

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -JANUARY 3, 2017- -7:00 P.M.

Mayor Spencer convened the meeting at 7:04 p.m. Boy Scout Troop 16 led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Ezzy Ashcraft, Matarrese, Oddie, Vella and Mayor Spencer – 5.

[Note: Councilmember Ezzy Ashcraft arrived at 7:06 p.m.]

Absent: None.

AGENDA CHANGES

(17-02) Mayor Spencer stated her referral regarding lighting [paragraph no. 17-19] would be moved to a later date.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

None.

ORAL COMMUNICATIONS, NON-AGENDA

(17-03) Christopher Buckley, Alameda, expressed concern over referrals being postponed; urged Council to move through the meeting to get to the tree referral [paragraph no. 17-18].

(17-04) Erik Strimling, Alameda Renters Coalition, expressed his appreciation for flashing cross walks; discussed various issues renters are facing, including maintenance issues and rent increases; expressed concern over renters worrying about having an adversarial relationship with landlords; urged Council to adopt a rent cap.

CONSENT CALENDAR

Mayor Spencer stated the Open Government Commission appointment [paragraph no. 17-07] was removed from the Consent Calendar for discussion.

Councilmember Oddie moved approval of the remainder of the Consent Calendar.

Councilmember Ezzy Ashcraft seconded the motion, which carried by unanimous voice vote – 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*17- 05) Minutes of the Special and Regular City Council Meeting Held on December 6, 2016. Approved.

(*17-06) Ratified bills in the amount of \$2,765,219.60.

(17-07) Recommendation to Accept Report on the Appointment of One Member to the Open Government Commission.

Councilmember Vella made brief comments regarding Ms. Little's background.

Councilmember Vella moved approval of the staff recommendation.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote – 5.

The City Clerk administered the Oath of Office to Ms. Little.

(*17-08) Recommendation to Authorize the City Manager to Execute an Amendment to the Agreement with Ruggeri-Jensen-Azar for Survey and Mapping Services in Connection with the Proposed Transfer of the Oakland Inner Harbor Tidal Canal for an Additional 6-Month Term for a Total Term of 16-Months and in an Amount Not to Exceed \$20,000 for a Total Amount Not to Exceed \$218,000; and

(*17- 08A) Recommendation to Authorize the City Manager to Execute an Amendment to the Agreement with Chicago Title Company for Title and Escrow Services in Connection with the Proposed Transfer of the Oakland Inner Harbor Tidal Canal for an Additional 6-Month Term for a Total Term of 16-Months, Paid Prior to Close of Escrow, Plus Title Premiums and Escrow Fees Paid at Close of Escrow. Accepted.

(*17-09) Resolution No. 15219, "Approving Workforce Changes at Alameda Municipal Power (AMP) to Add Two New Positions Effective January 8, 2017: One Customer Service Representative and One Utility Project Manager." Adopted.

REGULAR AGENDA ITEMS

(17-10) Resolution No. 15220, "Appointing Norman Sanchez as a Member of the Historical Advisory Board." Adopted.

Councilmember Matarrese moved adoption of the resolution.

Mayor Spencer seconded the motion.

Under discussion, Councilmember Ezzy Ashcraft inquired whether Mayor Spencer interviewed all three candidates.

Mayor Spencer responded that her recollection was one person was interviewed previously and two new candidates were interviewed; further stated her recollection is three were interviewed.

Councilmember Ezzy Ashcraft expressed support for the Mayor interviewing applicants; stated having all candidates interviewed is best.

On the call for the question, the motion carried by unanimous voice vote – 5.

The City Clerk administered the Oath of Office and presented Mr. Sanchez with a certificate of appointment.

(17-11) Public Hearing to Consider Approving the Housing and Community Development Needs Statement for the Community Development Block Grant (CDBG) Annual Action Plan for Fiscal Year (FY) 2017-18.

The Rent and Community Programs Director and Social Service Human Relations Board (SSHRB) Vice Chair gave a Power Point presentation.

Councilmember Oddie stated the program is funded at the bare bones; that he is glad the City is doing more for the homeless; during the budget adoption, the City should use one time money to supplement CDBG funds.

Councilmember Ezzy Ashcraft stated the staff report indicates there is not enough funding for all activities; outlined how the funds would be used; stated there is a need for more affordable housing; the Council will work hard to find funds for important needs, such as homeless assistance; noted the homeless are often veterans who are eligible for assistance, including housing vouchers.

Vice Mayor Vella expressed appreciation for the work done on the priorities, which are in line with the City's policies around housing, affordable housing and preventing homelessness.

Mayor Spencer expressed support for the SSHRB and staff.

Councilmember Matarrese moved approval of the needs statement for the CDBG Annual Action Plan for FY 2017-18.

Councilmember Ezzy Ashcraft seconded the motion, which carried by unanimous voice vote – 5.

(17-12) Public Hearing to Consider Resolution No. 15221, "Amending the General Plan to Replace the Health and Safety Element and Airport Environs Element of the General Plan with a New Safety and Noise Element." Adopted.

The Assistant Community Development Director gave a brief presentation.

Councilmember Ezzy Ashcraft stated policy SN-1.b is regarding training; requested an update on the status of training programs.

The City Manager stated the Fire Department is taking the lead on training, which will begin in March; a scenario based training will be in the fall.

Councilmember Ezzy Ashcraft inquired whether training has begun, to which the City Manager responded the former Public Works Director provided an update on the Emergency Operations Center (EOC) two months ago, which included the percentage of staff trained.

Councilmember Oddie stated the Element states the EOC was completed in 2016; inquired whether the EOC has been completed.

The Assistant Community Development Director responded staff would change it to reflect the EOC would be completed in 2017.

The City Manager stated Information Technology infrastructure is currently being completed in the EOC.

The Assistant Community Development Director noted a couple of other typographical errors were found that would also be corrected.

Councilmember Matarrese suggested a date be added to the projected noise sources.

The Assistant Community Development Director stated a date and explanation can be added to Figure 8-4.

Councilmember Matarrese stated the area that will be affected changes.

The Assistant Community Development Director stated the specific readings are to show the major sources of noise for Alameda.

Councilmember Matarrese stated the figure is not the standard, it is an example.

Vice Mayor Vella moved adoption of the resolution.

Councilmember Oddie seconded the motion, which carried by unanimous voice vote – 5.

(17-13) SUMMARY: Public Hearing to facilitate a tax exempt bond financing for capital improvements to school facilities at the Chinese Christian School located on Bay Farm Island. The bonds are not an obligation of the City.

Public Hearing Under the Tax Equity and Fiscal Responsibility Act (TEFRA) to Consider Resolution No. 15222, “Approving Associate Membership by the City of Alameda in the California Enterprise Development Authority (CEDA) and the Execution of an Associate Membership Agreement Relating to Associate Membership of the City in the Authority.”

Adopted; and

(17-13A) Resolution No. 15223, "Approving the Issuance by the California Enterprise Development Authority of Its Revenue Obligations on Behalf of the Bay Area Chinese Bible Church and/or a Related Entity in an Aggregate Amount Not to Exceed \$12,000,000 for the Purpose of Financing and Refinancing the Cost of Acquisition, Construction, Improvement and Equipping of Certain Property, Providing the Terms and Conditions for Such Obligations and Other Matters Relating Thereto." Adopted. [New file: 600-30]

The City Attorney made brief comments.

On behalf of the school, Dan Bronfman, Growth Capital Associates, Inc., gave a brief presentation.

Mayor Spencer opened the Public Hearing.

There being no speakers, Mayor Spencer closed the Public Hearing.

Councilmember Matarrese inquired whether the tool is open to any non-profit organization in the City, to which the City Attorney responded in the affirmative; stated non-profits look for an agency to conduct a Public Hearing for the organization.

Mr. Brofman noted the City is joining CEDA and would not have to do so again in the future.

Councilmember Ezzy Ashcraft inquired whether the membership is for a specific period of time, to which Mr. Brofman responded the membership is permanent.

Councilmember Ezzy Ashcraft inquired whether the school plans to remain on the site.

Steve Quen, Pastor, responded the high school was moved to Hayward several years ago.

Mr. Brofman stated the church and kindergarten through eighth grade remain on the site.

Councilmember Oddie inquired whether the bonds would be sold on the market, to which Mr. Brofman responded in the affirmative.

Councilmember Oddie inquired whether the City has any reporting responsibility, to which the City Attorney responded in the negative; stated the City is not involved.

Vice Mayor Vella moved adoption of the resolutions.

Councilmember Oddie seconded the motion.

Under discussion, Councilmember Ezzy Ashcraft inquired whether the both resolutions could be adopted via one motion, to which the City Attorney responded in the affirmative.

On the call for the question, the motion carried by unanimous voice vote – 5.

(17-14) Introduction of Ordinance Approving the Lease of Building 397 Located at 1690 Orion Street at Alameda Point (in the Enterprise Zone), with Astra Space, Inc., a Delaware C-Corporation for a Two-Year Lease with Three One-Year Extension Options. Introduced.

The Assistant Community Development Director made brief comments.

Chris Kemp and Adam London from Astra gave a Power Point presentation.

Councilmember Ezzy Ashcraft inquired how Astra found Alameda Point.

Mr. Kemp responded that he learned of Alameda Point through contacts at Google and Makani Power.

In response to Councilmember Ezzy Ashcraft's inquiry about rocket size, Mr. London stated the largest rocket would fit inside the Council Chambers.

In response to Councilmember Ezzy Ashcraft's inquiry regarding noise, Mr. Kemp stated the building was created for jet engine noise; if anything is heard, it will be quieter than planes flying above the neighborhood.

Councilmember Ezzy Ashcraft inquired whether Astra would generate exhaust.

Mr. London responded the engines mostly burn kerosene and oxygen; stated the exhaust is mostly water; there is a very small amount of carbon dioxide; the exhaust is mostly steam.

Councilmember Ezzy Ashcraft inquired whether Astra complies with the Bay Area Air Quality Management District regulations.

Mr. London provided a Merced County example, which passed testing; stated similar testing would be done.

Councilmember Ezzy Ashcraft stated Astra would start with 25 employees in the building; inquired whether the number of employees would increase, to which Mr. Kemp responded Astra would be looking for additional space to house more employees; stated the number of employees could increase to 50 within the next year and hundreds of employees within the next five years, which would require a new facility; noted the company would like to remain in Alameda.

In response Mayor Spencer's inquiry regarding the type of jobs, Mr. Kemp responded the employees would mostly be rocket scientists.

Mayor Spencer stated the term is an usual length; requested staff to provide an explanation.

The Assistant Community Development Director stated staff is not recommending a mutual termination because Astra is the type of tenant the City is looking for in the Enterprise District; staff believes the City should encourage Astra to stay and grow in Alameda.

Mayor Spencer inquired why the lease is for two years with three one year extensions, to which the Assistant Community Development Director responded Astra might not want to stay in the building long term; stated Astra would be interested in growing into a hanger; the five year term provides opportunity to see what happens.

Vice Mayor Vella stated the use is adaptive reuse at its finest since the company is using the internal elements of the facility, which is great.

Councilmember Ezzy Ashcraft moved introduction of the ordinance approving the lease and authorizing the City Manager to execute documents necessary to implement the terms of a lease with Astra Space, Inc., a Delaware Corporation, for a two-year lease with three one-year renewal options for Building 397 located at 1690 Orion Street at Alameda Point.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote – 5.

(17-15) Recommendation to Authorize a New Taser Program, including the Purchase of 60 Taser Conducted Electrical Devices (CED) and the Approval of a Five Year Taser Assurance Plan for a Total Purchase Price Not to Exceed \$139,509.00.

The Police Chief gave a brief presentation.

Mayor Spencer thanked staff for providing the draft policy; inquired when the policy would go into effect.

The Police Chief responded the policy would become effective when the tasers are put into the field.

Councilmember Ezzy Ashcraft stated the issue is tough; she was hesitant about the Police Department using tasers because of the BART incident, which occurred due to lack of training and proper protocols; police departments need non-lethal tools; the Police Chief is selective about those he hires and has policies in place for use of devices, such as body cameras and tasers, if approved; expressed appreciation for the

policies and background information.

In response to Vice Mayor Vella's inquiry regarding crisis intervention de-escalation training, the Police Chief stated the City has been participating in the training for about five years since the County first introduced the program; the training is popular; only three officers can be sent to each training and only ten sessions are offered per year; provided background on the training, which has caused use-of-force incidents to decrease; provided a recent example of an officer who used the training.

Vice Mayor Vella inquired whether the training will continue, to which the Police Chief responded in the affirmative.

Vice Mayor Vella inquired what type of training would be required before an officer could carry a taser.

The Police Chief responded training will take several months before deployment; stated defensive tactics training staff will be certified to train other officers.

Vice Mayor Vella inquired whether training will continue, to which the Police Chief responded in the affirmative; stated defensive training occurs quarterly, so officers will receive ongoing training at least four times a year.

Mayor Spencer stated the policy is available online; noted videos on crisis training are also online.

Councilmember Oddie stated providing another option of non-lethal force will make the community even safer.

Councilmember Oddie moved approval of authorizing a new taser program, including the purchase of 60 taser Conducted Electrical Devices (CED) and the approval of a five year taser assurance plan for a total purchase price not to exceed \$139,509.

Councilmember Ezzy Ashcraft seconded the motion

Under discussion, Councilmember Ezzy Ashcraft read a quote from the policy.

Mayor Spencer inquired whether the motion does not include approval of the policy since it is a Police Department policy, which will be approved prior to tasers being carried, to which the Police Chief responded in the affirmative.

On the call for the question, the motion carried by unanimous voice vote – 5.

(17-16) Recommendation to Consider the Tenants Request to Amend Lease via Introduction of Ordinance Approving Amendment of a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a Lease Amendment with Auctions by the Bay for Five Years in Building 525 Located at 2751

Todd Street at Alameda Point to Allow the Sale of Antique and Collectible Guns. Not introduced.

The City Manager and Assistant Community Development Director gave a brief presentation.

Allen Michaan and Scott Bradley, Michaan's Auctions, gave a brief presentation.

Councilmember Oddie inquired whether background checks would be required, to which Mr. Michaan responded in the affirmative; stated Michaan's Auctions has to comply with all laws.

In response to Councilmember Oddie's further question regarding background checks, Mr. Bradley stated background checks are only required for weapons made after 1898; the Bureau of Alcohol, Tobacco and Firearms (ATF) does not require checks for anything prior to 1898.

Councilmember Oddie stated Mr. Michaan indicated firearms are often part of an entire estate; however, complete shows would be for firearms; requested clarification.

Mr. Bradley provided an example of an estate that included firearms.

Councilmember Oddie inquired whether there would be shows that only include firearms, to which Mr. Bradley responded if antiques come in as part of an estate, they would be held and sold at an arms and armor show.

Mr. Michaan stated the sales would be separate; arms and armor would be its own auction; an estate went to another auction house because Michaan's Auctions could not accept the gun collection.

Councilmember Oddie stated said argument makes him sympathetic; however, he is concerned Michaan's would be attracting estates and sales of only arms.

Mr. Michaan stated said estates are few and far between; Michaan's goal is volume; working with Greg Martin gives Michaan's access to high end estates; Michaan's needs growth; selling newsworthy arms would provide publicity; Michaan's is building the auction house to be a world class player; urged Council to give him a chance; stated that he is not interested in arming the public.

Councilmember Oddie inquired whether musket balls could be sold, to which Mr. Michaan responded that he would agree if the Council restricts the sale of musket balls; noted black powder is needed to fire musket balls; stated that he would prefer to sell musket balls and cannons.

In response to Councilmember Oddie's inquiry regarding ivory, Mr. Michaan stated that he does not sell ivory.

Councilmember Oddie inquired whether the Police Department encounters weapons over 50 years old being used.

The Police Chief responded the age of a weapon used in a shooting is not typically tracked; provided a recent example of a very old revolver being used in a shooting.

Vice Mayor Vella inquired whether Butterfields or other auction houses lease public property.

Mr. Bradley responded Butterfield and Butterfield owned its buildings and Greg Martin Auctions leased buildings in San Francisco.

Vice Mayor Vella inquired whether the lease was with a private owner, to which Mr. Bradley responded that he believes so.

Vice Mayor Vella stated the Cow Palace and other government owned convention centers have gun shows; inquired whether the City has reviewed said locations liability waivers, protocols and process.

The City Attorney responded not thoroughly at this time.

Vice Mayor Vella stated any time any type of firearm is being considered, the City should be as thorough as possible as the owners of the property; inquired whether there is a timeline or if there time for staff to do a more thorough review of similar situations in which the government is the owner of the premises.

Mr. Michaan responded the ATF permits have expired so he would have to go through the ATF's process again, which took more than a month; a collection is not being offered right now; he would like to be prepared to accept an estate the next time there is one which includes arms and armor.

In response to Vice Mayor Vella's inquiry regarding replicas, the Assistant Community Development Director stated the federal definition of curios and relics exempts replicas; the applicant requested to sell replicas, so the definition was modified.

Vice Mayor Vella inquired whether the applicant would accept prohibiting sale of replicas, to which Mr. Bradley responded in the affirmative.

In response to Vice Mayor Vella's inquiry regarding protocols when firearms are on public display, the Assistant Community Development Director stated the Police Chief requested people not be able to handle the guns; the firearms display would always be staffed and a security guard would be on site.

The Police Chief stated that he wants to prevent a smash and grab where people drive through the front door of the business; firearms on display would be in a locked cabinet

with an employee present; the Alameda County Fairgrounds requires guns to be tethered; his biggest concern would be smash and grab or middle of the night thefts, which is why cameras and safes would be required.

Mr. Michaan stated the firearms would be displayed in closed glass cases, similar to jewelry; workers staffing shows would unlock the case, show the item, take it back and lock the case; one item is shown at a time; noted the building does not have windows, so there is really no way to have a smash and grab; further stated the vault was approved by ATF, is metal lined and has a secondary alarm system.

Mayor Spencer inquired whether the vault is fixed to the floor, to which Mr. Michaan responded the vault is a small, high security room which he built to house multimillion dollar items.

The Assistant Community Development Director stated the protocol for displaying guns is addressed under Condition 10, which requires a security plan to be submitted to the Police Chief; read the condition.

Councilmember Ezzy Ashcraft inquired whether security measures are needed because the firearms are still operable, to which the Police Chief responded that he would assume so.

Councilmember Ezzy Ashcraft inquired whether Mr. Michaan has run the auction house for 15 years without ever requesting to sell firearms, to which Mr. Michaan responded in the affirmative; stated the opportunity arose since Greg Martin approached Michaan Auctions; Greg Martin split from Butterfields and ran an auction house, which was sold with a non-compete clause; the non-compete time has expired and Butterfields sold its property in San Francisco; Greg Martin approached Mr. Bradley with the opportunity, which would allow Michaan's to expand.

In response to Vice Mayor Vella's inquiry regarding high capacity guns, Mr. Bradley stated that he is not aware of any older guns with high capacity.

Vice Mayor Vella noted as time passes, the date of guns older than 50 years would change and move towards the age of multi chamber guns; inquired whether or not the application would object to restrictions on said guns.

Mr. Bradley responded some of the guns might have 10 round clips.

Mr. Michaan noted ammunition would not be sold; stated the date of 50 years old can be set as of the current date; the Police Department would be provided a list of the guns to be sold; if the Police Department objects to a specific gun, Michaan's Auctions could tell the consigner the particular gun could not be accepted.

Councilmember Oddie inquired whether Mr. Michaan would be amenable to a set, non-moving date, such as January 1, 1967, to which Mr. Michaan responded in the

affirmative.

Councilmember Ezzy Ashcraft inquired whether there are times Michael's tells an estate certain pieces cannot be accepted, to which Mr. Bradley responded in the affirmative.

Mr. Michael stated an estate, which included arms, decided not to use Michael's since the arms could not be included in the sale.

Mr. Bradley stated an estate will use Michael's only if there are one or two items that cannot be sold.

In response to Mayor Spencer's inquiry regarding theft, Mr. Michael stated Michael's has never had a problem; Alameda is a safe community; the Police respond to alarm activations very quickly.

Mayor Spencer inquired why antique guns, which are older than curios, have not been included.

Mr. Michael responded pre-1898 is not an issue; stated curios and relics would be set at 50 years ago.

The Assistant Community Development Director stated the curios and relics definition includes antiques because it says 50 years or older; suggested stating antiques or curios and relics if the term antique is added.

In response to Mayor Spencer's inquiry regarding a definition of ammunition, the Assistant Community Development Director stated a definition could be added.

Mayor Spencer stated Mr. Michael indicated that he would agree to requiring guns to have low estimate of \$1,000; suggested said condition be added; inquired about the 5% of floor space.

The Assistant Community Development Director stated 5% of the auction house show room floor includes Building 20 to create the square footage cap.

In response to Mayor Spencer's further inquiry whether a snowball would be created by allowing gun sales, the Police Chief stated an answer would not be known until permission is granted; other people might see a commercial opportunity.

Mayor Spencer inquired what process would have to be followed to sell guns, to which the City Attorney responded it depends on the zoning; the current issue is before Council because the City leases the property to Michael's.

The City Manager noted a use permit would be required, which would have to go to the Planning Board.

Councilmember Ezzy Ashcraft stated that she cannot support the request because the guns are operable; although the purchaser might be fine, it is not known who could end up with the gun; the Police Chief provided an unfortunate recent example; guns can get into the hands of children; she would not have allowed gun sales at Big 5; the community vision for Alameda Point has never included arms sales; having the Police Department review the list of guns monthly creates additional work; she cannot approve the use.

Councilmember Matarrese stated that he does not think it is appropriate for the City to have a policy to sell guns on City land; he supports the staff recommendation to not amend the lease.

Mayor Spencer stated that she would support a one year pilot with all of the conditions; under proof of qualification, she would want to include a definition of ammunition; the matter could come back with the definitions; a service would be provided to people with estates that include arms.

Vice Mayor Vella stated that her concern is the policy implications of allowing the sale of firearms on City property; there would seem to be a lot of City staff time involved, which might not be the best use of staff time; the City has not done its due diligence to look into what other municipalities are doing; valid questions were raised.

Councilmember Oddie noted the action requires four votes; stated that he was opposed when he first heard the idea; the conditions crafted by staff are very strong; he would have supported the use with a fixed date of 50 years ago.

Mayor Spencer inquired whether any concessions could be made to convince other Councilmembers, to which Councilmember Matarrese responded in the negative; stated that he thinks it is bad policy.

Councilmember Matarrese moved approval of the staff recommendation not to amend the lease.

Councilmember Ezzy Ashcraft seconded the motion.

Under discussion, Councilmember Ezzy Ashcraft stated that she talked to Mr. Michaan about making the guns inoperable, which reduces the gun's value.

Councilmember Oddie stated that he would have supported the lease amendment; however, he will support the policy decision of the Council.

On the call for the question, the motion carried by the following voice vote: Ayes: Councilmembers Ezzy Ashcraft, Matarrese, Oddie and Vella – 4. Noes: Mayor Spencer – 1.

CITY MANAGER COMMUNICATIONS

(17-17) The City Manager announced the Sanctuary City matter would return to Council at the next regular meeting on January 17, 2017 and a priority setting work session would be held on February 17, 2017.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

(17-18) Consider Directing Staff to Review and Update the City's Ordinance to Increase Protection of Historic/Heritage Trees, including Adding Arborist Peer Review. (Mayor Spencer)

Mayor Spencer made brief comments on her referral.

Stated that she and her husband created a district to protect trees, which has raised and spent over \$300,000; expressed concern over the lack of City guidelines: Dee Keltner, Alameda.

Stated that he strongly supports the Mayor's proposal; other communities have stronger ordinances, which are good models; outlined suggestions that should be included which he submitted in a letter: Christopher Buckley, Alameda.

Provided background information on a proposed project that is near three coast live oak trees; stated the City Code offers very little guidelines, especially for smaller projects; the policy leaves the City open to developers and burdens Planning Department staff; urged the City to adopt a more comprehensive ordinance, including creating a tree advisory board: Scott Dawson, Alameda.

Stated the Planning Board does not have guidelines to follow, which has caused heartache over the last six months; urged the Council to consider establishing tree protection guidelines: Antonia Nicosia, Alameda.

Councilmember Ezzy Ashcraft stated there has been misinformation on a neighborhood project; trees are not being cut down; the project is being designed to protect the tree roots; the tree ordinance should probably be updated; a priority setting workshop will be held on February 17th; read a list of planning priorities; suggested amendment to the tree ordinance be considered at the priority setting workshop.

Mayor Spencer stated at this point, the ask is whether or not to proceed with the referral; all of the referrals will be addressed at the priority setting workshop.

Councilmember Matarrese stated that he wants staff to review the tree ordinance;

Council can address where the matter falls in the list on February 17th; suggested adding other facets, such as undesirable trees, historic tree management, drought management, and tree trimming; stated guidelines are needed.

Mayor Spencer noted that she included the existing Municipal Code Section in her referral, which is one paragraph.

The Assistant City Manager stated the Public Works website has a Master Tree Plan, which is two volumes that are around 135 pages each; stated guidelines are in place.

Vice Mayor Vella stated the Historical Advisory Board addresses removal of historic trees; the Board refers to the Master Plan, which is cumbersome; the Fremont guidelines are direct and easy to follow; expressed concern over the lack of public understanding; stated the HAB takes the decision seriously and rarely approves removal or construction which would damage trees; HAB members have worked with staff on the policies; rather than starting from scratch, existing policies should be compiled and made more user friendly.

Councilmember Oddie stated Alamedans love trees and want to protect them; since there are processes and guidelines in place; perhaps rather than there being a Citywide problem, the issue is a neighborhood dispute; the process has not been completed for the neighborhood project; questioned the need for a new process and board; stated there are already 40 issues in the queue, of which 8 are planning issues.

Councilmember Ezzy Ashcraft inquired whether the topic could be raised at the priority setting workshop even if the referral is not approved.

The City Manager responded in the affirmative; stated there will be a chance to raise issues at the priority setting workshop.

Mayor Spencer stated the referral does not specifically ask for a new board; the referral is not specific to one project, rather it addresses policy; having the Council review the policy and receive community input would be appropriate.

Vice Mayor Vella inquired where the Master Plan is available and why it is not referenced in the current ordinance.

The Assistant City Manager responded that she does not know why the Plan is not referenced; stated a reference could be added; the Plan is under Key Documents on the Public Works website; a link should be added on the Public Works webpage on trees.

Vice Mayor Vella inquired what Councilmember Matarrese would like to accomplish under the referral since he was on the Council when the Plan was adopted.

Councilmember Matarrese stated the Plan was adopted seven years ago; there has been a drought during said time; the City probably learned a lot from the drought;

Homeowners Associations do not have broad knowledge of the requirements; the user friendliness and connection to day-to-day should be improved; what is existing should be improved; tree issues cause attention; the process should be publicized and optimized.

Councilmember Ezzy Ashcraft stated that her only concern is allowing staff to be able to decide when they can address the matter, which does not necessarily rise above affordable housing or other matters already raised; staff's workload should be respected.

Mayor Spencer stated the priority setting workshop is being held to address workload; the vote tonight is whether to proceed with the referral.

Councilmember Matarrese stated the matter should be added to the queue; it can be placed in order at the priority setting workshop.

The City Manager stated the decision tonight is to approve the referral or decide not to focus on the issue; staff could define the size of the project at the priority setting work session; with two large volumes [of the Master Tree Plan], it might be that staff decides to go with a different, more user friendly approach or tweaks the existing document to create a procedure manual or process, which would be two different time commitments from staff.

Councilmember Matarrese moved approval of directing staff to follow the City Manager's suggestion with regard to the management of heritage and other trees in the City.

Councilmember Vella Spencer seconded the motion, which carried by unanimous voice vote – 5.

(17-19) Consider Directing Staff to Review and Update Outdoor Lighting Regulations, also Referred to as Night Sky or Dark Sky, to Reduce Light Pollution. Continued to January 17, 2017. (Mayor Spencer)

COUNCIL COMMUNICATIONS

(17-20) Councilmember Ezzy Ashcraft stated that she participated in the Toys for Tots drive on December 22nd to organize gifts for children; thanked staff; outlined the volunteer effort.

ADJOURNMENT

There being no further business, Mayor Spencer adjourned the meeting at 9:58 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 CITY COUNCIL MEETING
TUESDAY- -JANUARY 3, 2017- -6:00 P.M.

Mayor Spencer convened the meeting at 6:00 p.m.

Roll Call – Present: Councilmembers Ezzy Ashcraft, Matarrese, Oddie, Vella and Mayor Spencer – 5.

[Note: Councilmember Ezzy Ashcraft arrived at 6:02 p.m.]

Absent: None.

The meeting was adjourned to Closed Session to consider:

(17-01) 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.

Following the Closed Session, the meeting was reconvened and Mayor Spencer announced direction was given to staff.

Adjournment

There being no further business, Mayor Spencer adjourned the meeting at 6:45 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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