

Lara Weisiger

From: Bryan Schwartz <bryan@bryanschwartzlaw.com>
Sent: Wednesday, May 13, 2020 4:17 PM
To: Malia Vella; LARA WEISIGER
Cc: Heather Little; Catherine Pauling; Rasheed Shabazz; rtilos@yahoo.com
Subject: Re: Special Meetings of May 6 and 7.

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Councilwoman Vella: by this email I am asking Lara Weisiger to include this issue on the agenda for our upcoming meeting. Thank you for bringing it to our attention.

Bryan Schwartz
OGC Chair

On Wed, May 13, 2020 at 3:41 PM Malia Vella <MVella@alamedaca.gov> wrote:
Chair Schwartz & Commissioners,

The council has received a number of emails from a broad cross section of Alamedans (ACT, Alameda Justice Alliance, and League of Women Voters to name a few) asking council to stay any decisions or discussions on the proposed potential changes to our city charter.

The council deliberations for two of the more high profile charter provisions (7-3 and Measure A) occurred with minimal notice at special meetings called by the mayor. While this isn't a violation of the sunshine ordinance as written, it feels out of line with the intent of the ordinance that any council conversations or deliberation related to potential charter changes would occur with the minimum amount of notice.

Regardless of where one stands on the substantive issue, as Mr. Foreman notes in his email below, there were 100 people and 37 speakers on Measure A when it was agendaized for the planning board, yet the council had only a fraction of that and only 4 councils when they deliberated last Thursday. Clearly, there was interest, but with all that's going on and short notice there was a marked drop in participants at the council meeting.

It would be helpful if you could weigh in on what you think the deliberative process and notice requirements should be when council considers proposed charter amendments, such that we ensure transparency and an opportunity for the public to weigh in.

Thanks,
Malia

Sent from my iPhone

Begin forwarded message:

From: "ps4man@comcast.net" <ps4man@comcast.net>
Date: May 11, 2020 at 9:36:44 AM PDT
To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>

Cc: John Knox White <JknoxWhite@alamedaca.gov>, Malia Vella <MVella@alamedaca.gov>, Jim Oddie <JOddie@alamedaca.gov>, Tony Daysog <TDaysog@alamedaca.gov>, Eric Levitt <elevitt@alamedaca.gov>
Subject: Special Meetings of May 6 and 7.

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Open letter to Mayor Ashcraft Concerning May 6 and 7 Special Meetings

Dear Mayor Ashcraft:

I am writing this as a public open letter because I think you owe us an explanation of your actions described below.

At the regular Council meeting of April 21 you stated that at the next regular Council meeting of May 5 you would move for the scheduling of two special meetings addressing Charter revision, one to consider Art. 7-3 (Councilmember interference with City Manager) and one to consider Art. 26 (prohibition of multi-family dwellings) You also stated that in order to assure full and robust public discussion the meeting notices would be well published ahead of time.

Notwithstanding those public assurances, on April 29 and 30 respectively you exercised your authority as Mayor to schedule a May 6 special meeting on Article 7-3 and a May 7 special meeting on Article 26, thus giving the public only the minimal 7 day notice required by our Sunshine Ordinance.

The agenda notice for the May 5 regular Council meeting posted on the City website on April 23 did not list an item for Council scheduling Charter revision special meetings. Thus, it is clear that you decided to schedule the May 6 and 7 meetings on or before April 23, thus allowing time to give the public the advance notice that you promised on April 21. However, no such notice appeared in the Sun, Journal, or Nextdoor.

Not unsurprisingly, public comment at these two special meetings was far from full and robust. Article 7-3, which was a major issue of public discourse over the last two years, drew little public comment and Article 26, which drew 37 public comments when presented to the Planning Board in January, drew about 1/3 of that number.

I think it only fair that you explain the contradictions in what you told us on April 21 and the course of action you took thereafter. What was your rationale for moving these meetings to an earlier date and failing to provide the promised well published notice ahead of time? Was this

your sole decision or was it concurred in by other City officers? We have a right to know.

Sincerely,

Paul S Foreman

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Pronouns: He/Him/His

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