

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL
WEDNESDAY- -MAY 7, 2020- -6:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 6:10 p.m. and led the Pledge of Allegiance.

ROLL CALL - Present: Councilmember Daysog, Knox White, Oddie, and Mayor Ezzy Ashcraft – 4. [Note: The meeting was conducted via Zoom.]

Absent: Councilmember Vella – 1.

ORAL COMMUNICATIONS, NON-AGENDA

The City Clerk read the following comment into the record :

(20-302) Rosalinda Fortuna, Alameda, urged Council to recognize that mom and pop housing providers are also small businesses ; discussed rent control laws.

AGENDA ITEM

(20-303) Recommendation to Consider Providing Direction to City Staff to Draft Charter Amendment Related to Article 26 (Measure A) to Resolve Conflicts between Article 26 and the City of Alameda General Plan and Alameda Municipal Code.

Councilmember Oddie moved approval of objecting to the consideration of the question.

In response to Councilmember Daysog's inquiry, the City Clerk stated Rosenberg's Rules of Orders states that when members of a body do not want an item on the agenda to be considered and such a motion is in order, it is not debateable and requires two-thirds vote to pass.

Councilmember Daysog seconded the motion, which FAILED by the following roll call vote: Councilmembers Daysog: Aye; Knox White: No; Oddie: Aye; and Mayor Ezzy Ashcraft: No. Ayes: 2. Noes: 2. [Absent: Councilmember Vella - 1.]

(20-304) Councilmember Oddie moved approval of not having presenter's time count against their nine minutes.

Vice Mayor Knox White seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Absent: Vella - 1.

Vice Mayor Knox White thanked Councilmember Daysog for serving on the subcommittee; stated Article 26, colloquially known as Measure A, has been a

cornerstone political discussion; there have been many public workshops and lots of public comment; there is broad support for the idea for pursuing changes to Article 26; Measure A reduces Alameda's ability to produce affordable, sustainable, climate-friendly housing and has impacts on lower-traffic development; the State is requiring the City to build more housing, which is restricted by Article 26; he would like to look at becoming part of the solution, instead of pretending that there is no problem and waiting for the State to take away the Council's right to approve housing; one key issue has been the lack of trust in elected officials to do it; Option 4 has some components that allow Alameda to be more in compliance with State law; he has yet to hear that anybody is looking to develop in all the cherished neighborhoods, but, at the same time, there are problems with economic development on Park Street and Webster Street with properties that seek to be redeveloped but have a hard time meeting the existing code and finding a project that is financially feasible; the subcommittee has broadly different views and brought forth some different options, including: 1) not doing anything, 2) removing Article 26, which would give future Council's flexibility, 3) removing just the multi-family prohibition which would allow multi-family on sites that maintain the right density, and 4) amending Measure A to make it clear that it will meet State law.

Councilmember Daysog thanked Mayor Ezzy Ashcraft for appointing the subcommittee; stated his voting history recognizes that he supports Measure A as it is, which has been his position all along; Councilmembers represent their truth as much as possible, but there are different truths; Measure A has served Alameda well; voted in 1973 and 1991 Measure A is a blunt instrument that has kept quality of life in Alameda; there are a series of options, but the options desire to change or remove Measure A; Alameda has, in fact, developed multi-family housing, which Measure A purportedly precludes, as a result of some imaginative approaches employed by staff and City Council in 2010; the Boatworks project Council voted on a few months ago specifically implicated Measure A; the burden of proof of altering or removing Measure A has to come from those who want to change it; the amount of multi-family housing being developed in Alameda seems to be moving along in a fashion that allows the City to meet the State obligations with regard to planning for the number of residential units in general, within the context of Measure A; he still needs to hear why Measure A needs to be changed altogether; one reason was impacts on the socio-economic mix, but since Measure A was put in place in 1973, Alameda continues to be economically and ethnically diverse; most of the communications from all perspectives is to hold off on the conversation tonight; he sees the virtue in the public's desire to hold off on the issue.

Stated he supports for the conversation and removal of Measure A; urged the housing supply be increased: Jeff Thomas, Alameda.

Stated Alameda Architectural Preservation Society (AAPS) is open to possible changes to Measure A, but the current ad hoc evaluation is premature; the discussion of Measure A needs to consider the full range of possible development rule changes: Christopher Buckley, AAPS.

The following public comments were read into the record:

Urged Council to hold off deciding on making recommendations on the drafting of a Charter Amendment on City Charter Article 26 (Measure A) until such a time as additional public comment can be solicited and obtained: Birgitt Evans, Alameda.

Stated the public must be part of any discussion of possible modification and urged Council to defer the discussion, as there is no urgency now: Patricia Baer, Alameda.

Stated the City Council should defer any consideration of Article 26 until after COVID-19 restrictions are reduced to allow in-person attendance at Council meetings; considering the issue at a special meeting with only seven days public notice, rather than the usual 12 days, discourages public comment and creates the impression that the City Council is trying to act with minimal public scrutiny: Karen Lithgow, President, AAPS.

Stated that she strongly objects to the Council considering significant Charter changes during the Shelter in Place orders; the matter is not so urgent that it cannot wait: Catherine Bierwith.

Stated she strongly objects to the Council considering significant Charter changes during the Shelter in Place orders; urged Council to reconsider the decision to go forward with recommendations until the public is able to address Council in person: Karen Miller, Alameda.

Stated that making changes to the City Charter during a national emergency is not good governance; there are issues of a more urgent nature; the proposals can be delayed until the 2022 national election: Dorothy Freeman, Alameda.

Stated AAPS is open to possible modification of Article 26, but modification needs to be developed as part of a carefully considered revision of the City's overall development goals and objectives; the staff evaluation has a negative tone toward Article 26; Article 26 is still highly consistent with the other provisions of the General Plan: Conchita Perales, AAPS.

Stated it is not the time to try to change Measure A with COVID 19; there is no need for more housing that could become unsellable in the future: Jeanne Allen, Alameda.

Stated the Alameda Citizens Task Force (ACT) strongly objects to Council moving forward to consider amending the Charter during the current Shelter in Place Order and the convening of the meeting with no more than the scant 7 day notice required by law; requested that repeal of Article 26 not be placed on the November ballot: Paul Foreman, ACT.

Stated any modification to Measure A at this time is premature and unreasonably limited in its scope; when the City is reviewing its overall development goals and objectives later this year would be a more appropriate time; urged Council to postpone consideration of modifications to Measure A: Steve Aced, Alameda.

Urged Council to reschedule discussion of changes to Measure A so that concerned citizens can address City Council in person: Elizabeth Tuckwell, Alameda.

Stated that he supports Option 2 to put a measure on the ballot to repeal Article 26, with additional provisions written into the Code to protect historic resources; Article 26 limits Alameda's ability to provide the community a fair share of housing; he does not want to see wholesale demolition of historic buildings, but cannot walk by people living in tents and just disregard it: Kevis Brownson, Alameda.

Mayor Ezzy Ashcraft stated her top three priorities when she became Mayor were: 1) housing affordability, availability, and homelessness; 2) traffic and transportation, and 3) the impact of climate change, especially sea-level rise; she speaks from different perspectives: as Mayor, as a long-time Alameda resident, and as the Vice Chair of a Statewide policy committee of the League of California Cities on Housing, Community and Economic Development; there is a housing crisis in the State because homes have not been built to keep up with the burgeoning workers coming to the State; as a result, people are living farther from their jobs and commuting, which clog the freeways and pollutes the air; some of the people slip through the cracks into homelessness; she disagrees with speakers who stated the issue can wait until the 2022 election; the most effective way to address homelessness is not to allow it to happen in the first place; she is proud of the work Council has done to enact progressive renter protections; there is more demand than supply; having a Charter measure which states no multi-family can be built is an impediment; it is not an easy topic; if COVID 19 is being brought into the conversation, remember the crisis impacts some people much more harshly than others including Alameda's small business owners, their employees and renters; Council has the time now; a decision to amend the Charter will not be made tonight; tonight's discussion is about whether voters should have the opportunity to vote on this in November 2020; she understands there may be fear of political consequences, but there is a higher purpose for Council service; thanked the Planning Board and Council for the work put into the issue; stated Council can address the issues in real-time despite what is going on; at the end of the day, she would like to do the most good for the majority of the people.

Vice Mayor Knox White concurred with Mayor Ezzy Ashcraft's comments; stated the housing issue and the limitations the Charter are important to the City; with the national election in November, there is opportunity to ask the community how they would like to proceed on the issue; if Council does not allow the opportunity, all the comments from the past are words not met with the action that is clearly needed; removing Article 26 entirely is the most effective and best way; officials are elected to make decisions, but he understands there is lack of trust, which is the reason for Options 4a and 4b; the fact that Council is trying to find work-arounds means that the General Plan is inconsistent with the Charter; he is hoping Council can move forward.

Councilmember Daysog stated he will talk straight and does not want to come across as disingenuous; he owns the moniker as the Councilmember who favors slow and moderate

growth; he fears overbuilding in an Island with so few ingresses and egresses; even though traffic and transportation measures have been implemented, everyone knows how difficult it is to leave the Island every morning; it creates a reduction in the quality of life; Alameda is still building and doing so within the context of Measure A and meeting State responsibilities; it is true the housing crisis is acute like no other times; during the need to meet the moment of the housing obligation and responsibilities, he wants to make sure to say that the City of Alameda has always been the leader providing for homeless populations; no other city, including closed Base cities, have come close to what Alameda has done for the homelessness issue, including setting aside housing on the former Naval Air Station in 1996 and the recent Crab Cove project; despite the housing crisis, Alameda has risen to the occasion; he understands that more can be done with the removal of Measure A, but he wants to balance the amount of housing relative to the limited infrastructure on the Island.

Mayor Ezzy Ashcraft stated that she wants to address some of Councilmember Daysog's comments; she concurs with his statement about Alameda Point Collaborative (APC) being a good example of the City providing for the homeless; APC's model of having families stay in homes for a few months until they can transfer to their own homes has proven not to be a workable model; it is a great facility and a good model, but there has not been the turn-over hoped for because there are fewer and fewer affordable housing opportunities in the Bay Area; the voters were supportive of the Crab Cove wellness center; the voters could make the right choice and she would like to allow them to vote on this issue; she respects Councilmember Daysog's position; questioned whether it is Council's place to decide whether Alameda voters, in 2020, can have the opportunity to weigh in one way or another; stated she is trying to reconcile what makes the voters back in 1973 more capable and able to determine Alameda's future now in 2020; they could not have anticipated some of the things that this Council has come to see.

Councilmember Oddie thanked his colleagues for bringing the issue forward; stated that he concurs with Councilmember Daysog that Measure A has not prevented multi-family units with the multi-family overlay and the State housing density bonus; between those two zoning rules, Alameda has neutered the first part of Measure A; there are members of the community that have different values and different experiences who are concerned about Council having tonight's hearing during a pandemic; if Council is going to ask the voters to amend the Charter, the first thing that needs to be gained is trust that the Council is actually putting something on that is in the best interest for the future of the City; it is important for the Council to be respectful of people's feelings, opinions, and perceptions; he appreciates and accepts ACT and AAPS wanting to modify Measure A as it is written and sees it as a basis to move forward; Council needs to balance the needs of housing and respect the fears and concerns of the preservationist community, otherwise Council is will not be trusted; there is a path forward that does both, which he does not see in the five options; he would like to discuss other options at a future date, but at this point would not support giving direction to pursue any of the five options.

(20-305) Mayor Ezzy Ashcraft moved approval of allow Councilmembers an additional

three minutes.

Councilmember Daysog seconded the motion, which FAILED by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Abstain; and Mayor Ezzy Ashcraft: Aye. Ayes: 3. Abstentions: Oddie – 1. [Absent: Councilmember Vella – 1.]

Councilmember Daysog stated he would yield his remaining four minutes.

Councilmember Oddie stated he would support one or two minutes, but three minutes is a lot.

Mayor Ezzy Ashcraft moved approval of allowing Councilmembers an additional two minutes.

Councilmember Daysog seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. [Absent: Councilmember Vella - 1.]

Mayor Ezzy Ashcraft inquired whether Councilmember Oddie found the suggestions from Kevis Brownson to be along the lines of what he would support.

Councilmember Oddie responded Mr. Brownson gave a broad overview; stated he thinks there is a way to balance the housing needs and increase the housing supply that was not listed; no one wants the Victorian homes on Central Avenue knocked down; another meeting where he could bring the issue forward with other options and more people attending needs to be done; the issue is 50 years ingrained in Alameda history and deserves more than a special meeting held during a pandemic.

Mayor Ezzy Ashcraft stated that she would like to see the topic continue to be discussed; she would also like to see some agreement that it is important enough to move forward; Alameda has not built nearly enough multi-family housing; stated there will not be meetings with 200 people even after City Hall opens back up, as there will be forms of social distancing; there needs to be a way to move forward and fashion a compromise; Council needs to be part of the solution, not part of the problem; action speaks louder than words.

Vice Mayor Knox White stated the point of this meeting is to give direction on how to move forward; if there is no support for putting the issue on the ballot, there is no point to having another meeting in June; he heard Councilmember Oddie say that, with some appropriate protections, there is a solution he could support; requested Councilmember Oddie to provide those options to the subcommittee or staff and have it come back in June for further discussion.

Councilmember Oddie stated he would be happy to provide his options in writing; felt the framing of Mayor Ezzy Ashcraft's last comments were unfair; he would still like to do

something, but it has to be done right; he does not see any of the options as doing it right.

Councilmember Daysog stated in terms of moving forward, he would be interested in knowing more about the concept that Mr. Buckley raised; Mr. Buckley's professionalism, insights and expertise is valuable; if Mr. Buckley says there is possibly a way forward, he would like to know more; he does not think doing so could occur in context of the November election; the difference between 1973 and now, which is the process; in 1973, a lot of people mobilized the community on behalf of Measure A; tonight, instead of having a bottom up change, it is a top down process; fundamentally Council is undoing the work; if people want to change measure A, gather the signatures, it is the process.

Vice Mayor Knox White stated instead of continuing the current subcommittee of Councilmember Daysog and himself, he recommends a subcommittee of Mayor Ezzy Ashcraft and Councilmember Oddie come back in June with language that would meet Councilmember Oddie's concerns; there are many paths and he has provided several options.

Vice Mayor Knox White moved approval of creating a different subcommittee [of Mayor Ezzy Ashcraft and Councilmember Oddie] to come back in June with proposed language.

(20-306) Vice Mayor Knox White moved approval of adding two more minutes to Mayor Ezzy Ashcraft's time.

Councilmember Daysog seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. [Absent: Councilmember Vella - 1.]

Councilmember Oddie stated that he appreciates Vice Mayor Knox White's recommendation for him and Mayor Ezzy Ashcraft to form the subcommittee; he is okay with it if Councilmember Daysog is okay with it; he has worked well with Mayor Ezzy Ashcraft and feels the subcommittee could look at some options.

In response to Mayor Ezzy Ashcraft, Councilmember Daysog stated if the purpose of a subcommittee meeting is to follow-up on specific issues raised this evening, including Christopher Buckley's ideas, in an effort to then put something on the November ballot, he would not support it because Council will still be in the same place in June as it is now; if the subcommittee will meet to look at a range of issues and whether or not putting something on the ballot will be a separate issue, then he supports going forward.

Mayor Ezzy Ashcraft stated everything is on the table and would still has to come to Council; a full, robust discussion is the best way to go.

Councilmember Oddie stated that he is thinking of a multi-step process, which does not have to, but may include something going on the ballot this year.

Councilmember Daysog stated that he would support the subcommittee as long as Council is not definitively saying that whatever happens in June is going to be put on the ballot; if Mayor Ezzy Ashcraft and Councilmember Oddie would like to flesh out some of the concepts discussed tonight, he supports that.

Mayor Ezzy Ashcraft stated she believes that is the intent of Vice Mayor Knox White's motion.

Vice Mayor Knox White concurred with Mayor Ezzy Ashcraft.

Vice Mayor Knox White restated his motion that Mayor Ezzy Ashcraft and Councilmember Oddie form a subcommittee and work together to identify alternatives that would address the issues of trust Councilmember Oddie mentioned in his comments and come back by the end of June with some proposed language and options, which could include all the existing options or could be limited, and includes concerns raised by Councilmember Daysog.

Councilmember Oddie seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Absent: Vella - 1.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 7:39 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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