both proposals are lacking in language concerning the procedure determining whether misconduct occurred that requires removal. We have been informed by Mr. Knox-White that he is not proposing an alternative procedure to that now established by California Law via the Civil Grand Jury returning a true bill to the Superior Court and a final determination being made by a trial before that Court. He informs that the City Attorney has reservations about the legality of such action. That being the case, the last sentence of his proposal should be deleted and replaced by language making it clear that the procedure will be thru the Civil Grand Jury and Superior Court.

Even if the above suggested edits are made, there remains a major defect in our process, that was never more evident than in our experience with the Fire Chief hiring. Neither Art. 7-3 nor either CRSR proposal deals with the process of triggering investigation of an allegation of misconduct. We need to avoid the time consuming and expensive process of hiring an outside attorney to determine if a complaint should be filed with the Civil Grand Jury, or simply relying on a member of the public to file a complaint. Council has recently established the office of City Prosecutor. We suggest including a provision in Art. 7-3 that requires the City Prosecutor to respond to such an allegation made by any interested party, and, most importantly, requires him to act entirely independently of Council, The City Manager, and the City Attorney in this regard. The details of how he proceeds can be established by ordinance as suggested by Mr. Daysog in his items 7-3 (A) 1 & 2. (However, we would remove the reference to the District Attorney. Our understanding is that although the DA advises the Civil Grand Jury, the complaint is initiated thru the Grand Jury)

We strongly disagree with Mr. Daysog's 7-3 (B) proposals. As to B (1) the District Attorney does not make a finding. It is made by the Civil Grand Jury. Since the DA advises the Grand Jury it is likely that there will be no disagreement, but the agreement of the District Attorney is not required. As to B (2), we see no logical or practical basis for a recall election. Article 2-7 of the Charter covers the filling of vacancies in all situations other than recall, so no additional procedure for filling the vacancy is required.

Sincerely,

Alameda Citizens Task Force Steering Committee



## LARA WEISIGER

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**From:** Dorothy Freeman <dfreeman@pacbell.net>  
**Sent:** Friday, May 01, 2020 11:34 AM  
**To:** Marilyn Ezzy Ashcraft; John Knox White; Tony Daysog; Jim Oddie; Malia Vella; LARA WEISIGER; Manager Manager  
**Subject:** Proposed changes to City Charter

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Dear Mayor Ashcraft and City Council members;

Making changes to the City Charter during a national emergency is not good governance. The citizens of Alameda are presently worried about things that are of a more urgent nature than these proposals. None of the proposed changes to the City Charter are of such an urgent nature that they cannot be delayed until the 2020 national election.

The ability to get proper information out to the public between now and the November election is very much in doubt. Campaigning will be very difficult for any item on the November ballot. We don't even know that our local newspaper will be able to survive this economic downturn. Not having a local newspaper will inhibit the ability to get pro and con information out. We also know that a return to "normal" is going to take a lot longer than just removing the Shelter In Place order. People will remain in turmoil for an extended period as they work to recover from this disruption to every aspect of our lives. I doubt that changes to the City of Alameda Charter will be high on their list of things they need to be concerned with.

I strongly urge the City Council to delay all discussions of Charter changes and any plans to place any Charter changes on the 2020 national election ballot. We need to have full participation of our citizens in making these very important decisions.

Respectfully,  
Dorothy Freeman

## LARA WEISIGER

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**From:** Karen Butter <karenbutter@comcast.net>  
**Sent:** Tuesday, April 21, 2020 11:04 AM  
**To:** Marilyn Ezzy Ashcraft; John Knox White; TONY\_DAYSOG@ALUM.BERKELEY.EDU; Malia Vella; Jim Oddie  
**Cc:** LARA WEISIGER; Susan Hauser; Karen Butter  
**Subject:** Public Comment -- Agenda 6B

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April 21, 2020

Honorable Mayor Ashcraft, Vice-Mayor Knox White and Council Members Daysog, Oddie, and Vella

The League of Women Voters of Alameda has worked with the Subcommittee of the City Council to encourage public comment on a number of proposed changes to the City Charter. While we are pleased to see the item on the April 21 Council Agenda we are concerned this is not the right time for a thoughtful public discussion. While the changes to the Charter are of high interest to the Council the public is focused on the Pandemic. We also suggest that the additional time would allow for a more complete staff report outlining the issues.

We urge you to postpone this discussion for a later time that will allow broad public attention and input.

Susan Hauser, President  
LWV Alameda