

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -JULY 10, 2018- -4:00 P.M.

Mayor Spencer convened the meeting at 4:01 p.m.

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

[Note: Vice Mayor Vella was present via teleconference from the Hilton Minneapolis, 1001 Marquette Avenue South, Minneapolis, Minnesota 55403]

Absent: None.

The meeting was adjourned to Closed Session to consider:

(18-389) Conference with Legal Counsel - Existing Litigation (Pursuant to Government Code § 54956.9); Case Name: Zachary Ginsburg v. City of Alameda; Court: Superior Court of the State of California, County of Alameda; Case No.: RG15791428

(18-390) 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 Nos.: RG14746654, RG16823346 & RG16841240

(18-391) Conference with Legal Counsel - Existing Litigation (Pursuant to Government Code § 54956.9); Case Name: Area 51 Productions v City of Alameda, et al.; Court: Superior Court of the State of California, County of Alameda; Case No.: RG14741702

(18-392) Public Employee Appointment/Hiring Pursuant to Government Code § 54957; Title/description of positions to be filled: Acting City Manager and City Manager

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding Ginsburg and Boatworks, the City Council received an update on the cases status; regarding Area 51 Productions, the Council unanimously voted to approve a settlement with direction for notice to the codefendant.

Mayor Spencer called a recess at 6:01 p.m. and reconvened the meeting at 12:25 a.m.

Following the Closed Session, the meeting was reconvened and the City Clerk announced that Appointment/Hiring, direction was given to staff by the following roll call vote: Councilmembers Ezzy Ashcraft: No; Matarrese: No; Oddie: Aye; Vella: Aye; and Mayor Spencer: Aye; Ayes: 3; Noes: 2.

Adjournment

There being no further business, Mayor Spencer adjourned the meeting at 12:42 a.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL
TUESDAY- -JULY 10, 2018- -6:00 P.M.

Mayor Spencer convened the meeting at 6:14 p.m. and led the Pledge of Allegiance.

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

[Note: Vice Mayor Vella was present via teleconference from the Hilton Minneapolis, 1001 Marquette Avenue South, Minneapolis, Minnesota 55403]

Absent: None.

AGENDA ITEM

(18-393) Recommendation to Review and Comment on the City of Alameda Rent Stabilization Ordinance Review (May 2018) Prepared by Management Partners.

The Community Development Director gave a presentation.

Councilmember Oddie inquired whether the Request for Proposals was approved by Council, to which the Community Development Director responded in the negative; stated staff issued the RFP.

In response to Councilmember Oddie's inquiry regarding the cost, the Community Development Director stated the cost was approximately \$30,000.

Elain Costello, Management Partners, gave a Power Point presentation.

Councilmember Oddie inquired whether the Sunshine Ordinance could be amended, to which the City Attorney responded in the affirmative.

Ms. Costello continued the presentation.

Mayor Spencer inquired whether the Rent Review Advisory Committee (RRAC) hearing date data would be provided in support of the conclusions.

Ms. Costello responded that she can provide the list of meetings she listened to; stated the issue of personal questions often came up in the interviews.

Mayor Spencer inquired whether the interview questions and answers would be provided, to which Ms. Costello responded in the affirmative; stated staff has the interviews; the comments were consolidated in order to be confidential.

Mayor Spencer inquired whether or not the comments were the same as comments made at RRAC meetings.

Ms. Costello responded some of the issues were brought up by tenants; stated that she listened to some of the RRAC meetings; given the context, she could see it might make certain people uncomfortable.

Councilmember Ezzy Ashcraft inquired how information was gathered about tenants not wanting to use the RRAC process.

Ms. Costello responded the information came from interviews with tenant representatives; continued the presentation.

Mayor Spencer inquired whether tenants continue to pay rent if they are able to remain after receiving an eviction notice, to which Ms. Costello responded in the affirmative; continued the presentation.

In response to Councilmember Ezzy Ashcraft's inquiry regarding government ordered vacations, Ms. Costello provided examples; noted a recommendation is relocation fees be paid within three days of the notice from the landlord.

In response to Councilmember Oddie's inquiry regarding the breakdown of evictions, Ms. Costello stated that she does not have a breakdown of small versus large units.

In response to Councilmember Oddie's further inquiry, Ms. Costello stated the balancing act is tough; noted the City of Los Angeles gives a discount; the impact on small property owners came up in discussions.

In response to Mayor Spencer's inquiry regarding impact of the proposed relocation benefit formula on landlords charging under market, Ms. Costello stated it is a balancing act; there was unanimity between tenants and landlords; if tenants get more money, they will have an easier time relocating.

Mayor Spencer stated the money comes from the landlords; inquired what should be done when landlords charge rent that is under market.

Ms. Costello responded said situation would be a downside of the proposed change; stated the landlords would pay more; the issues are not easy to balance; based on work in other communities, Management Partners felt helping people who have paid low rent makes a big change in finding alternative housing; the market is pretty compelling; most cities are giving more help to people with lower rents who have stayed a longer time.

Mayor Spencer inquired whether Ms. Costello reviewed the community input from when the Council drafted the ordinance, to which Ms. Costello responded in the negative; continued the presentation.

In response to Mayor Spencer's inquiry regarding RRAC member interviews, Ms. Costello stated the members felt like they need to be able to refer matters to a hearing officer.

Councilmember Oddie inquired whether the fee could cover the cost of the RRAC referring a case to a hearing officer, to which the Assistant City Attorney responded the cost recovery is done based on the ordinance requirements; stated having a provision in the ordinance would possibly be something that could be covered under cost recovery.

Ms. Costello finished the presentation.

Mayor Spencer stated RRAC training is offered on a regular basis; trained staff and attorneys also attend the meetings to respond to questions raised.

In response to Councilmember Ezzy Ashcraft's inquiry regarding possible training sources, Ms. Costello stated that she does not have a specific recommendation; the training could address frustrations; RRAC members indicated they want more information.

The Housing Authority Program Analyst gave a Power Point presentation.

Stated that he does not support rent stabilization that allows landlords to raise rent 5% per year; he will be driven out of Alameda; urged Council to address the unfairness: Doyle Saylor, Alameda.

Thanked Council for providing money for legal representation for tenants; expressed concern over the RRAC; stated more help is needed for tenants: Rob Hayes, Alameda.

Expressed concern over renters leaving Alameda and being evicted illegally; stated eviction statistics are needed; discussed homelessness: Tristen Schmidt, Alameda.

Expressed concern over statistical information; stated a typical baseline is 65% to 100% of the Consumer Price Index (CPI); 5% has been more than double; the moratorium allowed 8% when inflation was 1.3%; discussed relocation benefits: Catherine Pauling, Alameda.

Expressed concern over the definition of small property owners; stated a 5% increase does not stabilize rents: Toni Grimm, Alameda.

Stated all of the seven comparison cities have CPI as the rent cap; Alameda is the only City that picked a number out of a hat; expressed support for using a market rate basis for relocation fees; stated the study is a baseline and a conclusion cannot be drawn; expressed concern over mediation; suggested a hearing: Eric Stimling, Alameda Renters Coalition.

Stated that he represents landlords and tenants; expressed concern over privacy; suggested someone with full settlement authority be able to attend the RRAC hearings; expressed concern over Municipal Code Section 6-58.140 regarding eviction: Robert Matz, Alameda.

Expressed concern over the RRAC process; stated full rent control is needed; discussed the need for housing at all income levels: Victoria Fierce, East Bay for Everyone.

Mayor Spencer inquired whether staff is seeking direction.

The Community Development Director responded staff would take direction and return to Council in December after the election outcome is known.

Councilmember Ezzy Ashcraft stated staff should look into not subverting a rule that carves out smaller property owners.

Councilmember Oddie stated hopefully, data issue will be solved; tables in the report are estimates; there have only been two government orders, so a solution might be proposed for a problem that does not exist; the beginning has a conclusion that the ordinance is working, but it is not working for 470 Central Avenue tenants; he is not sure the conclusion is fair and adequate; he has been advocating for the fair market rent solution; a discount on relocation benefits should not be given; impacts have been the greatest on tenants paying lower rent; he is okay with adding another 60 or 90 days to the notice period; he appreciates the work the RRAC is doing to implement some of the recommendations; expressed support for requiring attendance at RRAC hearings.

Councilmember Matarrese stated the report should be edited to show the basis for the starting conclusion, which seems anecdotal; tables do not show numbers prior to 2016; comparisons are needed; conclusions cannot be drawn without comparison; he found the report confusing; he had trouble resolving the difference in number of units and which are occupied and not occupied; a mechanism is needed to gather information; expressed support for looking at the recommendation regarding relocation benefits; stated how many units a landlord owns needs to be identified.

Councilmember Ezzy Ashcraft inquired whether the City has a way to track evictions.

The Community Development Director responded evictions were not tracked prior to adoption of the ordinance; evictions have been tracked since the ordinance was adopted in March 2016.

Councilmember Ezzy Ashcraft inquired whether there is breakdown by age category and children, to which the Community Development Director responded in the affirmative; noted only no fault evictions are being tracked; stated for cause evictions do not go through the system; the Housing Authority publishes monthly and annual reports; outlined data tracked.

Councilmember Ezzy Ashcraft inquired whether disability is tracked, to which the Community Development Director responded in the negative.

Councilmember Ezzy Ashcraft inquired whether disability could be tracked, to which the Community Development Director responded the information could be tracked if people are willing to provide it.

Vice Mayor Vella stated there seems to be a data gap; all information needed is not being tracked; the ordinance has gray areas; tracking can be difficult, like when there is an agreement prior to going to the RRAC; the Council is not getting data in a way to inform policy choices; there is a need to refine data collection and tracking; the data gaps do not provide enough information to say the ordinance is having the desired effect; questioned whether fundraising that has been done to help people pay for security deposits is being captured in the report; fundraising shows there is an issue with relocation payments; she is concerned about the efficacy of the RRAC because so few cases go to the Committee; the City needs to rethink the RRAC system; changes to Ordinance 3148 are needed; expressed concern over the ordinance being in the Charter; stated when the matter comes back, she would like to know what the City can do if it happens.

Councilmember Oddie stated that he wants staff to address the hearing cost and Sunshine Ordinance change when the matter returns.

The Community Development Director stated if a majority of Council would like to direct staff to look into amending the Sunshine Ordinance, the work could begin right away because it is not subject to Ordinance 3148.

Councilmembers Ezzy Ashcraft and Matarrese expressed support.

In response to Mayor Spencer's inquiry, the Community Development Director stated staff would be looking at amending the Sunshine Ordinance to no longer require the public record to include the information currently required under the ordinance in order to maintain more privacy; the idea is more people might be willing to come forward and participate in the RRAC process if the information could be kept private.

Mayor Spencer inquired whether RRAC meetings would still be public, to which the Community Development Director responded in the affirmative.

Mayor Spencer stated the Council all agrees.

In response to Councilmember's Oddie's inquiry regarding the hearing costs, the Community Development Director stated some issues can be addresses by promulgating regulations under the ordinance versus ordinance amendments; having the ability to refer a case to a hearing officer can be picked up by the program as an eligible expense if desired.

Mayor Spencer stated that she agrees it would always be nice to have more data; anyone who wants to critique the system should attend RRAC meetings; listening to tapes is not sufficient; the Councilmembers' discussion of the hearing that took place at

Kaufman Auditorium helps explain and is critical; therefore, she cannot accept the report; expressed concern over paying an expert to listen to tapes and not attend meetings; stated information should be gleaned from observing the process, not just interviewing RRAC members and tenants anecdotally; she agrees the definition of small landlords should be reviewed.

The Community Development Director stated staff has heard the concern about data collection; one constraint is the City does not have a rent registration program, which the Council might want to review after the November election; the fee forms have been expanded to include more information, such as bedroom size and rent; the Housing Authority continues to expand data collection for issues that come to them.

Mayor Spencer noted that she wants to continue to require that landlords have to attend RRAC hearings.

Councilmember Ezzy Ashcraft stated that she would like information on the number of cases heard by the RRAC; a cost benefit analysis should be done to determine if the money would be better spent elsewhere, such as on more legal representation or mediation.

Councilmember Oddie stated that he thought the Council gave clear direction to come back with comprehensive information that can be tracked year after year.

The Community Development Director stated staff has heard the message; the challenge is that staff does not have the authority to compel a rent registry, so the matter will come back after November.

Councilmember Oddie stated that he thought staff was going to come back with options on how to do so, which can be done before the election results come out.

ADJOURNMENT

There being no further business, Mayor Spencer adjourned the meeting at 7:27 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- -JULY 10, 2018- -7:00 P.M.

Mayor Spencer convened the meeting at 7:34 p.m. and led the Pledge of Allegiance.

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

[Note: Vice Mayor Vella was present via teleconference from the Hilton Minneapolis, 1001 Marquette Avenue South, Minneapolis, Minnesota 55403]

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

None.

ORAL COMMUNICATIONS, NON-AGENDA

None.

CONSENT CALENDAR

Mayor Spencer announced that the contract amendments with Kaiser and Preferred Alliance [paragraph no. 18-398]; the inclusionary housing program guidelines [paragraph no. 18-403]; and the zero waste goal [paragraph no. 18-404] were removed from the Consent Calendar for discussion.

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

Councilmember Ezzy Ashcraft seconded the motion, which carried by the following roll call vote: Councilmember Ezzy Ashcraft: Aye; Councilmember Matarrese: Aye; Councilmember Oddie: Aye; Vice Mayor Vella: Aye; and Mayor Spencer: Aye. Ayes: 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*18-394) Minutes of the Special and Regular City Council Meetings Held on June 5, 2018. Approved.

(*18-395) Ratified bills in the amount of \$2,830,374.33.

(*18-396) Recommendation to Accept the Quarterly Sales Tax Report for the Reporting

Period Ending December 31, 2017 (Funds Collected During the Period July 1, 2017 to September 30, 2017). Accepted.

(*18-397) Recommendation to Accept the Quarterly Sales Tax Report for the Reporting Period Ending March 31, 2018 (Funds Collected During the Period October 1, 2017 to December 31, 2017). Accepted.

(18-398) Recommendation to Approve Two Amendments Totaling \$270,000 for a Three-Year Extension Period as Follows: 1) Authorize the Acting City Manager to Execute a First Amendment with Kaiser Permanente Medical Center for Three Years in an Amount Not to Exceed \$230,000 for City of Alameda Occupational Medical Services; and 2) Authorize the Acting City Manager to Execute a First Amendment with Preferred Alliance, Inc., for Three Years in an Amount Not to Exceed \$40,000 for Drug Testing Services in Conjunction with Services Provided by Kaiser Permanente Medical Center.

Vice Mayor Vella stated that she asked a member of the public's questions prior to the meeting and wants to outline the answers; Alameda Hospital does not offer the service; both management and employees like the service being provided; the increase is relative to the number of employees being tested, not costs; inquired why some departments are billed directly and others are covered under the Human Resources budget.

The Human Resources Director responded the Fire Department sends employees for pre-employment and annual tests and likes to manage the budget themselves; stated Alameda Municipal Power is a separate enterprise fund and pays as a non-General Fund department.

Councilmember Oddie moved approval of the staff recommendation.

Councilmember Matarrese seconded the motion, which carried by the following roll call vote: Councilmember Ezzy Ashcraft: Aye; Councilmember Matarrese: Aye; Councilmember Oddie: Aye; Vice Mayor Vella: Aye; and Mayor Spencer: Aye. Ayes: 5.

(*18-399) Recommendation to Authorize the Acting City Manager to Execute a One-Year Agreement in an Amount Not to Exceed \$200,000 with the Option of Four One-Year Extensions for a Total Five-Year Expenditure Not to Exceed \$1,000,000 between the City of Alameda and Wittman Enterprises, LLC for Ambulance and False Alarm Billing. Accepted.

(*18-400) Recommendation to Authorize the Acting City Manager to Approve in Substantial Form and Issue a Request for Qualifications (RFQ) from Developers for a New Development Site in the Main Street Neighborhood at Alameda Point (West Midway Project) and Form of Exclusive Negotiation Agreement to Be Entered into with a Selected Developer. Accepted.

(*18-401) Recommendation to Authorize the Acting City Manager to Execute a One-

Year Agreement with Terraphase Engineering in an Amount Not to Exceed \$143,900, with the Option of Three One-Year Extensions, for a Total Four-Year Expenditure Not to Exceed \$431,700, for Environmental Consulting Services at Alameda Point and for a Transportation Project. Accepted.

(*18-402) Recommendation to Approve the Purchase and Installation of a Storage Area Network (SAN) Server and Switches in the Amount of \$300,227 to Replace the Existing Disk Storage Server that has Reached Its Space Capacity and End of Life. Accepted.

(18-403) Recommendation to Amend the Inclusionary Housing Program Guidelines to (a) Modify Available Preference Points, Including Adding a Preference for Eligible Alameda Unified School District Employees; and (b) Revise Underwriting Standards; and Direct Staff to Prepare a Proposed Amendment to the City's Inclusionary Housing Ordinance to Clarify the Appeal Process.

The Community Development Director gave a brief presentation.

Mayor Spencer inquired how long Alameda Unified School District (AUSD) employees would receive preference points, to which the Community Development Director responded through 2050; stated the project area runs until 2046.

Mayor Spencer inquired whether the points would be awarded once the money comes in or immediately; inquired whether the points are tied to receipt of money to ensure new units are being built.

The Community Development Director responded in the affirmative; stated a recognized obligation schedule is done annually, which includes funding for affordable housing projects; the City has invoices from 2016 to present; the City has received funds for the past three years; the Housing Authority will be reimbursed for money that has been advanced prior to finalization of the Memorandum of Understanding (MOU), which was done by the School Board and Housing Authority in May.

Mayor Spencer inquired how oversight of funds would occur, to which the Community Development Director responded through the MOU.

Mayor Spencer inquired whether a formal report will be available to the public, to which the Community Development Director responded in the affirmative.

Mayor Spencer stated many people in the City want affordable housing; she wants to ensure additional housing is being built to offset the preference point being given to AUSD employees.

Stated that she opposes the allocation of 30%, which is a very big portion of a very limited supply; AUSD employees are being given an unfair advantage; questioned what would happen to the \$30 million in funding if the MOU is not approved and why the funding was not originally directed to the Housing Authority; expressed concern over

discrimination: Katherine Allen.

In response to Councilmember Matarrese's request, the Community Development Director stated the MOU has been signed; if the City Council does not approve the preference point by September, the District will honor past payments and the rest of the money would be lost; the money would go into a waterfall that is distributed amongst all of the taxing entities.

Councilmember Ezzy Ashcraft stated the City is not producing enough housing or affordable housing; the City would not benefit from turning away money that will help build affordable housing; inquired the cost of a current 30 unit senior housing project.

The Community Development Director responded \$18 million.

Councilmember Ezzy Ashcraft stated without the money, affordable housing would not be built; groups should not be pitted against one another; the housing supply shortage needs to be addressed.

In response to Mayor Spencer's inquiry regarding community outreach, the Community Development Director stated the matter was on the June 5th City Council agenda and was continued to tonight.

Mayor Spencer inquired what housing will not be built without the \$30 million; stated projects are being built by developers providing the funding; inquired whether the money would go to Site A, which is not currently funded and is \$43 million short.

The Community Development Director responded the funding is restricted to very low and low income; stated the funding could be used for the Site A Eden Housing project.

Mayor Spencer inquired how the City will know that the money is being used to build the units that will have preference points for AUSD employees; further inquired whether AUSD employees would not get a preference if the money is not used for a project.

The Community Development Director responded the funds cannot be used for moderate income units; stated the preference point is being given for 30% of moderate income units.

Mayor Spencer inquired whether the moderate units would be where the very low and low units are built, to which the Community Development Director responded the projects would be independent.

Mayor Spencer inquired whether there is any relationship between what is being built using AUSD's money and the moderate units being awarded a preference point.

The Community Development Director responded the programs are independent.

In response to Mayor Spencer's inquiry, the Community Development Director stated staff has proposed a program of one moderate income unit per project up to a maximum of 30%.

Mayor Spencer inquired what the amount is based on, to which the Community Development Director responded the amount is based on the negotiations between the School Board and Housing Authority.

In response to Mayor Spencer's inquiry, the Community Development Director stated the funding has to be used for low and very low income housing on a reimbursement basis only.

Mayor Spencer inquired whether AUSD employees would receive a preference point immediately even if very low and low units have not been built.

The Community Development Director responded \$3 million worth of expenses have already been generated over the past fiscal years; stated costs have already been incurred and will be reimbursed before one inclusionary moderate income unit is awarded.

Mayor Spencer inquired whether 30% will be given regardless of the number of very low and low units, to which the Community Development Director responded in the affirmative.

Mayor Spencer stated concern was expressed over discrimination; inquired whether preference points can be awarded when there is no relationship between the number of units being built with the money.

The City Attorney responded the 1991 pass through agreement had the 20% housing money go to the School District; stated the intention of the agreement was that the School District was going to attempt to build housing, which did not happen; the City is trying to protect the money and continue to have it flow to the City to build affordable housing in Alameda; the School District worked out a deal with the Housing Authority; the School District wants employees to gain a benefit from the pass through money; the City controls moderate income housing through inclusionary policy; employees of the School District still have to meet all eligibility requirements; doing so is not legally improper.

Mayor Spencer stated the preference point is very valuable; she thinks there would have to be a relationship between the percentage being offered and the number of units being built.

The City Attorney stated 30% of the moderate units are not being given to School District employees; zero AUSD employees could qualify and all units would be available to other citizens.

Mayor Spencer stated the 30% maximum cap is a much greater percentage than the population of AISD employees versus people seeking the housing; she is trying to determine if the figure is arbitrary.

The City Attorney stated the percentage was negotiated between the School District and Housing Authority to try to honor the 1991 pass through agreement.

Mayor Spencer stated the amount is not based on number of units built or number of employees.

Councilmember Matarrese moved approval of the staff recommendation.

Councilmember Ezzy Ashcraft seconded the motion.

Under discussion, Mayor Spencer stated that she will not support the motion; she thinks it is critical that the City do outreach and figure out a relationship between what is being offered and the number of units built.

On the call for the question, the motion carried by the following roll call vote: Councilmember Ezzy Ashcraft: Aye; Councilmember Matarrese: Aye; Councilmember Oddie: Aye; Vice Mayor Vella: Aye; and Mayor Spencer: No. Ayes: 4. Noes: 1.

(18-404) Recommendation to Support City Efforts to Attain a Zero Waste Goal by Approving Update to Zero Waste Implementation Plan and Authorizing the Acting City Manager to Negotiate and Execute a Contract Not to Exceed \$300,000, including Contingency, to Conduct Targeted Technical Assistance to Commercial Businesses and Multi-Family Properties; and

(18-404A) Resolution No. 15408, "Amending the Integrated Waste Fund and Operating Budget for Fiscal Year 2018-19." Adopted.

Mayor Spencer stated that she is concerned about extending the implementation time from 2020 to 2022; requested an explanation.

Garth Schultz, R3 Consulting Group, stated the recommendation to extend the zero waste goal date has to do with the trend lines; modeled out over the next two years, it would be very difficult to meet the 2020 goal date.

Mayor Spencer inquired how long 2020 has been the goal, to which Mr. Schultz responded since 2010.

Mayor Spencer stated the City is two years away from the goal date and wants to extend since it does not look like the goal will be met.

Mr. Schultz stated another reason is each next step is more challenging to achieve when moving from landfill waste.

Mayor Spencer stated the City should try to continue to reach the goal and set a new goal if it is not met in 2020; the community is enthusiastic and efforts could ramp up; inquired whether fines from having someone sort through the trash would be used to reduce waste from multifamily or commercial.

Mr. Schultz responded in the negative; stated the five key strategies do not include said level of enforcement; a carrot based approach is being used at this time.

Expressed support for the plan update, which will complement the County's mandatory recycling ordinance: Rachel Balsley, Stop Waste.

Expressed support for the plan update and for extending the goal date; stated a little more time is needed to do it right; outreach and technical assistance is the right direction: Ruth Abbe, Community Action for a Sustainable Alameda.

In response to Mayor Spencer's inquiry regarding other cities goals, Mr. Schultz stated most of the original goal dates adopted were 2020; most cities are going to have a bit of a reckoning in 2020; more recently, cities have adopted 2025, 2030 or other outward dates; Alameda is a leader in the pack; the update continues the progress and good success.

Councilmember Oddie stated multifamily and commercial have been behind single family; other communities across the County have similar numbers; more education and outreach is a very effective tool.

Councilmember Oddie moved approval of the staff recommendation.

Councilmember Ezzy Ashcraft seconded the motion.

Under discussion, Councilmember Ezzy Ashcraft stated that she supports Ms. Abbe's recommendation.

Councilmember Matarrese stated that he would like to keep the original target and try harder; letting the goal slip would stifle creativity and the City's appeal for people to use less; analysis can be done if the target is not met.

Vice Mayor Vella stated that she likes keeping goals, which is important; assessments and changes can be made; she is ready to support the recommendation; she would like to keep the original goal.

Mayor Spencer stated there is support to keep the goal, which is not the motion.

Councilmember Oddie moved approval of amending the motion to reflect keeping the goal in 2020.

Councilmember Ezzy Ashcraft withdrew her second of the motion.

Councilmember Matarrese seconded the motion.

On the call for the question, the motion carried by the following roll call vote: Councilmember Ezzy Ashcraft: No; Councilmember Matarrese: Aye; Councilmember Oddie: Aye; Vice Mayor Vella: Aye; and Mayor Spencer: Aye. Ayes: 4. Noes: 1.

(*18-405) Resolution No. 15409, "Calling for a General Municipal Election to Be Consolidated with the Statewide General Election to Be Held in the City of Alameda on Tuesday, November 6, 2018 for the Election of Certain Officers, and Requesting the Alameda County Board of Supervisors to Permit the Registrar of Voters to Render Specified Services to the City Relating to the Conduct of Said Election Pursuant to Section 10403 of the Elections Code." Adopted.

(*18-406) Ordinance No. 3220, "Approving a Purchase and Sale Agreement with 1703 Grand LLC, for the Former Fire Station #3, Located at 1703 Grand Street, Alameda, CA for a Total of \$800,000." Finally passed.

REGULAR AGENDA ITEMS

(18-407) Adoption of Resolution Appointing Shelby Sheehan as a Member of the Public Utilities Board (PUB). Not adopted;

(18-407A) Resolution No. 15410, "Appointing Adrienne Alexander as a Member of the Recreation and Parks Commission." Adopted; and

(18-407B) Resolution No. 15411, "Appointing Eric Robbins as a Member of the Recreation and Parks Commission." Adopted.

Councilmember Matarrese requested the PUB appointment be considered separately.

Discussed Alameda Municipal Power (AMP); outlined qualities which PUB members should have; urged Council to consider the decision carefully: Madeline Deaton, PUB.

Stated that she is interested in renewable energy; the Mayor nominated her because of her public health background; she has concerns with technology AMP is using: Shelby Sheehan, PUB Nominee.

Expressed support for appointing Ms. Sheehan to the PUB; outlined Ms. Sheehan's qualifications; urged Council to support the Mayor's nomination: Roberta Hough, Alameda.

Expressed support for appointing Ms. Sheehan, who will bring a much needed focus on public health to the PUB: Lisa Zapata, Alameda.

Stated it is a crucial year for the PUB in terms of the Climate Action Plan and AMP

Strategic Plan; the Board will make decisions on clean, renewable and carbon free power; expressed support for other applicants with interest in renewable power: Ruth Abbe, Alameda.

Mayor Spencer moved adoption of the resolution appointing Shelby Sheehan, which failed for a lack of a second.

Councilmember Ezzy Ashcraft moved adoption of the resolutions appointing Adrienne Alexander and Eric Robbins as members of the Recreation and Parks Commission.

Councilmember Matarrese seconded the motion.

Under discussion, Mayor Spencer noted the nominees represent different parts of the community; stated members should complement, not duplicate, staff's skill sets.

On the call for the question, the motion carried by the following roll call vote: Councilmember Ezzy Ashcraft: Aye; Councilmember Matarrese: Aye; Councilmember Oddie: Aye; Vice Mayor Vella: Aye; and Mayor Spencer: Aye. Ayes: 5.

The City Clerk administered the Oath of Office and presented certificates of appointment to Ms. Alexander and Mr. Robbins.

(18-408) Resolution No. 15412, "Calling an Election in the City of Alameda to be Consolidated with the City's Next General Municipal Election on November 6, 2018, and Submitting to the Electors A Ballot Measure, "City of Alameda Essential Services Protection Measure," Seeking Enactment of a One-Half of One Percent Transactions and Use (Sales) Tax by Amending the Alameda Municipal Code by Adding "Chapter 3-63, Transactions and Use Tax," Establishing the Policies and Procedures for such an Election and Requesting that the County of Alameda Conduct such an Election." Adopted.

The Finance Director and Public Works Director gave a Power Point presentation.

In response to Mayor Spencer's inquiry, the Public Works Director stated two-thirds of the cities in Alameda County have a 9.25% sales tax and one-third have 9.75%.

Councilmember Oddie moved adoption of the resolution.

Councilmember Matarrese seconded the motion.

Under discussion, Mayor Spencer stated that she does not plan to support the measure, which is a regressive type of tax and would add to gentrification; there is no end date; the money could be spent on anything.

Councilmember Matarrese stated a parcel tax on an apartment building could be passed onto tenants; the matter should be in the hands of the voters.

Mayor Spencer stated that she would want to review the City's expenditures and get the City's house in order before asking taxpayers for more money.

Councilmember Ezzy Ashcraft stated that she does not disagree with reducing expenditures; a looming deficit is facing the City; a number of steps need to be taken; there is not one magic bullet; the tax would be paid by residents, visitors, and tourists; discussed gentrification; stated the tax is needed; the voters should decide.

Councilmember Oddie stated the City has done a good job of managing the budget and dealing with the Other Post-Employment Benefits (OPEB) and pension issues; the City is ahead of other cities and has looked at its own books; other cities have gone to the voters and received more increases; the City of Alameda could have asked for more increases.

Vice Mayor Vella stated all Councilmembers think long and hard when the City is contemplating revenue measures; even if the City maintains all services as is, there are continuing infrastructure needs; inflation and cost of living continue to increase; it is imperative that the City finds ways to generate revenue; the City should review the efficacy of the things it is doing, try to find ways to continue to provide current services and maintain infrastructure, including roads, lagoons, buildings and parks; polling shows people are supportive.

On the call for the question, the motion carried by the following roll call vote: Councilmember Ezzy Ashcraft: Aye; Councilmember Matarrese: Aye; Councilmember Oddie: Aye; Vice Mayor Vella: Aye; and Mayor Spencer: No. Ayes: 4. Noes: 1.

The City Clerk made brief comments on the Council's decision to author a ballot argument.

Councilmember Oddie stated the second option [authorizing two Councilmembers to author the argument and have a combination of Councilmembers and other eligible voters sign] provides more flexibility; he would assume the entire Council will not sign, given the vote.

Mayor Spencer stated the assumption is correct.

In response to Councilmember Ezzy Ashcraft's inquiry, Councilmember Oddie stated that he would prefer not to be on the subcommittee; inquired whether anyone else is interested.

Mayor Spencer stated that she does not want to help write the argument.

Vice Mayor Vella stated that she just served on the other subcommittee to write an argument; she would be happy if Councilmembers Matarrese and Ezzy Ashcraft would serve.

Councilmember Matarrese stated that he was also on the last subcommittee; perhaps Councilmember Oddie could serve.

Vice Mayor Vella stated having a subcommittee is valuable; expressed concern over her availability.

Councilmember Ezzy Ashcraft stated that she would agree to serve on the subcommittee.

Councilmember Oddie stated that he would volunteer to be the other half.

In response to the Public Works Director's inquiry, Councilmember Oddie stated up to two Councilmembers would be authorized to draft an argument and have up to five eligible voters sign; inquired whether there is enough time to have the matter come back to Council, to which the Acting City Manager responded in the negative.

Councilmember Oddie moved approval [of he and Councilmember Ezzy Ashcraft serving as the subcommittee and deciding who would sign].

Councilmember Matarrese seconded the motion.

Under discussion, Mayor Spencer clarified the motion is to authorize two Councilmembers to draft an argument and have up to five eligible voters sign, with Councilmembers Oddie and Ezzy Ashcraft being the members of the subcommittee.

On the call for the question, the motion carried by the following roll call vote: Councilmember Ezzy Ashcraft: Aye; Councilmember Matarrese: Aye; Councilmember Oddie: Aye; Vice Mayor Vella: Aye; and Mayor Spencer: Aye. Ayes: 5.

Mayor Spencer called a recess at 8:55 p.m. to convene the 7:01 p.m. special meeting and reconvened the regular meeting at 9:25 p.m.

(18-409) Public Hearing to Consider Resolution No. 15413, "Certifying the Final Environmental Impact Report (EIR), Adopting Findings and a Statement of Overriding Considerations, Mitigation Measures, and a Mitigation Monitoring and Reporting Program for the Alameda Marina Project." Adopted; and

(18-409A) Introduction of Ordinance Approving the Alameda Marina Master Plan and Density Bonus Application for the Redevelopment of the Alameda Marina Properties Located at 1815 Clement Avenue (APN 071-0288-003 and 071-0257-004). Introduced.

The Assistant Community Development Director gave a Power Point presentation; provided five clarifying amendments.

In response to Mayor Spencer inquiry, the Assistant Community Development Director stated Alameda Marina wants as many people renting slips and storing boats as possible; Alameda Marina will purchase as many versa docks as needed; currently, there are 48 insured, registered boats in dry boat storage; as versa docks become more well known, people will want to use them; there is flexibility.

Mayor Spencer inquired whether the cost is similar, to which the Assistant Community Development Director responded that he believes so, but the applicant could respond; completed the presentation.

Councilmember Matarrese inquired whether the document is binding, to which the Assistant Community Development Director responded in the affirmative; stated there is also a lease.

In response to Councilmember Oddie's inquiry, the Assistant Community Development Director stated currently, there is 75% rental and 25% for sale.

Councilmember Oddie stated since there is a rental shortage, it might have been better to keep 75%.

Mayor Spencer inquired whether the developer would still put money into other things if the project is not approved and has to come back, to which the Assistant Community Development responded in the negative; stated the developer's land is all zoned for multi-family housing; there would have to be some commercial, but not a boatyard; the developer does not have access to the water without the City's land.

Mayor Spencer inquired whether the City would have to come up with money to deal with its land, to which the Assistant Community Development Director responded in the affirmative; stated staff estimates around \$17 million is needed just for seawall improvements.

In response to Mayor Spencer's inquiry regarding affordable units, the Assistant Community Development Director stated the developer would still be obligated to provide affordable housing as part of the housing project.

Sean Murphy, Alameda Marina Developer, gave a Power Point presentation.

Councilmember Oddie inquired what would be done if the market study does not support the 50/50 housing mix, to which Mr. Murphy responded the matter would go back to the Planning Board.

Councilmember Oddie inquired whether Mr. Murphy would be willing to go back to the 75/25 mix or at least agree to at least 50% rental units; stated that he is concerned about a lack of rental units.

Mr. Murphy responded that he is open to going back to 75% rental; stated the project is very complex; more conditions potentially limit his ability to finance components of the project; the Plan does not include single family homes, which are already addressed on the Island; townhomes, universal design, stacked flats and apartments are being built throughout the Bay Area today.

Mayor Spencer clarified a change is not being made at this point.

Expressed support for the project, which would provide needed physical improvements: Christina Rubke, Bay Area Association of Disabled Sailors (BAADS).

Showed photos; stated BAADS has the only accessible dock in the Bay Area; expressed support for the group trying to make the changes: Jeff Breen, BAADS.

Expressed concern over traffic; suggested adding a major grocery store, bicycle store and hardware store; stated more space is needed for the boatyard: Dorothy Freeman, Alameda.

Thanked supporters for helping improve the plan and Bay West for its time and efforts; stated more space is needed for retail and maritime; six months is not enough time to find a boatyard operator; questioned whether Bay West does not want to remove the multi-family overlay from the commercial core in order to request more housing in the future: Nancy Hird, Save Alamedas Working Waterfront (SAWW).

Stated the project has faced a long struggle; expressed support for various aspects of the project; suggested the State fund transit improvements: Pater Brand, Alameda.

Gave a Power Point presentation: Bob Naber, SAWW.

Expressed strong support for the project; stated the seawall is collapsing, which the City cannot afford to repair; affordable housing is needed; urged approval: Victoria Fierce, East Bay for Everyone.

Expressed concern over the project; discussed the need for a boatyard; showed photos: Rodney Pimentel, Encinal Yacht Club.

Stated the Chamber fully supports the project which provides a seawall, waterfront access and affordable housing; urged support: Kari Thomson, Chamber of Commerce.

Stated the region needs the project, discussed the housing shortage and the job/housing ratio; urged support: Rachel Trigueros, Bay Area Council.

Stated the project would boost the maritime business and jobs, and solves an infrastructure problem; the Chamber is proud to support the project: Michael McDonough, Chamber of Commerce.

Expressed concern over distractions from project opponents; stated the project will improve Alameda: Philip James, Alameda.

Urged support of the project; stated everyone has communicated well to create a plan that will work for the community: Eric Gantos, Hot Rod Shop.

Expressed support for the project and the Bay Trail along the waterfront; state the housing will pay for the needed infrastructure: Joann Martin, Hot Rod Shop.

Stated that he was an early supporter of the project, which gives a lot back to Alameda: David Wilhite, Alameda Marina.

Urged Council to approve the Master Plan; stated that she is really impressed by the process and community input: Vicki Sedlack, Alameda.

Discussed the benefits of infill projects: Sara Sieloff, Center for Creative Land Recycling.

Expressed her appreciation for creating a community for all; discussed the waterlife program: Sarah Kaplan, American Waterlife Association.

Discussed his paddle board business; expressed support for the great water access the project will provide; urged approval: Mike Wong, Mike's Paddle.

Discussed the inclusion of the boatyard and dockyard, which is innovative; strongly encouraged support: Paul Kaplan.

Stated the community has worked together to make a much better project; SAWW recommends that the City oversee an independent property management firm: Maggie Sabovich, Pacific Inter-Club Yacht Association, SAWW.

Stated dry storage for 60 boats is inadequate; outlined his experience over the last 40 years: Paul Muller, Oakland

Submitted information; stated a boatyard operator is needed; rental units should be affordable; discussed parking; suggested having a fee for vacant properties: Gretchen Lipow, Alameda Citizens Task Force.

Showed a photo; discussed needed infrastructure improvements and modern boat repair services: Paul Houtz, Alameda Marina.

Urged Council to support the project, which will provide jobs, housing and waterfront access; discussed traffic: Lars Hanson, Alameda

Expressed concern over the EIR; questioned whether everyone read the EIR and draft EIR; stated the appendices was missing the traffic component: former Councilmember

Barbara Thomas, Alameda.

Expressed concern over traffic, parking and the water table: Suzanne Diers, Alameda.

Discussed the City budget; urged a special tax district be created: Robert Matz, Alameda.

(18-410) Mayor Spencer stated a motion is needed to consider the remaining item [referral: paragraph no. 18-412]; 12 speaker slips remain on the current item.

Councilmember Oddie moved approval of hearing the referral.

Councilmember Ezzy Ashcraft noted the Council has to go back into closed session after the open session.

The motion failed due to lack of a second.

Urged approval of the project; outlined project benefits: Doff Fournier.

Stated the project is happening because of the multi-family overlay; the project is one of the best waterfront projects and will be part of the established neighborhood where she lives: Laura Thomas, Renewed Hope Housing Advocates.

Stated the plan is great and should be approved; she is really excited about the boatyard and dockyard and fears the marina will be untenable without the project; urged approval: Kathi Fournier, Alameda Marina Assistant Harbor Master.

Stated since he was evicted, many boats have left; there are 48 boats now, but used to be 163; the dry storage is inadequate and should be doubled; longer than six months is needed to find an operator: Alan Hebert, Menlo Park.

Outlined short term benefits; stated in the long term, new businesses will increase the housing deficit; the effect on affordable housing is in the EIR; read from the appendices: Bill Smith, Alameda.

Discussed how the dry storage number was determined; stated there are currently 48 active sailors; versa docks would be available at no additional cost: Eileen Zedd, Alameda Marina.

Urged Council to move forward on the project so the land does not become another vacant lot on Clement Avenue: Charles Souza, Alameda.

Stated that she supports the project, which is one of the most challenging developments Alameda has had; outlined issues, which the developer has done a great job addressing

issues; stated the differences are down to 10%, which can be negotiated: Karen Bey, Alameda.

Suggested the Council give direction on Clement Avenue; stated the segment of the Cross Alameda Trail is substandard; the City needs to be the broker to get a working boatyard: Brian McGuire, Bike Walk Alameda.

Councilmember Matarrese inquired whether things not included in the document being approved tonight are not going to happen and things included can happen, to which the Assistant Community Development Director responded in the affirmative.

Councilmember Matarrese stated the clarifying amendments addressed some of his concerns; he needs to clearly understand what is included to approve the matter tonight; having the Request for Proposals (RFP) come back to Council for an update is a little squishy; since the document does not have milestone, he wants to make sure there is a real effort to exhaust every possibility to get a boatyard, rather than leave it to chance; disincentives should be stripped out; the concierge service ships are a disincentive; the Master Plan can be amended if said service is the only alternative; the 50% homeownership/50% rental is a soft target; he wants any change to require Council action; the City should ensure there will be a boatyard in exchange for allowing only 15% of the project base to be affordable housing; the maritime business should be embedded in the Plan; expressed concern over future market driven opportunities being in the same zone as maritime parking; stated that he would like to see future market driven opportunities removed; an amendment can be made, if needed; he would like the ambiguities removed since the Plan is a governing document.

The Assistant Community Development Director stated regarding the boatyard, the Master Plan says a permit will not be issued until the Request for Qualifications (RFQ)/RFP process is completed; the RFQ will be six months; having no one interested in running a boatyard on the site would be a major problem; after interested, qualified businesses are found, the RFP process will follow; the selected business will help design the final boatyard and infrastructure; in the last week, a suggestion was made that there be a public check in regarding the RFQ/RFP process; the construction process cannot begin until the RFQ/RFP process is complete; regarding the concern over future market driven opportunities, stated the idea is not to get rid of parking; there is so much demand for commercial, the project would go to structured parking; the parking for maritime cannot be eliminated; there would be structured parking with commercial on top.

Councilmember Matarrese inquired whether language can be added to say that, to which the Assistant Community Development Director responded in the affirmative.

Councilmember Matarrese stated page 48 lists artist studios under the maritime commercial district, which he thinks is a bad idea; the businesses should be maritime.

The Assistant Community Development Director stated the maritime district straddles

both the Tidelands area as well as the non-Tidelands area; some historical buildings on Clement Avenue are in the commercial core; there has been a lot of talk about makerspace and artist studios; an artist studio probably is not going work in the Tidelands area based on Tidelands restrictions.

Councilmember Matarrese stated the public open space west of Building 19 seems to be out of place with the boat launch and Harbor Master areas, as well as the commercial maritime activity in Building 19; the open space is 1,900 square feet.

The Assistant Community Development Director stated the heavy commercial area is to the east of Building 19; there is a green area between the parking lot, Harbor Master and back side of Building 19 right on the Bay Trail; the piece was leftover, but could be part of the commercial maritime core area.

Councilmember Matarrese stated having the area be part of the commercial maritime core area is appropriate.

Mayor Spencer requested staff to show the area; inquired whether Councilmember Matarrese is proposing the open space be removed.

Councilmember Matarrese responded in the affirmative; stated the open space should be moved somewhere else because it is right in the commercial core, next to the water and service building.

The Assistant Community Development Director reviewed the area.

Mayor Spencer inquired whether Councilmember Matarrese is requesting to add more commercial square footage in the area instead of the green space, to which Councilmember Matarrese responded in the affirmative.

Mayor Spencer inquired whether the Bay Trail goes along the area, to which the Assistant Community Development Director responded in the affirmative.

Mayor Spencer inquired whether commercial would be right up against the Bay Trail.

The Assistant Community Development Director responded the idea is to make the area part of the commercial/boatyard; the Bay Trail runs by the dry boat storage and could run past a small maritime area; boatyard areas need yard space.

Councilmember Matarrese stated workers need to lay out masts and look at rigging; inquired about the square are next to Building 19 on page 32.

The Assistant Community Development Director responded the square is Building C, which does not exist; stated the boatyard operator might not want a building there.

Councilmember Matarrese stated the Council can discuss the issue when the boatyard

operator comes back.

In response to Mayor Spencer's inquiry about the artist studio, Councilmember Matarrese stated regulations should be tightened up to get to the goal; purposeful adjustments can be made if needed.

The Assistant Community Development Director stated there is also artist studio industrial, which is a makers type use.

Mayor Spencer inquired whether the artist studios would be floating, to which the Assistant Community Development Director responded in the negative.

Councilmember Matarrese stated the studios are in the maritime commercial area; the idea is to drive efforts to bring maritime commercial to the core; artist studios are distractions; an amendment should come back if it cannot be done.

The Assistant Community Development Director stated there are three different zones; Councilmember Matarrese wants the maritime core to focus on maritime uses; allowing art studios in zoning areas is a policy decision; the use is permitted or conditionally permitted in the other zones.

Councilmember Ezzy Ashcraft stated that she would go along with the suggestion.

Vice Mayor Vella inquired whether artist studios could be a conditional use in the maritime core rather than requiring a Plan amendment, and whether the same review would be required.

The Assistant Community Development Director responded the common approach is to make desired uses permitted by right; stated uses that may be acceptable are conditionally permitted and non-desirable uses are prohibited.

The Acting City Manager stated a conditional use permit would go back to the Planning Board, not the Council, unless appealed or called for review.

Vice Mayor Vella stated the goal is to prioritize maritime; allowing a conditional use would provide an option after efforts are made to get maritime.

Councilmember Matarrese stated said approach is not a good incentive; his proposal sends a message; the Planning Board worked very hard and listened to the public's desire to maintain the working waterfront; wavering now and allowing a conditional use is a disincentive; the message has to be clear that the maritime commercial core is for maritime use; the Plan could come back for adjustment if it is impossible.

Vice Mayor Vella stated that she thinks having a conditional use, instead of a permitted use, makes it clear; her concern is time will added to the process and there could be vacancies; she supports the goal; hopefully, the groups that have fought for the space

will get people to submit proposals; questioned what the timeline and process would be if there are no applicants.

Councilmember Ezzy Ashcraft concurred with Councilmember Matarrese's approach; stated waterfront property is diminishing on the Island; Council has heard arguments for more square footage for maritime uses; artist studios are permitted in other areas of the property and around the City; throughout the City, uses that do not need to be on the water are on the water, such as Recreational Vehicle (RV) storage; the developers can request a modification; she disagrees with Councilmember Matarrese's suggestion to eliminate open space; she would like to keep the public open space along the Bay Trail; she is excited about the project; discussed housing development; expressed support for and discussed the 50/50 rental/for sale housing mix, the environmental aspect of the project, and the RFP/RFQ process; stated the project opens the waterfront to all.

Councilmember Oddie stated that he thinks the project is exciting and was made better; he would like page 49 to say at least 50% rental, instead of ownership; expressed concern over modification being made by Councilmembers voting against an item.

Vice Mayor Vella expressed concern over housing ratios; stated that she does not want an extra step slowing down housing; flexibility should be built in for where the market is going to ensure the project comes to fruition; the project is going to be a win for the maritime community, neighbors and future waterfront residents; there is intent to have a modern, efficient boatyard; hopefully, community members will make the RFQ/RFP successful; the project is an alternate way to fund necessary infrastructure, deals with mid-century sea level rise and creates a funding mechanism for the future; hopefully, the developer will continue to work with the City on traffic mitigation, such as additional crossings; she is ready to support the project with the minor changes, including removal of artist studio space in the commercial core.

Councilmember Oddie inquired whether Vice Mayor Vella want to eliminate the housing ratio to allow the market to decide, to which Vice Mayor Vella responded that she understands there was a lot of discussion to have the ratio in the Plan.

The Assistant Community Development Director stated the developer has to come back to the Planning Board for all of the phases; the Planning Board could be given the authority to adjust the ratio; the development process will take five to ten years and the market will change.

Councilmember Oddie stated that he remains concerned about the lack of rental housing.

Mayor Spencer stated that she wants the percentage included in the Plan; she supports the 30% for workforce/middle-income housing, which is critical and was not achieved at Site A; 50% should be for sale; she likes the mix; she would like to hear more on Councilmember Matarrese's proposal to eliminate the green space.

The Assistant Community Development Director stated the decision rests with the Council; the area is very small and will probably not have a building, but could be used as yard space; the concept was to have park areas along the Bay Trail.

Mayor Spencer stated that her preference would be to keep the area useable for sailors.

Councilmember Oddie stated if the change will get the entire Council to approve the project, he is supportive; if not, he would prefer to keep it as is.

In response to Mayor Spencer's inquiry, the Assistant Community Development Director stated an assessment district is being set up for the project; the assessment district will fund a number of things, such as transit, sea level rise, and public infrastructure maintenance; the project is fiscally positive project for the City.

Mayor Spencer inquired about removing the multi-family (MF) overlay from the commercial property once the homes are built.

The Assistant Community Development Director responded adopting the Master Plan by ordinance determines the zoning for the site; stated adoption of the ordinance tonight does not allow homes in the commercial core area; the Council would have to adopt an ordinance to make any changes.

In response to Mayor Spencer's inquiry, the Assistant Community Development Director stated three votes are required to remove the MF overlay, approve the Master Plan, or amend the Master Plan.

Mayor Spencer inquired whether the City can ask the developer to give money towards a bridge, to which the Assistant Community Development Director responded in the negative; stated the City has Development Impact Fees (DIF); the developer is paying \$2 million in transportation impact fees; the City has identified what will be funded using developer fees; a bridge is not proposed for funding because neighborhoods in both Oakland and Alameda have not agreed to have a bridge landing; until there is neighborhood agreement, a bridge will not be added to the list.

Mayor Spencer inquired whether a 60 boat dry storage would be adequate.

The Assistant Community Development Director responded Encinal Terminals will be coming to Council; stated said project will preserve 6.4 acres of Tidelands property; the lease expires in nine years; there are opportunities to contemplate dry boat storage areas at Encinal Terminals.

In response to Mayor Spencer's inquiry regarding 33 foot boats, the Assistant Community Development Director stated the dry boat storage area could be restriped for larger boats if there are not 60 small boats; demand can be accommodated.

Mayor Spencer inquired whether the City or another agency would have to condemn the

seawall at some point.

The Assistant Community Development Director responded there could be a massive failure from an earthquake, a broken water pipe generating pressure and tipping over the wall, or other scenarios.

In response to Mayor Spencer's inquiry, the Assistant Community Development Director reviewed the land owned by the City and outlined potential issues if the development is not approved, including access and funding improvements.

Mayor Spencer inquired the cost of the needed improvements, to which the Assistant Community Development Director responded \$20 to \$25 million; outlined improvements being done as part of the project phasing.

Mayor Spencer inquired whether boaters might not be able to use the seawall at some point.

The Assistant Community Development Director responded there is a serious problem if the developer does not fix the seawall; any failure would be the City's problem; the City would have to find the money to fix the seawall; if the seawall fails, having the marina continue would be extremely difficult.

Councilmember Matarrese stated that he would like to make a motion.

Mayor Spencer stated that she agrees with Councilmember Matarrese regarding the green space and elimination of art studios in the commercial core; she wants to leave the 50/50 rental/homeowner split.

Councilmember Oddie inquired whether Councilmember Matarrese would like to eliminate the industrial artist studios, to which Councilmember Matarrese responded he would clarify in the motion.

Councilmember Matarrese moved approval of the Master Plan [introduction of the ordinance], with the following: 1) amendments one through five listed on the handout provided by Planning staff dated July 10, 2018; 2) a policy that says in the maritime commercial core only maritime commercial activities will be permitted; and...

Mayor Spencer stated that she would like to specifically exclude....

Councilmember Matarrese continued the motion: to specifically exclude the two items that were flagged on page 48; and 3) re-designate the 1,900 square feet west of Building 19 in the Mater Plan as commercial maritime space.

Mayor Spencer seconded the motion.

Under discussion, Councilmember Ezzy Ashcraft stated that she thinks it is a mistake to

take away public open space, but she will not vote against the project because of the change; she agrees with the Mayor regarding the 50/50 rental/for sale split.

Vice Mayor Vella stated that she does not like the idea of eliminating 1,900 square feet of open space.

Councilmember Oddie stated that he would prefer to keep the open space, but he would like the project to pass unanimously.

Councilmember Oddie moved approval of calling the question.

The City Attorney stated the Council needs to certify the EIR.

Councilmember Oddie moved approval of certifying the EIR [adoption of the resolution].

Councilmember Matarrese seconded the motion, which carried by the following roll call vote: Councilmember Ezzy Ashcraft: Aye; Councilmember Matarrese: Aye; Councilmember Oddie: Aye; Vice Mayor Vella: Aye; and Mayor Spencer: Aye. Ayes: 5.

Councilmember Oddie moved approval of calling the question.

Mayor Spencer stated that she could just call the question.

Councilmember Oddie withdrew his motion to call the question.

Councilmember Ezzy Ashcraft inquired whether Council could do a substitution motion.

The City Attorney responded the Mayor called the question.

Mayor Spencer stated Councilmember Ezzy Ashcraft needs to vote yes or no.

Councilmember Ezzy Ashcraft requested to be passed over.

The City Clerk stated a roll call vote is alphabetical; stated that the order can be done differently if Council desires to do so.

Councilmember Ezzy Ashcraft inquired whether there could be discussion, to which Mayor Spencer responded in the negative; stated the question has already been called; stated that she is happy to vote yes.

Councilmember Matarrese and Mayor Spencer their names be called before Councilmember Ezzy Ashcraft.

On the call for the question on the original motion, the motion carried by the following roll call vote: Councilmember Matarrese: Aye; Councilmember Oddie: Aye.

In response to Vice Mayor Vella's inquiry, the City Clerk stated Councilmembers Matarrese and Oddie have voted aye.

Vice Mayor Vella requested clarification on the question being called.

Mayor Spencer responded Councilmember Matarrese's motion eliminates the green area, among other things.

The City Attorney inquired whether Vice Mayor Vella needs the motion re-read, to which Vice Mayor Vella responded in the affirmative.

The City Clerk restated the motion: approval of the Master Plan with items one through five listed on the handout provided by Planning staff dated July 10, 2018; with only commercial maritime in the...

The Assistant Community Development Director stated elimination of the artist studio and artist studio industrial from the maritime commercial.

The City Clerk continued the motion: specifically eliminating the two items flagged on page 48; and re-designating the 1,900 square feet west of Building 19 as commercial maritime space.

On the continuation of the call for the question, the motion carried by the following roll call vote: Vice Mayor Vella: Aye.

Mayor Spencer stated that she could not hear; inquired whether Vice Mayor Vella voted aye, to which Vice Mayor Vella responded in the affirmative.

On the continuation of the call for the question, the motion carried by the following roll call vote: Vice Mayor Vella: Aye. Mayor Spencer: Aye.

Councilmember Ezzy Ashcraft stated that she would make it a unanimous vote, but she stands on her objection to getting rid of open space.

The City Clerks stated the motion carried by 5 ayes.

CITY MANAGER COMMUNICATIONS

(18-411) The Acting City Manager stated 2,500 people showed up at the Makers Faire, which had 65 exhibits, 70% of which were based in Alameda.

On behalf of the Acting City Manager, the City Attorney continued the announcement regarding the success of the Alameda Mini Maker Faire.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

(18-412) Consider Drafting a Letter to Federal Representatives Supporting Congressional Bill S. 3036, the “Keep Families Together Act.” (Councilmember Oddie)
Not heard.

COUNCIL COMMUNICATIONS

(18-413) Consideration of Mayor’s Nomination for Appointment to the Historical Advisory Board, Planning Board, Public Utilities Board (PUB), Recreation and Parks Commission, Social Service Human Relations Board and Transportation Commission (TC).

Mayor Spencer nominated Jeffery Gould to the PUB and Michael Hans, David Johnson, Alysha Nachtigall, and Sharon Nearn to the TC.

ADJOURNMENT

There being no further business, Mayor Spencer adjourned the meeting at 12:20 a.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL
TUESDAY- -JULY 10, 2018- -7:01 P.M.

Mayor Spencer convened the meeting at 8:55 p.m.

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

[Note: Vice Mayor Vella was present via teleconference from the Hilton Minneapolis, 1001 Marquette Avenue South, Minneapolis, Minnesota 55403]

Absent: None.

AGENDA ITEM

(18-414) Recommendation to Review Ballot Argument Against the Initiative Measure that Proposes to Amend the City Charter by Incorporating into the Charter, Ordinance 3148 Rent Stabilization and Limitations on Evictions, with Certain Modifications, on the November 6, 2018 Ballot.

The City Clerk gave a brief presentation.

In response to Councilmember Oddie's inquiry regarding the word count, the City Clerk stated the limit is 300 words.

Councilmember Ezzy Ashcraft stated Councilmember Matarrese and Vice Mayor Vella did a very nice job; suggested changing the word "fixes" to "modifications" in the fourth paragraph.

Stated the Alameda Just Alliance (AJA) is comprised of the Alameda Progressives, Alamedans for Black Lives, the Buena Vista United Methodist Church, Filipino Advocates for Justice, the Alameda County Central Labor Council, the Alameda Firefighters Local 689 and Renewed Hope Housing Advocates; the groups have recently joined forces to work for a just and livable community for all Alamedans, especially those who have struggled the hardest; AJA is prepared to defend the town against real estate speculation that is set to banish more people and threatens the sovereignty of the City government; the initiative to put Ordinance 3148 into the Charter is a powerful weapon against local control over housing affordability; it attempts to smash the ability of the elected Council to pass the laws necessary to maintain affordability; the law benefits and protects landlords, limited liability corporations, hedge funds, private equity funds and financial predators in the Charter; discussed the Blackstone Group's purchase of the Summer House Apartments; urged the Council to fight back with bold language: Laura Thomas, AJA.

Expressed his support for the argument; stated that he is appalled at the assault on local control; first, an ordinance was overturned by paid signature gatherers and then,

the Charter amendment came shortly after: Eric Strimling, Alameda Renters Coalition.

Councilmember Oddie stated the authors did a great job.

In response to Councilmember Ezzy Aschraft's inquiry regarding changing the word, Councilmember Matarrese stated the word "fixes" is easily understood and was chosen because it is universally understood; the ordinance needs administrative changes, which is a fix; he thinks the word should stand.

Vice Mayor Vella stated that she was trying to limit the number of syllables per word and keep sentences short and concise.

Councilmember Oddie moved approval [of the argument language].

Councilmember Matarrese seconded the motion.

Under discussion, Mayor Spencer stated that she should not vote on the argument since she is not going to be one of the signatories.

On the call for the question, the motion carried by the following roll call vote: Councilmember Ezzy Ashcraft: Aye; Councilmember Matarrese: Aye; Councilmember Oddie: Aye; Vice Mayor Vella: Aye; and Mayor Spencer: Abstain. Ayes: 4. Abstention: 1.

The City Clerk stated the next decision is who is going to sign the argument.

Vice Mayor Vella inquired why Mayor Spencer is not going to sign the argument.

Mayor Spencer responded at this point, she does not plan to oppose it; she does not support this part, so she is abstaining.

Vice Mayor Vella inquired whether Mayor Spencer wants the ordinance in the Charter, to which Mayor Spencer responded that she has not decided; stated at this point, she does not plan to take a position; she may end up supporting putting the ordinance in the Charter; she continues to support the Rent Review Advisory Committee (RRAC); she believes the Council did very good work on the ordinance; her concern is three Councilmembers could seriously change the work that was done.

Vice Mayor Vella stated putting the ordinance in the Charter makes it harder to make minor changes; the Council has spent a tremendous amount of time trying to address the needs of the community.

Mayor Spencer stated that she would be happy to consider minor changes; unfortunately, she thinks changes that are not minor will occur; there was a very long process with concessions on both sides; she thinks the City ended up with something really good; her concern is major changes could be made by three members of the

Council.

Councilmember Ezzy Ashcraft stated signatures must be gathered by 6:00 p.m. tomorrow; inquired whether the subcommittee thought of any community signers or assumed it would be the Councilmembers.

Councilmember Matarrese responded since the issue is about good government, he was hoping to have the entire Council sign the argument; stated it does not matter which side of the question you are on; Ordinance 3148 has things that are impossibly wrong to put in the Charter and require an election to fix; as State law changes, the City has to adapt.

Councilmember Ezzy Ashcraft suggested Laura Thomas be the fifth signer.

Councilmember Matarrese suggested the argument be left in the Clerk's office for anyone to sign.

The Clerk stated there is a limit of five signers.

Mayor Spencer called a recess at 9:11 p.m. and reconvened the meeting at 9:22 p.m.

The City Clerk outlined the options to determine who will sign: defer the decision to the subcommittee; have only four Councilmembers sign; have four Councilmembers sign and one other person sign, which would require Council to decide how to select the other person.

Councilmember Oddie stated that he is happy to let the subcommittee decide who they want as the fifth person or if they even want a fifth person.

Councilmember Matarrese stated said suggestion is fine with him.

Vice Mayor Vella stated the subcommittee's preference was to have the Council sign; she is open to hearing other Councilmember's preferences.

Mayor Spencer stated Councilmember Oddie suggested having the subcommittee discuss whether or not to have a fifth person sign.

Councilmember Oddie stated four Councilmembers will sign and the subcommittee can decide whether or not a fifth person would sign and who that would be.

Councilmember Ezzy Ashcraft, Matarrese and Vella expressed support.

Councilmember Oddie moved approval [of having the four Councilmembers sign and the subcommittee decide about a fifth signature].

Councilmember Matarrese seconded the motion, which carried by the following roll call vote: Councilmember Ezzy Ashcraft: Aye; Councilmember Matarrese: Aye; Councilmember Oddie: Aye; Vice Mayor Vella: Aye; and Mayor Spencer: Abstain. Ayes: 4. Abstention: 1.

The City Clerk stated the subcommittee will draft the rebuttal; inquired whether the Council wants the subcommittee to decide who will sign the rebuttal argument, Councilmember Ezzy Ashcraft responded in the affirmative.

Councilmember Ezzy Ashcraft moved approval of having the subcommittee, which has agreed to draft the rebuttal, decide who would sign the rebuttal argument.

Councilmember Matarrese seconded the motion.

Under discussion, Mayor Spencer inquired whether the Council decided who would draft the rebuttal, to which the City Clerk responded in the affirmative; noted the argument in favor would be transmitted to the subcommittee after the deadline tomorrow.

On the call for the question, the motion carried by the following roll call vote: Councilmember Ezzy Ashcraft: Aye; Councilmember Matarrese: Aye; Councilmember Oddie: Aye; Vice Mayor Vella: Aye; and Mayor Spencer: Abstain. Ayes: 4. Abstention: 1.

ADJOURNMENT

There being no further business, Mayor Spencer adjourned the meeting at 9:25 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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