

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -JANUARY 17, 2017- -5:30 P.M.

Mayor Spencer convened the meeting at 5:33 p.m.

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

[Note: Mayor Spencer arrived at 5:43 p.m.]

Absent: None.

The meeting was adjourned to Closed Session to consider:

(17-021) Conference with Legal Counsel – Existing Litigation (Pursuant to Government Code § 54956.9); CASE NAME: Boatworks v City of Alameda, et al; COURT: Superior Court of the State of California, County of Alameda; CASE NUMBERS: RG1474654 and RG16823346

Note: Mayor Spencer left the meeting at 5:52 p.m. and returned at 6:01 p.m.

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 6:38 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -JANUARY 17, 2017- -7:00 P.M.

Mayor Spencer convened the meeting at 7:01 p.m. Kiera Marshall led the Pledge of Allegiance.

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

Absent: None.

AGENDA CHANGES

(17-022) Mayor Spencer stated that she will be leaving the meeting early to catch a flight for the Mayor's Conference; requested hearing the Sanctuary City item [paragraph (17- 041)] before the Transportation item [paragraph (17-040)].

The City Manager stated there are speakers for the Transportation item; that she would like the matter to be addressed tonight since it has already been continued.

In response to Mayor Spencer's inquiry, the City Clerk stated there are 16 speakers for item 6-D, nine for 6-B, and three for 6-C.

Mayor Spencer inquired whether Council would like to consider reducing the speaker time.

Councilmember Oddie stated that he would prefer to switch the items as suggested by Mayor Spencer so that she has an opportunity to vote on all the items.

Councilmember Ezzy Ashcraft stated the audience could be requested not to applaud to keep the speakers moving along in a timely fashion.

Mayor Spencer stated the agenda will be heard in the current order.

Councilmember Matarrese stated the clock will be monitored as Council moves through each item.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(17-023) Proclamation Declaring January 17th as St. Joseph Notre Dame Women's Cross Country Champion Kiera Marshall Day.

Mayor Spencer read and presented the proclamation to Kiera Marshall.

Ms. Marshall made brief comments.

(17-024) Mayor Spencer announced that I Am Alameda photos are being exhibited; urged anyone interested to submit photos.

(17-025) Mayor Spencer announced that the meeting would be adjourned in memory of Ron Cowan.

ORAL COMMUNICATIONS, NON-AGENDA

(17-026) Gaylon Parsons, Alameda, stated that she is thrilled to see Alameda on social media; the photo exhibit has been phenomenal.

(17-027) Marleen Gonzalez, Alameda, stated that she has been unlawfully evicted without written notice; her rent was raised from \$1364 to \$2200; she was given \$3,000 cash and a \$3,000 check which bounced; she said she would go back to her unit and was threatened.

(17-028) Toni Grimm, Alameda Renters Coalition (ARC), stated ARC's slogan is "Keep Alamedans in Their Homes"; urged the Council to increase rent protections.

(17-029) Eric Strimling, Alameda Renters Coalition, stated a tenant with a leak from the rain provided a picture which showed a smoke alarm in the wrong place; there is a lack in rental inspections to ensure health and safety laws are followed.

In response to Mayor Spencer's request, the City Manager stated residents should contact the Housing Authority, as well as the Office of the City Manager or City Attorney.

Councilmember Ezzy Ashcraft stated the Police Department should be contacted in the case of being physically threatened.

CONSENT CALENDAR

Councilmember Oddie moved approval 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.]

(*17-030) Minutes of the Regular City Council Meeting Held on December 20, 2017. Approved.

(*17-031) Ratified bills in the amount of \$4,684,805.17.

(*17-032) Recommendation to Accept the Investment Report for the Quarter Ending June 30, 2016. Accepted.

(*17-033) Recommendation to Authorize the City Manager, or Her Designee, to Negotiate and Execute a Purchase Agreement with Tri Tech Software Systems on Forms Acceptable to the City Attorney to Furnish, Install, and Implement an Upgrade to the Police Department's Computer Aided Dispatch (CAD) and Records Management Systems (RMS) Utilizing Previously Approved Funds, in an Amount not to Exceed \$995,000, in a Technology Account, Resulting in No Additional Costs to the City, and Accompanying Five Year Software Support Agreement. Accepted.

(*17-034) Recommendation to Amend the Contract With Ray's Electric to Increase the Contract Amount by \$58,000, Including Contingency, for the Main Street Ferry Terminal Access Improvement Project for a Total of \$176,320. Accepted.

(*17-035) Recommendation to Authorize the City Manager to Approve the Assignment of Lease for Building 9 from 707 West Tower Avenue, LLC to 651/707 West Tower Avenue, LLC, a Delaware Limited Liability Company. Accepted.

(*17-036) Resolution No. 15224, "Amending Fiscal Year (FY) 2016-17 Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) Funds Budget for Prior Fiscal Year Unspent Entitlement and Program Income Allocations." Adopted.

(*17-037) Ordinance No. 3173, "Approving the Lease of Building 397, Located at 1690 Orion Street at Alameda Point, with Astra Space, Inc., a Delaware C-Corporation for a Two-Year Lease with Three One-Year Extension Options. [In accordance with the California Environmental Quality Act (CEQA), this Project is Categorically Exempt under the CEQA Guidelines Section 15301(c) –Existing Facilities.]" [Requires Four Affirmative Votes]. Finally passed.

REGULAR AGENDA ITEMS

(17-038) Presentation of Accreditation Award to the Public Works Department from the American Public Works Association.

Edric Kwan, American Public Works Association, presented the Accreditation Award.

The Interim Public Works Director gave a brief presentation.

(17-039) Public Hearing to Consider Introduction of Ordinance Amending the Disposition and Development Agreement between Alameda Point Partners, LLC (APP) and the City of Alameda for Site A at Alameda Point to Extend the Phase 1 Outside Closing Date from December 12, 2016 to April 11, 2017 to Allow for Additional Time to Complete Property Due Diligence and to Secure Additional Financial Commitments. Introduced.

The Base Reuse Director gave a Power Point presentation.

Councilmember Matarrese requested the Trammell Crow Residential letter be reviewed.

The Base Reuse Director showed the letter and explained the financing infrastructure.

Councilmember Matarrese inquired whether there has been a request for the terms of the agreement other than an extension to April 11, 2017.

The Base Reuse Director responded in the negative; stated there have not been any additional requests in terms of finances, the project, or to changing any amounts or contributions to the City.

Mayor Spencer inquired any other Councilmembers had any questions, being none, she inquired whether the infrastructure loan was coming from UDR, to which the Base Reuse Director responded in the affirmative; stated the loan agreement was executed today.

In response to Mayor Spencer's inquiry regarding Blocks 6, 7, 9 and 11, the Base Reuse Director stated Blocks 6 and 7 have purchase and sale agreements and will be sold to a townhome developer; the purchase and sale agreement for Block 9 has been signed today and is apartment-type housing.

Mayor Spencer inquired whether Block 9 is the building which has the condo overlay.

Councilmember Ezzy Ashcraft inquired whether Council was here tonight to make modifications to plans, or simply extend the date.

Mayor Spencer called a point of order, re-stated her inquiry regarding the condo overlay.

The Base Reuse Director responded as part of the mapping process, Block 6 and 7 have condo overlays, and Blocks 9 and 11 will be apartments.

Mayor Spencer inquired what the status is of Block 9, 11, and 1A.

The Base Reuse Director responded Block 11 will be developed by TCR in concert with UDR; stated it will be a participating mortgage at this point; TCR will be providing a commitment letter consistent with the DDA for financing of Block 1A.

In response to Mayor Spencer's inquiry regarding the deficiencies, the Base Reuse Director stated TCR has significant resources and has offered to provide a commitment letter for the financing of the project; UDR is the primary major capital investor on the project; staff felt it was in the City's interest to have TCR as an additional financing entity to see evidence of their commitment to the project before transferring the land.

Mayor Spencer inquired what is the incentive for APP to meet the next deadline.

The Base Reuse Director responded if the next deadline is not met, APP would be in default and the City would pursue remedies under the DDA.

Mayor Spencer inquired whether APP is in default for the December deadline, to which the Assistant City Attorney responded in the negative; stated the City has been working with APP to bring the item before the Council; staff caused a scheduling delay and APP has not been issued a default notice.

Mayor Spencer inquired what will change in the next few months versus the last 18 months.

The Base Reuse Director responded the infrastructure that needs to occur makes the project complex; stated 18 months is an aggressive timeline to incentivize performance; APP has worked very hard, is continuing to work very hard and there has been no lagging; the reality is it is a complicated project; they have shown progress and commitment without taking any breaks; it is reasonable and no surprise there is a four month delay; the delay does not change any of the actual completion dates.

In response to Mayor Spencer's inquiry regarding Block 9, Bruce Dorfman, TCR, stated that UDR is going to map the site as condos for future exit strategies; UDR's business plan is to rent; the long term plan is to sell an asset, which could then be converted to condominiums.

Councilmember Ezzy Ashcraft inquired whether staff felt they have had good communication with the developer in the past 18 months, to which the Base Reuse Director responded in the affirmative; stated there has been significant interaction with the developer and weekly meetings; communication is an open book; staff will meet with UDR to review their financials; there is constant, ongoing communications and a real long term partnership perspective.

In response to Councilmember Ezzy Ashcraft's inquiry, the Base Reuse Director stated Council is being asked to approve an extension of the outside closing date to April 11, 2017; the extension does not change any of the major milestone dates.

Councilmember Oddie inquired what else is necessary for UDR to meet the expected commitments.

The Base Reuse Director responded other property due diligence items need to be sorted through final investigations on the open petroleum site; covenants from Water Board; and continuing to work through other conditions to close.

Councilmember Oddie inquired whether more financing needs to be obtained, to which the Base Reuse Director responded anything not done in time would be committed through TCR in a commitment letter; stated it was contemplated in the DDA that the managing partner could provide a commitment letter to help finalize the financing commitments.

Councilmember Oddie inquired whether UDR would have an opportunity to cure if they were in default.

The Base Reuse Director responded in the affirmative; stated the cure period starts at 30 days and ends at 120 days, depending on the type and extent of cure.

In response to Councilmember Oddie's inquiry, the Base Reuse Director stated having to cure a default would jeopardize the potential relationship with UDR and the capital investment team, and the City would risk losing the capital investor.

In response to Vice Mayor Vella's inquiry regarding current litigation, the Assistant City Attorney stated a quick legal search for any cases involving UDR and whether or not they defaulted in major development did not reveal any current pending lawsuits or past lawsuits under the criteria set forth.

Vice Mayor Vella requested a highlight of the projects TCR has done in the Bay Area.

Mr. Dorfman responded TCR has been involved in two dozen developments in Northern California, including the housing on Bay Street in Emeryville, a 3000 unit mixed-use project in north San Jose called North Park, and an 1800 unit project named River View in San Jose; UDR has a national footprint and just completed 399 Fremont, a high rise in downtown San Francisco and has been involved in numerous projects from Silicon Valley to the East Bay.

Urged Council to approve the extension: Michael McDonough, Chamber of Commerce.

Commended the Site A development team for attending many Alameda Home Team meetings to answer questions and listen to concerns; stated the project is complex; urged the Council to approve the extension: Helen Sause, Alameda Home Team.

Submitted information; expressed concern over UDR being in the luxury apartment business; urged the Council not to approve APP's request for the extension: Dorothy Freeman, Alameda.

Stated fair housing for all Alamedans is critical; UDR's website is full of nothing but luxury apartments: Jim Sweeney, Alameda.

Stated the ball is rolling; urged approval of the extension: Philip James, Alameda.

Stated his all union company has been actively engaged with APP for more than a year; are currently negotiating a final contract; urged Council support for the extension: Jim Summers, DeSilva Gates Construction.

Outlined construction costs and practices; stated his ideas include raised foundations and all copper pipes, rather than plastic: Mike Roddy, Oxbow Partners.

Stated the project is well designed and conceived; the use is very good; the construction specifications are appropriate; having the project go forward will be good for the community; time has been well spent; additional time is warranted: Andrew Ball, Ball + Winter.

Urged Council to approve the extension; the Council approved the project unanimously

and the deal does not change; the developer should be given extra time: John Knox White, Alameda.

Stated there is a housing crisis across the country; the Council should take extra time to look at every option; the project is wonderful, but this may be an opportunity to review creating more workforce housing: Janet Gibson, Alameda.

Councilmember Ezzy Ashcraft stated the City has been working on Alameda Point for decades; 1996 is when the former Naval Air Station landed on the base closure list; there was an economic downturn in the intervening years; now the City is so close to taking the first major step; a lot of due diligence, time and effort has been put into building the foundation of a very good project; significant issues include: Site A as the catalyst to development of enterprise zone, housing needs to be made affordable and accessible, ferry terminal funding, and transportation and traffic on and off the island.

Mayor Spencer stated that she appreciates the term major milestone; APP has had 18 months to come up with the financing; now staff is asking for an extension, which is inappropriate; that she had a conversation with Joe Ernst about the lack of work-force housing; the property belongs to the community; it is a chance to demand affordable, work-force housing; UDR does luxury apartment homes and may take advantage of this gift from the Navy; further stated that she is unable to support the extension.

Councilmember Oddie stated that he concurs with most of Councilmember Ezzy Ashcraft's comments; Alameda Point has not been productive for 20 years; he is starting to have a few concerns and hopes the concerns are alleviated after 120 days; staff is smart and prudent to agree not to close while the structure was not in place; there were some warning signs from previous situations, but the current developer is not like that; the leash is going to be short; if Council grants the extension, APP will get it done; there will not be an appetite for Council to grant another extension; Alameda does need market rate to fund affordable housing; Council has a lot of trust in staff; if APP defaults, they have an opportunity to cure the default and three to five months to figure it out; he plans to support granting the 120 day extension.

Councilmember Matarrese stated the deal is the deal; this Council unanimously supported the deal and is not inclined to give another extension, but the timeline has not changed; referrals regarding the issues have been delayed and delayed; allowing the developer to work out their finances is important, and if it does not pencil, Council will know; the City needs to have early warning from the developer and staff if there is something amiss; there is greater risk if an extension is not granted.

Vice Mayor Vella stated that she was not part of the earlier decision, but agrees that a deal is a deal; she is not inclined to support a second extension; Councilmembers also have a fiduciary responsibility; she would grant a 120 day extension to work towards getting the financing rather than curing a default; any delay is a concern and she is inclined to shorten the extension; the community needs the combination of the units and transit infrastructure; the developer has been proactive; the conversation needs to

continue; Council has been burnt before and the issue needs to be taken seriously; she supports the extension.

Councilmember Ezzy Ashcraft moved introduction of the ordinance amending the Disposition and Development Agreement between Alameda Point Partners, LLC and the City of Alameda for Site A at Alameda Point to extend the Phase 1 Outside Closing Date from December 12, 2016 to April 11, 2017 to Allow for Additional Time to Complete Property Due Diligence and to Secure Additional Financial Commitments.

Councilmember Vella seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Ezzy Ashcraft, Matarrese, Oddie and Vella – 4. Noes: Mayor Spencer – 1.

(17-040) Recommendation to Provide Comments on the Draft Strategies and List of Projects and Actions for the Citywide Transit and Transportation Demand Management (TDM) Plan.

Mayor Spencer called a recess at 8:46 p.m. and reconvened the meeting at 8:53 p.m.

The Base Reuse Director gave a Power Point presentation.

Councilmember Oddie inquired whether a transfer to and from the ferry to AC Transit is free prior to the clipper card, to which the Base Reuse Director responded in the affirmative; stated the clipper card system would be reprogrammed to get the discount; the goal is to try to make it seamless.

In response to Vice Mayor Vella's inquiry regarding the impact of the Park & Ride on Bay Farm Island, the Base Reuse Director stated staff has not looked at it as a strategy, but will look into it.

Vice Mayor Vella stated she would like to see bus access for teachers and staff and safe routes to schools explored.

The Base Reuse Director stated it is a great idea and the School District will be approached.

Councilmember Ezzy Ashcraft inquired whether the goal of reducing drive-alone trips on and off the Island was considered.

The Base Reuse Director responded staff is in the process of obtaining baseline numbers on how effective the packages of improvements will be in achieving the goals; stated some will be more successful at meeting the goals than others; more quantitative analysis is needed; it would take a big shift, but staff can look at what it may take to make the improvements; the desire is to be aggressive but realistic.

Councilmember Ezzy Ashcraft inquired whether the plan will continue to include West End access on pedestrian bicycle bridge, to which the Base Reuse Director responded in the affirmative; stated it was agreed to have it in the plan.

Councilmember Ezzy Ashcraft stated a possible partnership with electric shuttles or driverless transport would be good to consider; inquired whether emission free shuttles are being considered, to which the Base Reuse Director responded it could be added to the list for consideration; stated driverless buses have physical implications and may be getting ahead of the curve; bus service is intended to be electric vehicles.

In response to Mayor Spencer's inquiry regarding a discrepancy in survey results, the Base Reuse Director stated she does not have the data tonight, but can provide it.

In response to Mayor Spencer's inquiry regarding land lines versus cell phones, the Base Reuse Director stated staff could get the information but the consultant is not here tonight; the City contracted with a public opinion survey so it is done as scientific.

Mayor Spencer inquired whether anything costing more would come through the Council process, to which the Base Reuse Director responded in the affirmative.

In response to Mayor Spencer's inquiry, the Base Reuse Director stated most of the planning comes from Measure B; at this point staff is not asking for funding from the General Fund.

Outlined an idea for a free shuttle; urged the shuttle be a priority: Tony Kuttner, Greater Alameda Business Association.

Stated the project is a viable solution for Alameda and the Chamber of Commerce supports it; there are a lot of advantages for Alameda to have its own service; urged Council not to take it off the table: Michael McDonough, Chamber of Commerce.

Councilmember Oddie stated the City should continue to push for grants to get the Bike Share idea done; a bus to the Main Street ferry is a priority; that he was expecting a more holistic approach to solving the traffic problem and establish a citywide TDM; he was expecting more efficient transportation which would include everything on the list; so far \$500,000 was spent to say the City should have busses; what is missing is the overarching connection to future development; if the City does the list of projects, pedestrian safety needs to be included; overall the plan is a good start, but he was expecting a little more.

Councilmember Matarrese stated the problem is that over 50% of people ride alone as shown in the survey data; more attention needs to be paid to why that is; measuring the success of a strategy will show if there is good use of money; he agrees that free is not free, someone is paying, and that jolt of reality has to be monitored on every project; grants are one-time and come and go; the City should make the best use of money and ensure it continues to flow; he would like to see the Drive 25 project incorporated in the TDM; it is a street and vehicle-use issue that intersects; he observed a phenomenon that on non-school days that are odd holidays there is no back-up at Harbor Bay or the tube; there was no mention of the phenomenon in the plan which does not connect with

the reality of Alameda; the issues with moving on and off the island, and around the island, have to be looked at; the behavior and incentives that will change the percentage of drive-alones also have to be reviewed; he would like to see the Transportation Commission recommendations explicit in the plan; as a top priority the Transportation Commission should deliberate and give the Council their recommendations by vote.

Vice Mayor Vella stated the highest ranking project is getting on and off the Island and the on-island transit issues; she thinks they are also separate issues; there is a lot of concern for West End estuary crossings when evaluating long term; she primarily uses bike and public transit to get around the island and only drives to work; finding ways to get people comfortable with using public transit is important; estuary crossing is important; the City needs to plan now and be serious about it; for the people who want to get their cars off the road, the City should serve them by providing long term options and the means for doing so; she would like feedback from the Commission on Disabilities Issues as able-ism should not be assumed.

Councilmember Ezzy Ashcraft stated she concurred with her colleagues and commended staff for looking at Citywide strategy; parking management strategy has great objectives; reducing incentives by parking strategy should be used in tandem with other objectives and not discourage people already inclined to use public transit; safe alternatives for students should be provided so parents are willing to allow their kids to walk, ride bikes, or take the bus, and there would be less congested traffic; finding a way to pay for free shuttle is a continuing obligation; not everyone needs to be offered the service for free; students, low income, and seniors, could be included, but she would like the incentive to be more need-based; the free shuttle is a great idea but would be a challenge to underwrite; inquired what are the next steps and when they can begin.

The Base Reuse Director responded next steps would include finding a way to package the incentives in a way that provide more of the connections and make the plan more comprehensive; staff has been working with the consultant on tool kits to create standardized TDM and take the strategy to the next level; the intent is to spend the next couple months putting a draft plan together, and returning to Council in the summer with a draft plan; the plan would go through the whole circuit of the Planning Board, Transportation Commission, and the Commission on Disabilities Issues; a draft plan will be presented first, then a final plan.

Mayor Spencer stated that she has concerns about the public opinion survey and the demographics; trying to figure out how to make the plan sustainable is the issue; she would support the plan but would not support raising taxes to support it; figuring out ways for funding needs to be addressed; Alameda has serious transit problems, rush hour and access to and from schools is always an issue; there are ways to do the plan with the support of the community; establishing a sustainable long term plan to meet the needs is important; the priorities include sustainability with no money from the General Fund; Council could continue to advocate, but figuring out how it is going to be done here is important; considerations can include grants, things that can be improved, working with the Coast Guard, and figuring out a bridge; feeling comfortable and safe

riding bikes on and off the island should be a priority; Alameda does have discounted bus passes but would like to find a way to offer discounts to everyone who lives in Alameda; negotiations should happen sooner than later; Alameda has unique needs which require unique solutions; she would like to know the data regarding who took the survey to ensure all community members are being reached.

(17-041) Resolution No. 15225, “Affirming the City of Alameda’s Commitment to the Values of Dignity, Inclusivity, and Respect for All Individuals, Regardless of Ethnic or National Origin, Gender, Race, Religious Affiliation, Sexual Orientation, or Immigration Status.

Mayor Spencer stated there are 30 speakers on the item which would take 90 minutes; reducing speaker limit to two minutes each would still be an hour; the issue is important and she would like to weigh in on it.

Vice Mayor Vella suggested reducing each speaker time to two minutes.

Councilmember Oddie inquired whether Mayor Spencer could make comments before she leaves, to which the City Attorney responded in the affirmative; stated it would not violated the Brown Act.

Councilmember Ezzy Ashcraft stated she concurs with Vice Mayor Vella on speaker time.

Mayor Spencer stated she apologizes she cannot be here for all speakers and offered her comments to Council: She is ok with the title with the caveat that inclusivity could be slightly misleading , immigration status needs to be stricken in the first whereas because it does not fall under the summary of the Constitutions; change “a” cornerstone in the fourth whereas; the Board of Social Services is the correct title, not Social Services Board; she would like to include an annual meeting with SSHRB and City Council; stated there should be a whereas added referencing the police policy; in the last whereas, prefers using “those” communities instead of “the” community; she suggests alphabetizing the list of protected classes and include a whereas for financial impact; she proposes a sentence “if a federal policy adopted requiring officials use public resources, then City of Alameda officials will not use any public resources, but bring it back to Council for further direction”; Section 5 should read federal “law” or “program” to be consistent and more broad; she would support the resolution with these changes.

Mayor Spencer left the meeting at 10:15 p.m. in order to travel to attend the U.S. Conference of Mayors.

The City Manager gave a Power Point presentation.

Stated that she made a commitment to stand up for human rights in the community; expressed support for the resolution: Susan Paulukonis, Alameda.

Stated that she supports the resolution, which is a significant step toward a more just and compassionate city and nation; she will monitor housing regulations to ensure that the values are more than spoken: Sister Pat Nagle, Welcome the Stranger.

Urged the Council to support a strong sanctuary resolution; shared her family's immigration story: Holly Lim, Alameda resident and Filipino Advocates for Justice.

Stated hopefully the President-elect will not follow through on campaign promises; urged adoption of the resolution: Philip James, Alameda resident and East Bay Young Democrats.

Submitted and outlined information: Joseph Woodard, Alameda.

Stated the he agrees with most of the resolution; however, he is opposed to putting legal citizens at risk by providing support, aid and sanctuary for those who do not abide by immigration laws: Warren Serkin, Alameda.

Stated that he appreciates the support of the faith organizations; expressed support for the resolution: Doyle Saylor, Renewed Hope.

Discussed the growth of diversity in Alameda; urged the Council to adopt the resolution: Helen Sause, Alameda.

(17-042) Acting Mayor Vella stated a motion is needed to continue the meeting.

Councilmember Matarrese moved approval [of continuing the meeting].

Councilmember Ezzy Ashcraft seconded the motion.

Under discussion, Councilmember Ezzy Ashcraft stated she would support the motion if it not include the Board and Commission appointment item.

The City Clerk stated the item is announcing Mayor Spencer's nomination to the Public Utilities Board.

Councilmember Ezzy Ashcraft inquired whether all the applicants were interviewed, to which the City Clerk responded in the affirmative.

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

Expressed concern that Alameda as a Sanctuary City violates federal law: Brian Kennedy, Alameda.

Councilmember Ezzy Ashcraft stated she wanted to remind Council, as a point of order, that a public speaker is speaking to the entire Council and not intended to direct any personal comments to any particular Councilmember.

Stated that she is speaking on behalf of Catherine Tactaquin; urged the term Sanctuary City be used; : Lillian Galedo.

Stated she supports the resolution and urged the Council to make a real commitment to the community: Katin Lindsey, The Child Unique Montessori.

Urged Council to support on the Sanctuary City resolution: Austin Tam, Alameda.

Stated Alameda stands as a community where everyone is safe; suggested adding a Whereas to the resolution about violations to the State or Federal Constitution: Gaby Dolphin, Alameda.

Stated that he has been on the receiving end of racial bullying; urged Council to adopt the resolution: Michael Lee, Alameda.

Stated the Alameda Progressives held an Everyone Belongs Here event last Saturday; people feel citizens will be protected and safe; the community supports everyone being welcome here: Cheri Johansen, Alameda Progressives.

Expressed support for the resolution, which is a small step in the right direction: Reverend Stephen McHale, Christ Episcopal Church.

Stated the resolution does not change any policy, does not include the term Sanctuary City and includes that the City will comply with federal law; urged the term Sanctuary City be added and doing more: Eric Strimling, Alameda Renters Coalition.

Stated that he is Veteran; legal immigrants have fled their country to get away from laws, Sanctuary Cities protect illegal immigrants that want to do harm: Christian Martwelli, Alameda.

Stated last Saturday a human billboard vigil was held to express beliefs about inclusivity; urged Council to support the resolution: Ruth Smiles, Alameda.

Expressed appreciation for the Board meeting on November 29, 2016 to address bias-motivated events; stated the Board looks forward to continue working on the matter; the resolution provides some teeth to a sentiment that already exists and provide assurance to those with doubts: Nicole Blake, Social Service Human Relations Board (SSHRB).

Shared a story of classmates telling her 8 year old daughter she should have been killed with other jews: Alicia Cernitz-Schwartz, Alameda.

Stated there were a number of recommendations from the November 29th SHHRB meeting which she provided in a letter to the Mayor; stated that she supports the resolution: Jennifer Williams, Alameda.

Expressed support for the resolution; suggested Council consider using the term Sanctuary City: John Knox White, Alameda.

Stated that she supports the resolution because it supports diversity and community values: Audrey Hyman, SSHRB.

Stated that he was crushed the term Sanctuary City was removed from the resolution: Sean Manzano, Alameda.

Stated there has been an increase in hate speech and bullying at schools; encouraged a message be sent to the community that bullying will not be tolerated and all are welcome; encouraged Alameda be called a Sanctuary City: Kristin Welch, Alameda.

Stated the he supports the intent of the resolution; urged the term Sanctuary City be included: Reverend Michael Yoshii, Buena Vista United Methodist Church.

Stated that Alameda is home to many immigrant residents, who need a voice; removing the language of Sanctuary City removes its teeth; completely defunding Sanctuary Cities has been pulled back: Chelsea Haleynelson, Alameda.

Stated if making Alameda a Sanctuary City is a small step to make people stand up for others, it is worth it: Leslie VanEvery, Solidarity Sundays.

Stated that she works with an immigrant family; the organization of Catholic Churches will probably bring in more immigrant families, which is worthwhile for the organization: Kathy Schumacher, Alameda.

Discussed the related School Board action as symbolic versus making the effort real; stated the real issue is to help the illegal immigrants who live in fear; give them a pathway to being legal that they understand: Janet Gibson, Alameda.

Councilmember Matarrese suggested striking the first sentence of Section 5; stated reporting needs to be hardwired and added into Section 5, suggested language for Section 5.

Councilmember Ezzy Ashcraft inquired whether Council would want to know reports immediately rather than the City Manager reporting on a regular basis.

The City Attorney requested clarification of Councilmember Matarrese's sentence.

Councilmember Matarrese stated the power of the words “Sanctuary City” cannot be hidden by the absence of the term in the resolution and supports including “Sanctuary City” in the resolution title.

Councilmember Oddie stated that he concurs with Councilmember Matarrese and Mayor Spencer’s suggestions; supports joint SSHRB/City Council meetings; taking the suggestions that come through and evaluating them in six or eight months is a good idea; the stories he heard from the speakers frame where he is coming from; he does not want to see a situation of immigrant families torn apart similar to the Japanese internment camps; he described his own family story of his mother’s visit to Southern Poland and Auschwitz; stated the horrors are being normalized; the dichotomy of this week with the Martin Luther King holiday and ending with the inauguration; stated that he stands with all of the immigrant population, brothers and sisters of Muslim and all faiths, that he is proud to say Council has your back.

Councilmember Ezzy Ashcraft stated it is both an honor and humbling to represent the community, which is a diverse community; Council has heard divergent views expressed with civility; the staff report referenced 100 years in Alameda caring for the needy; learning from the past is important; staff stated that immigrant families were afraid to sign up with any database, so the staff arranged for Allen Temple Baptist Church to ensure toys went to immigrant families during the holidays; stated she does not want people to live in fear; she is happy to support the resolution.

Vice Mayor Vella stated it is important to address a few things; she is fundamentally opposed to mass deportation; Council took an oath to support the Constitution; the meeting was started with the Pledge of Allegiance; we are still fighting for the notion of justice for all someday; there are fiscal impacts ahead; stated there has to be a Nexus, as a fiduciary, as there is no price on civil liberties; what makes the community great is its diversity; the government is not infallible; she is concerned about school kids; the language of hate is being used which is a problem happening in the community; it is not about immigration status, it is about other people questioning your status; devotion to the Constitution and the United States is an obligation to each other; she would like the resolution to conflict with unconstitutional imposed by federal law; there are things that could come down and she does not want Alameda be first in line; she would be in favor of changing the title to include Sanctuary City; she would like people to know they have a place in Alameda and want to make it a little stronger; she takes the issue personally, as she has family that were interned; the resolution is a first big step that is much needed; Council should strengthen the resolution and add the term Sanctuary City.

The City Attorney stated the reason why the term Sanctuary City was not used was because it is not clearly defined; but could come back to Council with a stronger Section 5.

Councilmember Matarrese stated the point of the resolution is this is how Alameda sees Sanctuary City; the term does not need to be defined.

Vice Mayor Vella requested Councilmember Matarrese to restate his suggested language for Section 5.

Councilmember Matarrese stated remove “nothing in this resolution shall be construed or implemented to conflict with obligation imposed by federal law” and replace with “the City Manager shall report on a regular basis all requests or mandates from the federal government for use of City resources to the City Council for advice and direction or report the absence of such requests or mandates.”

Vice Mayor Vella stated for clarification that staff does not actually make the decision whether or not to comply; that the decision is brought to the Council.

Councilmember Ezzy Ashcraft suggested the language in the title be “...affirming the City of Alameda’s commitment as a Sanctuary City...”

Councilmember Oddie stated he concurs with Councilmember Matarrese’s language.

Vice Mayor Vella and Councilmember Matarrese concurred to include Sanctuary City in the title.

Vice Mayor Vella inquired about Mayor Spencer’s suggestions.

Councilmember Ezzy Ashcraft stated the SSHRB does not belong in the resolution; Section 4 sounds fine the way it is.

Councilmember Matarrese stated the Mayor’s suggestion of including a whereas regarding the Police Department is important.

The City Attorney inquired whether Council wanted the litany of things the Mayor requested alphabetized.

Councilmember Ezzy Ashcraft responded in the negative; stated it is fine the way it is.

Councilmember Oddie motioned to adopt the resolution with the amendments: 1) include Sanctuary City in the title; 2) correct changes to Section 5 as per Councilmember Matarrese’s suggested language; 3) the reference to existing policy and new whereas clause as suggested by Mayor Spencer.

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

CITY MANAGER COMMUNICATIONS

(17-043) The City Manager announced January is Black History Month and the Public Information Officer is planning a lot of activities; announced the City finally has a long term plan for dredging at MARAD.

Councilmember Oddie inquired about the Friends of the Alameda Animal Shelter.

The City Manager stated staff has received draft audited financials on January 11th and will schedule a meeting to talk about the findings early next week.

ORAL COMMUNICATIONS, NON-AGENDA

(17-044) Janet Gibson, Alameda, expressed concern over Councilmembers interrupting others speaking; suggested Council reach an agreement to not interrupt each other.

(17-045) Reverend Michael Yoshii, Buena Vista Methodist Church, stated there needs to be space to acknowledge Alameda has not been perfect; historic covenants should be named to give a full composite of the narrative.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(17-046) Consideration of Mayor's Nomination for Appointment to the Public Utilities Board.

The City Clerk announced Mayor Spencer nominated Gerald Serventi for appointment to the Public Utilities Board.

(17-047) Councilmember Oddie stated he attended a Stope Waste board meeting; discussed debris removal; gave Kerry Parker from Public Works kudos for a great presentation.

(17-048) Acting Mayor Vella stated that she would be attending the airport noise forum tomorrow night.

ADJOURNMENT

(17-049) There being no further business, Acting Mayor Vella adjourned the meeting at 12:25 a.m. in memory of Ron Cowan.

Respectfully submitted,

Irma Glidden
Assistant City Clerk

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