

MINUTES OF THE SPECIAL JOINT CITY COUNCIL  
AND SUCCESSOR AGENCY TO THE COMMUNITY  
IMPROVEMENT COMMISSION (SACIC) MEETING  
THURSDAY- -JUNE 11, 2015- -6:59 P.M.

Mayor/Chair Spencer convened the meeting at 7:00 p.m. and led the Pledge of Allegiance.

Roll Call - Present: Councilmembers/Agency Members Daysog, Ezzy Ashcraft, Matarrese, Oddie and Mayor/Chair Spencer – 5.  
Absent: None.

Oral Communications

None.

Consent Calendar

Councilmember/Agency Member Ezzy Ashcraft moved approval of the Consent Calendar.

Vice Mayor/Agency Member Matarrese seconded the motion, which carried by unanimous voice vote – 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(\*15-382 CC/15-011 SACIC) Recommendation to Accept the Third Quarter Financial Report for the Period Ending March 31, 2015. Accepted.

(\*15-382 CC) Recommendation to Accept the Treasury Report for the Quarter Ending March 31, 2015. Accepted.

Adjournment

There being no further business, Mayor/Chair Spencer adjourned the meeting at 7:01 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk  
Secretary, SACIC

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
THURSDAY- -JUNE 11, 2015- -7:00 P.M.

Mayor Spencer convened the meeting at 7:01 p.m.

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

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(15-383) Proclamation Declaring June, 2015 as Lesbian, Gay, Bisexual, Transgender, and Queer/Questioning (LGBTQ) Pride Month.

Mayor Spencer read the Proclamation and presented it to Dr. Henry Villareal, Social Service Human Relations Board (SSHRB) and Dawna Dowdell-Dos Santos.

ORAL COMMUNICATIONS, NON-AGENDA

(15-384) Candy DeWitt, Voices of Mother, discussed mental illness and expressed support for endorsing Assembly Bill 1421 - Laura's Law [paragraph no. 15-386].

CONSENT CALENDAR

Mayor Spencer announced the letter supporting Assembly Bill 1421 [paragraph no. 15-386] was removed from the Consent Calendar for discussion.

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

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

(\*15-385) Minutes of the Special City Council Meeting Held on May 12, 2015. Approved.

(15-386) Recommendation to Approve Sending a Letter to the Alameda County Board of Supervisors Endorsing Implementation of Assembly Bill (AB) 1421 (Laura's Law).

Stated the Board supports AB 1421; discussed 5150 Police calls; expressed support for the treatment program; stated Alameda County needs to implement the law: Doug

Biggs, Social Service Human Relations Board.

Councilmember Oddie inquired which two County Supervisors are in favor, to which the Interim Assistant City Manager responded Supervisors Chan and Miley.

Councilmember Ezzy Ashcraft discussed why Alameda County is not implementing the law; stated that she would like the Council to have the supplemental information that the Board of Supervisors has requested, which is more akin to what San Francisco is doing; the City should endorse all possible avenues; she would like to see something done effectively and efficiently; the City should urge the Supervisors to consider the stakeholder report they requested; suggested the recommendation be amended to support implementing AB 1421 and/or the Stakeholder Planning Response and Implementation Plan.

Vice Mayor Matarrese stated the letter is urging the Supervisors to implement the law without telling them how to implement it.

Vice Mayor Matarrese moved approval of the staff recommendation to send the letter on behalf of the City endorsing AB 1421.

Councilmember Ezzy Ashcraft noted AB 1421 allows counties to decide whether or not to implement the law.

Councilmember Oddie seconded the motion.

Under discussion, Councilmember Daysog stated a number of credible leaders want to see action; the necessity of the law is understood; Alameda would like the law implemented sooner rather than later; stakeholders have been involved; that he supports moving forward.

In response to Mayor Spencer's inquiry, the Interim Assistant City Manager stated the bill was passed by the California State Legislature in 2002.

Mayor Spencer stated Alameda County has one of the highest rates of 5150s; the system is not working; that counties have not stepped up is wrong; something needs to be tried since the current system is not working.

Councilmember Ezzy Ashcraft stated that she will support the recommendation; she hopes the Board of Supervisors pass something; the solution is not simple and black and white.

Mayor Spencer stated that she requested the matter be placed on the agenda because it is imperative that the City step up; 15 years is too long.

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

(\*15-387) Recommendation to Accept the Work of Fort Bragg Electric, Inc. for the Group 1 - Sewer Pump Station Renovations for Reliability and Safety Improvements Project, No. P.W. 04-13-11. Accepted.

(\*15-388) Recommendation to Award a Contract in the Amount of \$330,000, Including Contingency, to Cratus Inc. for Construction of City of Alameda Facility Lateral Replacement Project, No. P.W. 03-15-05. Accepted.

(\*15-389) Resolution No. 15050, "Approving a Second Amendment to the Agreement with the California State Coastal Conservancy for Funding to Implement Spartina Eradication and Mitigation Measures and Authorize the Interim City Manager to Execute all Required Documents." Adopted.

### REGULAR AGENDA ITEMS

(15-390) Presentation on the City of Alameda Homeless Survey by the Social Service Human Relations Board (SSHRB).

Doug Biggs, SSHRB, gave a Power Point presentation.

Councilmember Ezzy Ashcraft complimented Mr. Biggs on his approach; encouraged people to call the Police Department if they see families or people in need; stated the Police Department will provide assistance.

Councilmember Oddie inquired whether the next count would indicate whether the same people from the first county are still homeless.

Mr. Biggs responded a number of the people interviewed last time already had case management in other jurisdictions; stated follow up questions will be asked if the same people are encountered.

In response to Councilmember Oddie's inquiry regarding the veterans, Mr. Biggs stated Operation Dignity was already tied and providing services; there has been a huge influx of veteran services; that he would follow up.

Councilmember Daysog stated the City being proactive has come a long way and tries to support those most vulnerable.

Vice Mayor Matarrese expressed concern over the vacant buildings at Alameda Point being used for shelter; stated removal of the buildings needs to be addressed, as well as adding housing.

Mayor Spencer stated staff would be returning to Council to address the buildings at Alameda.

Vice Mayor Matarrese stated the matter should be accelerated.

The Interim City Manager stated the process includes an inventory to determine which buildings need to come down and prioritize the order; staff needs to do some planning and will proceed as quickly as possible.

In response to Councilmember Ezzy Ashcraft's inquiry regarding resources, Mr. Biggs stated Alameda County put significant amount of money into rapid rehousing; the chronically homeless need permanent, supportive housing; the City is close to providing a solution.

Mayor Spencer gave a recount of her experience; encouraged more members of the community to participate in the next count.

(15-391) Public Hearing to Consider Collection of Delinquent Business License Taxes and Delinquent Integrated Waste Management Accounts Via the Property Tax Bills.

The Finance Director submitted updated information and gave a brief presentation.

Councilmember Oddie inquired whether the people on the list were notified of the hearing date, to which the Finance Director responded in the affirmative.

Councilmember Oddie inquired whether prior Council waived the late fees if the business license is paid, to which the Finance Director responded the fee is included on the Master Fee Schedule and Council can decide whether or not to waive the fee.

The Interim City Manager stated the fee has generally been waived for first offenders in the past.

Mayor Spencer stated the list does not differentiate first time offenders.

Councilmember Oddie inquired which are first offenders, to which the Interim City Manager responded that she does not know.

Councilmember Daysog inquired about Legacy Partners, to which the Finance Director responded Legacy Partners has rental properties and has a history of making payments late.

Councilmember Daysog requested additional information on the late fee being excessive.

Mayor Spencer inquired whether Legacy Partners is a first-time offender or reoccurring, to which the Finance Director responded that she does not have said information, but it could be provided.

Councilmember Ezzy Ashcraft inquired how the late fee compares to other cities.

The Finance Director responded the business license fee is included in the Master Fee Schedule; stated the late fee is 20% per month up to 100%.

In response to Mayor Spencer's inquiry, the Finance Director stated the amount cannot exceed 100% per year.

Discussed the business license fee due for his duplex and the history of the City's regulations; expressed concern over the penalty: Dennis Wong, Utah.

Mayor Spencer inquired whether Mr. Wong paid his license, to which Mr. Wong responded that he paid the fee, but has not paid the penalty; made further comments.

Councilmember Oddie inquired whether Mr. Wong is requesting that the late fee be waived, to which Mr. Wong responded in the affirmative.

The Interim City Manager noted there was a change in the fee; the penalty was created since people were not paying on time.

Expressed his opposition to the penalties; stated that he did not receive a notice until penalties and past years were included: Peter Todd Wehmann, Alameda.

Mayor Spencer inquired whether Mr. Wehmann understands the amount, to which Mr. Wehmann responded the letter he received indicated he owes \$154.

In response to Mayor Spencer's inquiry regarding the \$14 amount, the Finance Director outlined the fees.

In response to Councilmember Oddie's inquiry regarding Mr. Wehmann's specific case, the Finance Director responded that she would have to review the backup information, which could be provided to Council.

Councilmember Daysog inquired how an in-law unit does not count as a single family house.

The Finance Director responded the County records identify the number of units.

Mr. Wehmann stated the City is assuming the in-law unit is being rented.

In response to Councilmember Ezzy Ashcraft's inquiry, the City Attorney stated the ordinance has been on the books for many years, has had many modifications and could be cleaned up; outlined how the rental fee applies to in-law units.

Councilmember Daysog stated that he does not have to pay a business license since he only rents part of the single family house he lives in; the law seems quirky; that he would change the law to require that people in his case would have to pay the fee; the rule should be clarified.

Mr. Wehmann stated that he would like to be able to pay the \$25 renewal fee, but cannot because of the outstanding amount due; the first notice he received included the penalties, which does not seem fair.

Councilmember Ezzy Ashcraft inquired how long Mr. Wehmann has lived on Central Avenue, to which Mr. Wehmann responded since 2006.

Councilmember Ezzy Ashcraft inquired how long the unit has been rented, to which Mr. Wehmann responded the unit has been rented on and off; stated that he was told he is being charged for fees back to 2011 and he never received any notice that he was required to pay the fee; suggested sending a notice or having a disclosure when properties with two units are sold or have Alameda Municipal Power send a notice to properties with two accounts.

Vice Mayor Matarrese stated that he is inclined to waive the late fee for the two individuals [Mr. Wong and Mr. Wehmann]; he is not inclined to waive the late fee for Legacy Partners; the Code is byzantine and needs to be revamped; the Council should direct staff to start the process and provide a timeline, along with a notification and disclosure process.

The City Attorney noted staff can update the ordinance but a vote of the people would be required since the business license is a tax.

Councilmember Oddie inquired whether Mr. Wehmann has paid something, to which Mr. Wehmann responded that he paid the business license and the late fee after he received the first notice.

Councilmember Oddie stated staff cannot explain the outstanding amount; the information should be provided to Council.

In response to Councilmember Oddie's inquiry, Mr. Wehmann stated that he is asking to waive all of the penalties that go back to 2011; he paid the fee and will renew when the unit is rented; all back amounts should be waived since this was his first offence.

The Finance Director noted the ordinance allows staff to collect unpaid business license fees going back three years.

Mr. Wong stated he and Mr. Wehmann offer their assistance.

Councilmember Ezzy Ashcraft stated the letters should be more informative; the City should reach out to the community in a wide variety of ways, including the website; the business license fees should be clear to the average citizen.

Mayor Spencer stated there were no comments on the waste fee.

Vice Mayor Matarrese moved approval of approval of the integrated waste management liens.

Councilmember Ezzy Ashcraft seconded the motion.

Under discussion, Councilmember Ezzy Ashcraft noted the amount owed has decreased.

Councilmember Oddie stated that he would support the motion since no one has come to dispute or clarify the charges.

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

Councilmember Oddie stated the list shows 17 delinquent business licenses.

Councilmember Oddie moved approval of placing the lien for the 15 others and waiving the late charges for Mr. Wong and the \$156.62 due for Mr. Wehmann.

Vice Mayor Matarrese seconded the motion.

Under discussion, Councilmember Ezzy Ashcraft noted the number of entities is less because Legacy Partners is listed four times.

Mayor Spencer stated that she would prefer not including parcels 1 through 6 on the list because the penalties exceed the fee by over 100%; she does not know whether the individuals are aware.

Councilmember Ezzy Ashcraft stated the 100% cap is on the late charge; the fee was set by ordinance.

Mayor Spencer expressed concern over the amount being charged to people who may not have received notice.

Councilmember Daysog discussed the application of the business license fee for single family owner occupied rentals; stated if a tax were paid, it could fund the Rent Review Advisory Committee; expressed support for reviewing the business license.

Mayor Spencer concurred with the suggestion.

The Interim City Manager noted staff could not require return receipt notification.

Councilmember Ezzy Ashcraft requested the motion be restated.

Councilmember Oddie stated the motion is to approve attaching 15 of the 17 liens and waiving Mr. Wong and Mr. Wehmann's amounts per their request.



Mayor Spencer stated that she will not support the motion since she has concerns about some of the others on the list.

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

(15-392) Recommendation to Provide Input to Avery & Associates on the Qualifications of a City Manager, the Recruitment Brochure and the Selection Process.

The Administrative Services Director gave a brief presentation.

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Mayor Spencer left the dais at 8:39 p.m. and returned at 8:41 p.m.

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Councilmember Daysog stated the Council should be informed of attributes which are not legally allowed.

The Administrative Services Director stated attributes cannot include any bias about race, sex, age or any protected classifications, including disabilities; continued the presentation.

In response to Councilmember Ezzy Ashcraft's inquiry, the Administrative Services Director stated that she is seeking input.

Mayor Spencer stated that she supports making all applications available for Council review; she will be looking forward to receiving applications from current employees and Alamedans.

In response to Vice Mayor Matarrese's inquiry, the Administrative Services Director stated Mr. Kimura would be back in the Bay Area tomorrow.

Councilmember Oddie expressed support for the Town Hall meeting to allow public input, the process the City used last time with various panels, and Mr. Kimura holding individual meetings with Councilmembers; stated that he is open and hopes to have a wide range of applicants; having applicants with knowledge of the Bay Area would be helpful.

Councilmember Ezzy Ashcraft stated that she is looking for a City Manager who can work with a Council of strong individuals with opinions; the selection is the most important decision the Council will make; she is looking for someone who will work equally with all members of the City Council; she supports the panels, but the selection should rest with the City Council.

Councilmember Daysog outlined things unique to Alameda, such as Alameda Point and

a municipal electric utility; stated that he wants to hear how applicants have dealt with similar things and have relevant cross over experience.

Mayor Spencer stated that she expects to receive a draft and provide feedback; information on Alameda from previous brochures is valid and done nicely.

The Administrative Services Director stated that she would like to proceed with the survey.

The Council expressed support.

#### CITY MANAGER COMMUNICATIONS

None.

#### ORAL COMMUNICATIONS, NON-AGENDA

None.

#### COUNCIL REFERRALS

None.

#### COUNCIL COMMUNICATIONS

(15-393) Councilmember Oddie announced that he attended the Alameda County Waste Management Authority meeting and the Boys and Girls Club annual meeting.

(15-394) Vice Mayor Matarrese stated the City has a signed Memorandum of Understanding with Dumaguete after hosting a delegation this past weekend.

(15-395) Councilmember Daysog announced that he attended an event recognizing Filipino Independence Day and he attended the League of California Cities meeting in Sacramento.

(15-396) In response to Councilmember Ezzy Ashcraft's inquiry about Assembly Bill 1335, Councilmember Oddie provided a brief update.

(15-397) Mayor Spencer made an announcement regarding hosting the delegation from Dumaguete, the USS Hornet hosting an Amway China event and attending the Alameda County Mayors Conference; noted the issue of Alameda County Transportation Commission doing socially responsible investing would be forthcoming.

(15-398) Selection of Council Liaisons on the City Council/School Board Subcommittee and the City Council/City of Alameda Health Care District Board Subcommittee.

Stated the Health Care District has been reviewing its mission; expressed support for having a liaison committee: Jim Meyers, Health Care District Board.

Mayor Spencer suggested addressing one at a time; outlined the history of the School Board Subcommittee.

Councilmember Ezzy Ashcraft stated that she would be willing to serve on the Subcommittee.

Councilmember Daysog inquired whether there is room for an alternate, to which Mayor Spencer responded in the affirmative.

In response to Councilmember Ezzy Ashcraft's inquiry, Mayor Spencer stated the tradition has been that the Mayor serves on the Subcommittee.

Councilmember Daysog stated having the Mayor serve is important.

Mayor Spencer moved approval of having Councilmember Ezzy Ashcraft and herself serve as the representatives with Councilmember Oddie as the alternate.

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

Councilmember Oddie stated that he would be interested in serving on the Health Care Subcommittee.

Mayor Spencer stated the Mayor and a Councilmember should serve and there should be an alternate.

Councilmember Oddie stated that he could be the alternate if someone else wants to serve.

Councilmember Daysog stated that he would be the alternate.

Councilmember Ezzy Ashcraft expressed support for Councilmember Oddie being the representative and Councilmember Daysog being the alternate.

Vice Mayor Matarrese moved approval.

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

The City Clerk requested the motion be clarified.

Vice Mayor Matarrese stated the motion was to have the Mayor and Councilmember Oddie serve with Councilmember Daysog as the alternate.

Councilmember Daysog noted the Mayor and Vice Mayor serve on the East Bay Regional Park District Subcommittee.

Mayor Spencer noted the vote occurred.

Councilmember Ezzy Ashcraft stated that she was not clear on the motion.

On the call to re-consider the question, the motion carried by the following voice vote: Ayes: Councilmembers Daysog, Matarrese, Oddie and Mayor Spencer – 4. Noes: Councilmember Ezzy Ashcraft – 1.

#### ADJOURNMENT

There being no further business, Mayor Spencer adjourned the meeting at 9:10 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

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