

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -DECEMBER 6, 2016- -7:00 P.M.

Mayor Spencer convened the meeting at 7:11 p.m.

ROLL CALL - Present: Councilmembers Daysog, Matarrese, Oddie and Mayor Spencer – 5.

Absent: Councilmember Ezzy Ashcraft – 1.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(16-608) Mayor Spencer expressed condolences for the Oakland fire victims.

The City Manager stated the City of Alameda Facebook page has a GoFundMe account for the fire victims of Oakland; Alameda is continually enhancing Fire and Code Enforcement investigations; the community should let the City know if they see something dangerous so that the City can investigate.

Councilmember Oddie stated that he would like to also adjourn the meeting in memory of Arnie Fong, a local pharmacist.

(16-609) Proclamation Declaring December 1, 2016 as Doug Siden Day.

Mayor Spencer read and presented the Proclamation to Doug Siden.

Councilmember Oddie, Councilmember Daysog and Vice Mayor Matarrese made brief comments thanking Mr. Siden for his service.

(16-610) Presentation of the American Armed Forces Cup Plaque.

Mayor Spencer read and presented the plaque to Commander Bas.

ORAL COMMUNICATIONS, NON-AGENDA

(16-611) Gaby Dolphin, Alameda Progressives, expressed support for solar energy and going green in Alameda.

(16-612) Angela Hockabout, Alameda Renters Coalition, expressed concern for tenants who cannot afford the exorbitant rent increases and suggested changes to the rent ordinance.

CONSENT CALENDAR

Mayor Spencer announced that the amendment to the Services Agreement with the Housing Authority [paragraph no. 16-623] and the amendment to Exclusive Negotiating Agreement with MidPen [paragraph no. 16-624] were removed from the Consent Calendar for discussion.

Vice Mayor Matarrese moved approval of the remainder of the Consent Calendar.

Mayor Spencer seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember Ezzy Ashcraft – 1.] [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*16-613) Minutes of the Special and Regular City Council Meetings Held on November 1, 2016. Approved.

(*16-614) Ratified bills in the amount of \$2,149,200.24.

(*16-615) Recommendation to Accept the Quarterly Sales Tax Report for the Period Ending June 30, 2016 Collected During the Period January 1, 2016 to March 31, 2016. Accepted.

(*16-616) Recommendation to Accept the Local Bond Measure Annual Report. Accepted.

(*16-617) Recommendation to Accept the Police and Fire Construction Impact Fee Annual Report. Accepted.

(*16-618) Recommendation to Accept the Development Impact Fee and Fleet Industrial Supply Center (FISC)/Catellus Traffic Fee Report. Accepted.

(*16-619) Recommendation to Accept and File the Community Facilities District No. 03-1 (Bayport Municipal Services District) Report for the Fiscal Year (FY) Ending June 30, 2016; the Community Facilities District No. 13-1 (Alameda Landing Public Improvements) Report for Fiscal Year Ending June 30, 2016; the Community Facilities District No. 13-2 (Alameda Landing Municipal Services District) Report for Fiscal Year Ending June 30, 2016; and the Community Facilities District No. 14-1 (Marine Cove II) Report for Fiscal Year Ending June 30, 2016. Accepted.

(*16-620) Recommendation to Accept the Annual Review of the Affordable Housing Ordinance and the City's Affordable Housing Unit/Fee Consistent with Section 27-1 of the Alameda Municipal Code and California Government Code Section 66001, and Accept the Annual Affordable Housing Unit/Fee Fund Activity Report. Accepted.

(*16-621) Recommendation to Award Funding Allotment Provided by the California Office of Emergency Services in the Amount of \$389,741.75 to AT&T of California for

the Purpose of Acquiring and Maintaining a 9-1-1 Telephone System with Customer Premise Equipment. Accepted.

(*16-622) Recommendation to Authorize the City Manager to Execute an Amendment to the Consulting Agreement with BKF Engineer for Construction Administration Services for an Amount Not to Exceed \$50,000, for a Total Amount of \$255,503, for the Cross Alameda Trail through Jean Sweeney Open Space Park. Accepted.

(16-623) Recommendation to Approve a First Amendment to the Services Agreement between the City of Alameda and the Housing Authority of the City of Alameda to Extend the Term of the Agreement to March 31, 2017, with No Additional Cost, and Make Minor Revisions to the Agreement.

Councilmember Oddie stated the agreement does not include customer service metrics; if the Housing Authority cannot properly serve customers, there should be another alternative; landlords and tenants are not receiving the service level they deserve.

The Community Development Director stated the service metrics can be a part of the Request for Proposal (RFP); the Housing Authority is open to providing more off hour clinics for customers; the program is new; the Housing Authority and the City are working on improving issues.

Vice Mayor Matarrese stated he would like to bring the Housing Authority back under Council; issues would be easier to address if the Council has the authority to set policy for the Housing Authority.

Mayor Spencer stated the opportunity for landlords and tenants to meet with someone face to face is critical; she is concerned with the Housing Authority's inability to meet with people face to face instead of over the phone; she supports a service metrics being a part of the RFP.

The Community Development Director stated the Housing Authority provides in person meetings.

Mayor Spencer inquired whether the Housing Authority only meets with people over the phone.

The Community Development Director responded in the negative; stated the policy has changed and people can make an appointment to meet with the Housing Authority staff in person.

Vice Mayor Matarrese moved approval of the staff recommendation.

Councilmember Oddie seconded the motion.

Under discussion, Mayor Spencer stated that she supports the amendment; she hopes

staff comes up with something to better meet the needs of the City.

On the call for the question, the motion carried by unanimous voice vote – 4. [Absent: Councilmember Ezzy Ashcraft – 1.]

(16-624) Recommendation to Approve the First Amendment to the Exclusive Negotiating Agreement (ENA) between the City of Alameda and a Consortium of Four Developers Consisting of MidPen Housing, Alameda Point Collaborative, Building Futures with Women and Children, and Operation Dignity to Extend the Term of the ENA to December 31, 2017 unless Terminated or Extended as Provided in the ENA, and Complete an Implementation Term Sheet, Disposition and Development Agreement, and Development Plan for the Design and Construction of a New Supportive Housing Facilities on a 10.4-Acre Parcel in the Main Street Neighborhood at Alameda Point.

Councilmember Daysog inquired whether the extension is to determine how to incorporate the units slated for veterans with Post Traumatic Stress Disorder (PTSD).

The Redevelopment Project Manager responded the extension is needed because the Main Street Plan is not finalized.

Councilmember Daysog stated that he supports additional units being provided for Operation Dignity for veterans with PTSD; he would like the details to be included in the beginning of the process, not at the end.

Councilmember Daysog moved approval of the staff recommendation.

Vice Mayor Matarrese seconded the motion.

Under discussion, Mayor Spencer stated she would like a state of the art facility built to meet the needs of people requiring accommodations; she plans to support the project.

On the call for the questions, the motion carried by unanimous voice vote – 4. [Absent: Councilmember Ezzy Ashcraft – 1.]

(*16-625) Recommendation to Authorize the City Manager to Execute a Five-Year Agreement with ECS Imaging, Inc. for Laserfiche Services and Maintenance in an Amount not to Exceed \$165,000. Accepted.

(*16-626) Recommendation to Enter into StopWaste's Expansion of the Countywide Reusable Bag Ordinance. Accepted.

(*16-627) Recommendation to Award a Contract in the Amount of \$252,230, Including Contingencies, to Andy's Roofing Company, Inc. for the Maintenance Service Center Roof Replacement, No. P.W. 19-16-18. Accepted.

(*16-628) Recommendation to Reject All Bids and Authorize a Call for Rebid for the

Mastick Senior Center Painting Project, No. P.W. 08-16-16. Accepted.

(*16-629) Recommendation to Award a Five Year Contract in the Amount of \$150,000 for Each Year (Total Expenditure of \$750,000) to Schaaf & Wheeler for On-Call Civil and Structural Engineering Services. Accepted.

(*16-630) Recommendation to Amend a Contract to Extend the Term for One Year to Schaaf & Wheeler for the Preparation of Engineering Documents for the Upgrade of the City of Alameda Sewer Pump Stations, Phase 2, No. P.W. 12-10-34. Accepted.

(*16-631) Resolution No. 15209, "Approving the Final Map and Accepting the Dedications and Easements for Tract 8337. (Oakland Inner Harbor Tidal Canal)." Adopted.

(*16-632) Resolution No. 15210, "Amending the Part-Time Classifications Salary Schedule Effective December 25, 2016, to Reflect Changes to the California State Minimum Wage, to Maintain Adequate Differentials Between Part-Time Job Families, and to Eliminate the Classifications of Crossing Guard and Lead Crossing Guard." Adopted.

(*16-633) Resolution No. 15211, "Amending the City of Alameda Police Officers Association, Non-Sworn Unit (PANS) Salary Schedule Effective December 11, 2016 to Reinstate the Animal Control Officer Classification, Update the Hourly Wage to Account for Negotiated Salary Increases, and Approve a Workforce Change Allocating One Full-Time Animal Control Officer Position to the Police Department." Adopted.

(*16-634) Resolution No. 15212, "Setting the 2017 Regular City Council Meeting Dates." Adopted.

(*16-635) Resolution No. 15213, "Declaring Canvass of Returns and Results of the Consolidated General Municipal Election Held on Tuesday, November 8, 2016, including Enacting of Ordinance No. 3169, 'Amending Alameda Municipal Code by Repealing Section 3-59 (Utility Users Tax) in Its Entirety and Replacing It with a New Section 3-59 (Utility Users Tax).'" Adopted.

REGULAR AGENDA ITEMS

(*16-636) Resolution No. 15214, "Appointing Marianne Carter as a Member of the Recreation and Park Commission." Adopted.

Vice Mayor Matarrese moved adoption of the resolution.

Councilmember Oddie seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember Ezzy Ashcraft – 1.]

The City Clerk administered the Oath of the Office and presented Ms. Carter with a

certificate of appointment.

Ms. Carter made brief comments.

(16-637) Recommendation to Authorize the City Manager to Enter into an Agreement with Operation Dignity for Homeless Case Management Services and to Appropriate \$242,242 from the General Fund Available Fund Balance for Services and Site Management.

The Recreation and Parks Director gave a Power Point presentation.

Councilmember Daysog inquired what the time table is for individuals who expressed interest in case management services.

The Recreation and Parks Director responded the timeline will be different for each person.

Mayor Spencer inquired whether the Social Service Human Relations Board (SSHRB) and Council would receive updates during the one year contract.

The Recreation and Parks Director responded the plan is to bring back any major action items to the SSHRB; reports will also be brought to Council as requested.

Mayor Spencer stated that she would like a report brought back to Council every four months; the issue is important and she would like to know how the plan is working.

Councilmember Oddie stated that he would like frequent updates; inquired where the action plan addresses finding people permanent housing; stated clearing brush and evicting the homeless is not a permanent solution.

The Recreation and Parks Director responded through case management, the plan is to find housing for the homeless; stated the issue is a matter of housing stock and shelter availability.

Councilmember Oddie inquired what the long term plan is for housing the homeless.

Mayor Spencer responded the new facility at the Alameda Point Collaborative will provide housing.

Councilmember Oddie stated the Alameda Point Collaborative project is replacement housing for current tenants.

Mayor Spencer stated additional units would also be provided.

The City Manager stated until there is a zero unemployment rate, homelessness will always be an issue, plus there is a high cost of living in the area; the City is doing what

it can to provide services to the homeless; if the City decides to provide more housing, the decision will have to be weighed with other priorities and will be a policy decision by the Council.

Stated working with Operation Dignity is a great decision; there will be 90 units coming online for the homeless at North Housing; Housing and Urban Development restricts the ability to designate housing for a certain community; case management is a one on one issue; urged Council to move forward with the agreement: Doug Biggs, Alameda Point Collaborative.

Stated housing applications have been completed for 20 of the homeless individuals; Operation Dignity is doing a lot of work and reaching out to many veterans on the street; urged Council to consider the available housing stock: Judy Hui-Pasquini, Operation Dignity.

Vice Mayor Matarrese stated the situation will not go away any time soon; having experts to help the City is critical; he would like future costs to be included in the upcoming budget.

Councilmember Oddie stated that he plans to support the agreement; the State just allocated \$2 billion for affordable housing funding for individuals with mental disabilities; he hopes the City can tap into said funding to help the vulnerable population; getting people connected with case management is key.

Councilmember Daysog stated that he is proud of the direction the City is taking on the homelessness issue.

Mayor Spencer inquired whether the motion could include providing updates to Council.

The City Attorney responded the update requirement can be added.

The City Manager inquired whether the update schedule could be flexible to match with the action being taken instead of a calendar.

Mayor Spencer responded that she would like an update in six months.

The City Manager inquired whether the request can be one or two times a year, rather than every four months; stated timing might not match the program.

Mayor Spencer responded in the affirmative; stated there should be an update within the next six months; putting the matter on the agenda will ensure the community can come out and speak on the issue; she attended a meeting on homelessness at Mastick Senior Center; stated she will support the agreement.

Mayor Spencer moved approval of the staff recommendation, with the addition of having regular updates to Council in no less than six months.

Vice Mayor Matarrese seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember Ezzy Ashcraft – 1.]

(16-638) SUMMARY TITLE: Ordinance Amendment and Related Resolutions Facilitate and Allow Homeowner Associations to Implement Residential Permit Parking Programs.

Introduction of an Ordinance Amending the Alameda Municipal Code (AMC) by Amending Section 12-17 (Preferential Parking Zones) of Article III (Permit Parking) of Chapter XII (Designated Parking) to Modify the Procedures Relating to the Designation of Preferential Parking Zones. Introduced;

(16-638A) Adoption of Resolution Authorizing Residential Parking Program for Public Streets within Columbia Homeowners Association pursuant to Alameda Municipal Code Section 12-17.6(g). Not adopted, and

(16-638B) Adoption of Resolution Authorizing Residential Parking Program for Public Streets within Headlands Homeowners Association pursuant to Alameda Municipal Code Section 12-17.6(g). Not adopted.

The Deputy Public Works Director gave a Power Point presentation.

Mayor Spencer inquired whether the public will be able to park on residential streets for under 4 hours and whether the program does not prevent all public parking on the streets.

The Deputy Public Works Director responded in the affirmative; stated the public will be able to park on the street as long as they do not park longer than 4 hours; continued the presentation.

Councilmember Daysog inquired how far the parking is from the ferry terminal, in terms of feet or miles.

The Deputy Public Works Director responded the distance is a 10 to 15 minute walk; stated there is also a satellite park and ride at the Grand View Pavilion.

Councilmember Daysog inquired whether there will be any free bike sharing in the area.

The Deputy Public Works Director responded said suggestion would be a great idea; stated by bike, the trip would only be 2 to 3 minutes.

Mayor Spencer inquired where the Water Emergency Transportation Authority (WETA) parking fee money will go.

The Deputy Public Works Director responded the parking fees go to WETA; stated the parking fees might help if assistance is needed with the free reliable transit service or a shuttle service.

Mayor Spencer stated her understanding is that the City was going to negotiate with WETA to allow the money to be used to offset transportation and offer additional services; she is concerned with allowing WETA to charge so much per day and letting WETA figure out what to do with the money.

The Deputy Public Works Director responded WETA does not want to discourage ferry users with a high price.

Mayor Spencer stated she understood the City would have input in the process of figuring out how much to charge and what happens to the proceeds.

The Base Reuse Director stated WETA wants flexibility in the guidelines on how the money is spent; WETA has expenses for maintaining the parking lot; the funds will potentially offset the impacts to ridership; WETA's guidelines allow for the possibility to use the funds for transportation services.

Mayor Spencer inquired whether the Council could receive updates on how much money is being collected and what is being done with the money.

The Base Reuse Director responded in the affirmative; stated there is flexibility in the program on how the funds would be spent.

Stated the expense of the program will be borne by the master Home Owners Association (HOA), not the individual HOA's; parking enforcement would be done by the Police Department; the program is the best option; he is concerned with the safety of the children going to school; people are not paying attention when looking for parking spaces: George Kay, Community of Harbor Bay.

Stated that he does not support the parking permit program; the homeowners at Columbia did not know about the fee that would be charged to park in front of their house; urged Council to reconsider the program or notify homeowners of the fee before the program is set into place: George (Did not provide last name), Columbia Homeowner.

Stated that he is opposed to the program; there has not been outreach to the homeowners; he is concerned with the details; WETA, the City Council and the HOA have not contacted the homeowners to come to a solution that will benefit everyone involved: Raphael Garcia, Alameda.

Stated that he strongly supports the parking program for the safety of the neighborhood; speeding drivers almost hit pedestrians while looking for parking spaces: Paul Revetti, Columbia Homeowner Board of Directors.

Mayor Spencer requested copies of letters sent to the homeowners; stated if the homeowners have not received the letters, they would not know to come to the Council

meeting to voice their support or opposition for the parking permit program.

The Deputy Public Works Director responded the June 7th adoption of the plan was provided to all ferry users through pamphlets and electronic notices; approval of the application for a residential parking permit program was unanimous.

Mayor Spencer inquired whether the approval was unanimous from the Board, not the residents, to which the Deputy Public Works Director responded in the affirmative; stated the notices for the approval were posted ten days in advance in the location that the regular agendas are posted.

Mayor Spencer inquired what the letter to residents stated and whether the homeowners have been informed of the cost; stated that she thought homeowners would receive 10 days-notice of the upcoming board meeting where the vote on whether or not to proceed with the parking permit program would occur.

The Deputy Public Works Director responded written notice was posted where the agendas are posted.

Mayor Spencer inquired whether the notices were mailed to each homeowner, to which the Deputy Public Works Director responded in the negative; stated the homeowners are not being charged for the permit costs.

Mayor Spencer stated the presentation states homeowners will be notified in writing ten days prior to any action being taken; she understood that meant homeowners would receive a letter about the meeting; inquired where the agendas are posted.

Mr. Kay responded agendas for all HOA board presentations and meetings are posted in the kiosk, at the community center and online; the matter was treated as a typical agenda item.

Mayor Spencer requested Council address the issues that need to be voted on separately; she would like to modify the ordinance to require a notice be mailed to individual homeowners 10 days prior to the vote by their board; allowing the homeowners to express whether or not they support the ordinance is important; after receiving the letter, homeowners should be allowed to come before Council to explain whether they support the ordinance or not; asked Council to consider separating the issues and make said changes.

Councilmember Daysog inquired whether the HOA Board of Directors made an official decision on whether to take part in the residential permit program, to which the Deputy Public Works Director responded in the affirmative; stated the vote was unanimous.

Councilmember Daysog inquired whether the fee will be \$75.

The Deputy Public Works Director responded the City administers the parking permit

program; the costs will not be passed through to the permit holders; costs will be covered by the master HOA.

Councilmember Daysog inquired whether the homeowner will be required to pay the \$75 fee, to which the Deputy Public Works Director responded in the negative.

Mr. Kay responded the HOA will absorb the cost of the \$75 fee.

Mayor Spencer inquired whether the homeowners will never be charged the \$75 fee, indefinitely.

Mr. Kay responded the charge would never be passed onto the homeowner.

The Deputy Public Works Director stated staff will make sure to add that the fee will never be passed on to the homeowner to the agreement; the master HOA and sub HOA agree so in writing.

Mr. Kay responded the master HOA does not have any intention of burdening the homeowners with the fee and feel this must done for the residents.

Councilmember Daysog inquired if the ordinance is adopted by Council, can the other sub HOA's stop participating in the program in the future, to which Mr. Kay responded in the affirmative.

Mr. Garcia stated that he is concerned about the individuals requesting a parking permit having to give personal information to a non-government organization; inquired about security and who would be responsible for responding to inquiries.

Mr. Kay responded the HOA is only asking for proof of residency; the HOA wants to avoid black market in parking stickers because of the intensity in which people look for parking spots in the area; all documents can be destroyed or returned to the homeowner.

The Deputy Public Works Director suggested the ordinance amendments be adopted tonight and the resolutions be approved conditioned on ensuring another notice is mailed out to each homeowner and that there is further action by the Board committing to what they have already agreed to under the Residential parking permit program.

Mayor Spencer inquired whether the HOA would agree to sending out written notice to each homeowner.

Mr. Kay responded in the affirmative.

Mayor Spencer inquired whether the policy would be modified in the future to read that any HOA must send the written notice 10 days prior to each homeowner via mail.

The City Attorney responded Council can begin the process; amending the ordinance requires two readings, plus 30 days; she does not recommend that Council adopt the resolutions if more clarification is being requested to ensure that the HOA has complied with the requirements of the newly amended ordinance; staff would bring back the resolutions once the HOA has complied.

Mayor Spencer inquired whether the amendments would include not passing the additional costs to homeowners and requiring written notice be sent via mail to each homeowner.

Councilmember Oddie stated that he supports moving forward with the current recommendation.

The City Attorney stated that staff needs direction; she does not think the resolutions should be passed until staff verifies that there has been compliance with the ordinance amendments.

Councilmember Oddie stated that he is confused about why the motion was presented asking Council to take three actions.

The City Attorney stated staff was told that notices were sent out to all homeowners, which is not the case.

Mayor Spencer stated a speaker requested there could be clarification that the fees would not be passed through to the homeowners.

Vice Mayor Matarrese inquired whether Council could adopt the first reading of the ordinance with an amendment that states all members of the HOA must be notified in writing 10 days prior to the board taking action.

Mayor Spencer stated there needs to be clarification that letters would actually be mailed out to homeowners, not just posted in a communal location.

Vice Mayor Matarrese stated the distinction is that the letters are sent out; stated the ordinance can be amended and satisfy the first reading; adoption of the resolutions can come back at the same time as the second reading to allow homeowners to come to the Council meeting.

The City Manager inquired whether the Board can have a meeting to reconfirm the decision.

Mayor Spencer inquired where not passing through the cost of the fee would be added.

In response to the City Manager's inquiry, the Base Reuse Director responded staff would not be able to come back by the December 20th meeting; stated the second reading of the ordinance could be postponed or second reading could occur and the

resolutions could be brought back in January.

Vice Mayor Matarrese inquired whether the resolutions return January 3rd.

The Base Reuse Director responded staff will come back to Council as quickly as the notices can be sent out and the Board can have a meeting.

Mayor Spencer inquired where the section about the fee not being passed on to the homeowner would be added.

The Base Reuse Director responded staff will work with the City Attorney to figure out where to place a section regarding the fee.

Vice Mayor Matarrese stated that he heard the master HOA is going to absorb the cost; inquired whether paying the fees is controlled by the City or the HOA.

The City Attorney responded that she does not know how the master HOA works and does not have enough information to assure Council.

Vice Mayor Matarrese stated the word free is used quite frequently; nothing is free; people pay into the association through HOA fees; buses are paid for through taxes; free parking is paid for by taxes; when the costs to an HOA increase, there has to be a decision whether to increase the HOA fees or say no to the service; the City has done its part by saying the City will not pay the fees.

Mayor Spencer stated the letter needs to clearly state whether the homeowners have to pay the fee; the HOA needs to present a clear plan and give homeowners an opportunity to express concerns.

Vice Mayor Matarrese stated the issue can be spelled out in the letter; whether or not the homeowners pay the fee is between the HOA and homeowners.

Councilmember Oddie stated that he is unclear what Council is asking the HOA to do.

The City Attorney stated the mix-up is staff was informed individual notices were provided to homeowners; tonight, staff found out letters were not sent to homeowners; only an agenda was posted in a community facility, which is different.

Councilmember Oddie inquired whether the HOA's way of giving notice is satisfactory under the law.

The City Attorney responded the existing law does not allow for the process at all, which is the purpose of the ordinance amendment; stated staff was told individual notices were provided consistent with the amended procedure; staff found out the notice was only posted.

Councilmember Oddie inquired whether staff is asking the HOA to schedule another meeting and have another vote on the matter, to which the City Attorney responded in the affirmative.

Councilmember Daysog stated moving forward with the ordinance is important for the safety of the residents; stated the \$75 is not being passed on to homeowners so he is fine with the way the amendment was noticed.

Mayor Spencer stated her preference is to amend the ordinance to require sending individual notice to each homeowner; inquired whether the ordinance could still be introduced with the change and then come back for a second reading.

The City Attorney responded the Base Reuse Director indicated time would not allow for everything to be done before the December 20th meeting.

Mayor Spencer stated that she heard the resolutions would take additional time, but the ordinance could be approved with the amendment to require a letter to be mailed out to each homeowner.

Mayor Spencer moved approval of introduction of the ordinance with the amendment to require notice be sent by mail to the individual homeowners and the HOA Board to hold a second meeting.

Councilmember Oddie stated that he is fine with the way the HOA currently notices; the matter is urgent because of the safety of the children and residents in the neighborhood.

Mayor Spencer stated the approval is not being delayed; the first reading is still being approved tonight; the policy would apply to future HOAs and require notice by mail.

Councilmember Oddie stated the Council is asking the HOA to hold another meeting.

Mayor Spencer stated the second meeting is a separate motion; she would like clarification that letters actually be mailed out to each homeowner.

Councilmember Oddie inquired why the City did not find out that the letters were not sent until the day of the meeting.

Councilmember Daysog stated that he would prefer to have a motion on the ordinance and a separate motion on informing residents.

Mayor Spencer moved approval of introduction of the ordinance with the amendment that all HOAs would be required to give written notice to each homeowner.

Vice Mayor Matarrese seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember Ezzy Ashcraft – 1.]

Councilmember Oddie stated the issue should have come to Council ready to go without a discussion finding out something was not done.

Mayor Spencer inquired whether Council should proceed with adoption of resolution authorizing the residential parking program for Columbia.

The City Manager responded Council has a couple of options: 1) chose to go forward and approve the resolutions as presented; or 2) ask the two HOA's to re-notice and hold board meetings to reconsider the decision, which would take as long as it takes the HOA to notice and hold the meetings; then, staff would bring the matter back after the meetings are held.

Vice Mayor Matarrese inquired whether Council could adopt the resolutions and request written notices go out now; stated if there is a problem, Council would know.

The City Manager stated the choice is whether or not to ask the HOA to do the noticing and board meeting again.

Vice Mayor Matarrese moved approval of requiring notices be sent to homeowners and Council be informed of the outcome of reconsideration of the matter if needed.

Mayor Spencer seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Daysog, Matarrese and Mayor Spencer – 3. Abstention: Councilmember Oddie – 1. [Absent: Councilmember Ezzy Ashcraft – 1.]

Mayor Spencer called at recess at 9:39 p.m. and reconvened the meeting at 9:47 p.m.

The City Attorney made comments on concern about the delay of the permit parking at Bay Farm Island; clarified Council passed the first reading tonight; the second reading would return to Council; the ordinance does not take effect until 30 days following the second reading; therefore, there should be no delay in the action.

(16-639) Introduction of Ordinance Amending the Alameda Municipal Code by Amending Division IV (Annexation of Territory) of Subsection 3-70 (Special Tax Financing Improvement Code), of Division I (General Provisions), of Article IV (Special Tax Financing), of Chapter III (Finance and Taxation) to Allow for Alternative Procedures for Future Annexation of Property Consistent with Amended State Law. Introduced.

The Base Reuse Director gave a brief presentation.

Councilmember Daysog moved introduction of the ordinance.

Councilmember Oddie seconded the motion, which carried by unanimous voice vote –

4. [Absent: Councilmember Ezzy Ashcraft – 1.]

(16-640) Recommendation to Authorize the City Manager to Enter into a Joint Use Agreement with Alameda Unified School District (AUSD) for the Operation and Maintenance of the District Swimming Pools.

The Recreation and Parks Director gave a brief presentation.

Mayor Spencer inquired whether the matter went through the Recreation and Parks Commission, to which the Recreation and Parks Director responded in the negative.

Mayor Spencer inquired whether the matter went through the City Council/School District Subcommittee, to which the Recreation and Parks Director responded in the negative; stated the basis of the agreement is the same; the only change is who is responsible for maintenance; stated AUSD owns the property.

Mayor Spencer inquired whether the public had an opportunity to express concerns over usage hours.

The Recreation and Parks Director responded in general, aquatics in the City has been discussed at the Recreation and Parks Commission meetings; the usage hours have not specifically been discussed; hours currently follow the school schedule for safety reasons.

Vice Mayor Matarrese moved approval of authorizing the City Manager to enter into the Joint Use Agreement with the School District.

Councilmember Daysog inquired whether agreeing to the agreement would save the City money since AUSD would be assuming the maintenance, to which the Recreation and Parks Director responded in the negative; stated the cost is still split 50/50 with AUSD.

Councilmember Oddie seconded the motion.

Under discussion, Mayor Spencer stated that she will support the motion; in the future, the matter should go through the Recreation and Parks Commission or the School District/City Council Subcommittee to allow for public input.

On the call for the question, the motion carried by unanimous voice vote – 4. [Absent: Councilmember Ezzy Ashcraft – 1.]

CITY MANAGER COMMUNICATIONS

(16-641) The City Manager announced that the California Transportation Commission is voting to award \$7.3 million to the City for the Central Avenue Complete Streets program.

Mayor Spencer inquired whether the design of the Webster Street and Central Avenue intersection would return to Council, to which the City Manager responded in the affirmative.

ORAL COMMUNICATIONS, NON-AGENDA

(16-642) CL, Alameda, expressed concerns for her friend that needs assistance with housing.

COUNCIL REFERRALS

(16-643) Consider Authorizing the City Council to Direct Staff to Submit a Complaint to the Fair Political Practices Commission regarding November 8, 2016 Election Mailers. (Mayor Spencer)

Mayor Spencer made brief comments regarding her referral.

Submitted information; stated the mailer sent out was in violation of California law; urged Alamedans to submit complaints: Brock deLappe, Alameda.

Urged Council to make a complaint as a body on behalf of all the citizens of Alameda: Jim Sweeney, Alameda.

Urged Council to file the complaint: Patricia Gannon, Alameda.

Expressed support for filing the complaint: Susan Sperry, Alameda.

Urged Council to take action on the mailer: Noel Folsom, Alameda.

Councilmember Daysog stated it is important for Council to make a statement regarding the values Alameda has regarding civic engagement by filing a complaint about the negative mailers.

Councilmember Oddie inquired what Council is being asked to do.

The City Attorney responded the City and the City Attorney's office do not have jurisdiction over the issue; the Fair Political Practices Commission (FPPC) is a State body that administers the Political Reform Act and election issues; anyone can go to the FPPC website and file a complaint about improper election activity; if the Council files a complaint, it will add to the investigation already occurring; the City of Alameda does not have any local election policies.

Councilmember Oddie inquired whether there will still be an investigation if City does nothing today, to which the City Attorney responded in the affirmative.

Councilmember Oddie inquired who will file the complaint if Council approves the referral.

The City Attorney responded said decision would be up to the Council.

Councilmember Oddie inquired if anyone could file a complaint, why is Council being asked to do so; stated the best option would be to develop a resolution to stop all negative campaigning; picking who the City protects against negative campaigning is not appropriate.

Mayor Spencer stated the FPPC requires that mailers be identified; the issue is not negative campaigning; she is specifically addressing the unidentifiable mailer.

Vice Mayor Matarrese stated that he supports Council taking a stand on negative campaigning; not doing anything will not be good; there needs to be a resolution on campaign reform; people need to be civil and personal characterization should stop; a Councilmember should follow up after the complaint is filed.

(16-644) Mayor Spencer stated a motion is needed to consider the remaining two referrals [paragraph nos. 16-645 and 16-646].

Vice Mayor Matarrese moved approval of hearing the remaining items.

Councilmember Daysog second the motion, which required four affirmative votes and FAILED by the following voice vote: Ayes: Councilmembers Daysog, Matarrese and Mayor Spencer – 3. Noes: Councilmember Oddie – 1.

Councilmember Oddie stated political advertising disclaimers state more than 200 mailers have to be sent.

Vice Mayor Matarrese moved approval of the Council filing a complaint and following up.

Mayor Spencer seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Daysog, Matarrese and Mayor Spencer – 3. Abstention: Councilmember Oddie – 1. [Absent: Councilmember Ezzy Ashcraft – 1.]

(16-645) Consider Directing Staff to Provide an Update on the Negotiations Between the City and the Friends of the Alameda Animal Shelter (FAAS) as Soon as Possible. (Mayor Spencer) Not heard.

(16-646) Consider Directing the City Clerk to Work with the City Attorney in Crafting an Ordinance with Respect to “Local Campaign Finance Reform.” (Councilmember Daysog) Not heard.

COUNCIL COMMUNICATIONS

None.

ADJOURNMENT

(16-647) There being no further business, Mayor Spencer adjourned the meeting at 10:30 p.m. in memory of victims of the Oakland warehouse fire and Arnie Fong.

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -DECEMBER 6, 2016- -6:00 P.M.

The meeting was cancelled. The following items were not heard:

(16-605) Conference with Real Property Negotiators (Pursuant to Government Code § 54956.8); Property: 800 W. Tower Avenue, Alameda Point; City Negotiator: Jennifer Ott, Base Reuse Director; Organizations Represented: City of Alameda and Bladium Sports & Fitness Club; Issue Under Negotiation: Real Property Negotiations Price and Terms of Payment. Not heard.

(16-606) Conference with Legal Counsel – Anticipated Litigation; Significant exposure to litigation pursuant to subdivision (c) of Section 54956.9 of the Government Code; Number of cases: One (As Plaintiff - City Initiating Legal Action). Not heard.

Lara Weisiger
City Clerk

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

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -DECEMBER 6, 2016- -6:59 P.M.

Mayor Spencer convened the meeting at 7:02 p.m. and led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Daysog, Matarrese, Oddie and Mayor Spencer – 4.

Absent: Councilmember Ezzy Ashcraft – 1.

COUNCIL COMMUNICATIONS

(16-607) Consideration of Mayor's Nomination for Appointment to the Social Service Human Relations Board (SSHRB).

Mayor Spencer stated Council takes no action for the nomination of the Social Service Human Relations Board.

The City Clerk made brief comments.

Mayor Spencer stated that she and staff interviewed several applicants for the SSHRB; a sentence was added to the press release: "current efforts include development of a comprehensive community needs survey playing an advisory role in the development and implementation of Alameda's Homeless Action Plan and helping facilitate a community dialogue in response to recent bias motivated events affecting the Alameda community and beyond;" nominated Sherice Youngblood and outlined her qualifications.

In response to Councilmember Oddie's inquiry, the City Clerk stated a press release regarding the HAB vacancy went out today; the nomination will be on the December 20th Council agenda; the Mayor directs staff when to place nominations on the agenda.

Councilmember Oddie inquired whether the Mayor's decision to place nominations on the agenda is the reason why the two nominations are being treated inconsistently.

The City Clerk responded the Mayor makes the nomination; stated the matter is placed on the agenda at the Mayors direction.

In response to Councilmember Oddie's inquiry regarding press releases noticing vacancies, the City Clerk stated the City Clerk's office puts out the press releases.

Councilmember Oddie inquired if there were two vacancies, SSHRB and HAB, why was only one done immediately after the election and not the other, to which the City Clerk responded the SSHRB was considered more urgent.

Councilmember Oddie inquired what is the next step for the SSHRB nomination, to which the City Clerk responded the matter will return on December 20th.

Mayor Spencer stated there was a special SSHRB meeting on November 29th; she did not want to have a gap in the vacancy because the Board is busy with a lot of work.

Councilmember Oddie inquired whether the SSHRB will be meeting between December 20th and January 3rd.

The City Clerk responded that she is not aware of the SSHRB schedule.

Councilmember Oddie stated he is unsure there would be a gap.

ADJOURNMENT

There being no further business, Mayor Spencer adjourned the meeting at 7:11 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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