

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -FEBRUARY 21, 2017- -7:00 P.M.

Mayor Spencer convened the meeting at 7:02 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 arrived at 7:30 p.m.]

Absent: None.

AGENDA CHANGES

(17-106) Councilmember Ezzy Ashcraft proposed moving the Williams-Sonoma lease [paragraph no. 17-132] to the top of the regular agenda.

Mayor Spencer inquired about the number of speakers; stated the first regular item [call for review: paragraph no. 17-127] has 10 speakers; proposed the Bladium Parcel Map [paragraph no. 17-131] and the Williams-Sonoma lease [paragraph no. 17-132] be called after the call for review.

Councilmember Oddie expressed support for the Mayor's suggestion.

Councilmember Ezzy Ashcraft stated the Williams-Sonoma lease would probably not take long.

Councilmember Matarrese stated the agenda should remain as is.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(17-107) Mayor Spencer announced there is a vacancy on the Rent Review Advisory Committee for the Housing Provider Seat, and that rent workshops would be held on February 23rd, and March 16th and 30th.

(17-108) Mayor Spencer did the daily reading on love for Season for Nonviolence.

(17-109) Mayor Spencer stated that she would be adjourning in memory of Betty Sanderson, John Villa, Solana Henneberry, Michael Devlin, and Dona Hoard.

(17-110) Proclamation Declaring February 2017 as Black History Month.

Mayor Spencer read the proclamation and presented it to Robbie Wilson.

Ms. Wilson made brief comments.

(17-111) Proclamation Declaring February 21, 2017 as David Needle Day.

Mayor Spencer read the proclamation and presented it to Gina Ward, David's daughter.

(17-112) Proclamation Declaring February 2017 as Teen Dating Violence Prevention and Awareness Month.

Mayor Spencer read the proclamation and presented it to Liz Varela, Executive Director, Building Futures with Women and Children.

Ms. Varela made brief comments.

ORAL COMMUNICATIONS, NON-AGENDA

(17-113) Kenny Mai and Lauren Bulino, Alameda Youth Committee, showed a video, gave a brief overview of the Piece and Kindness campaign and provided the Councilmembers with information and puzzle pieces.

(17-114) Rosemary Jordan, Alameda 4 Impeachment, submitted information; urged Council to adopt a resolution to support a congressional investigation of President Trump.

(17-115) Gaby Dolphin, Alameda Progressives, stated that she supports a resolution for impeachment.

(17-116) Maxwell Bunshalt, Alameda, urged Council to do everything possible to reverse the debacle of the government and preserve democracy; stated that he supports a petition to impeach the President.

(17-117) Richard Bangert, Alameda, expressed concern over the lack of information for an Alameda Municipal Power planning meeting; stated having the meeting at 3:00 p.m. on a Monday is not accessible for citizen participation and no staff reports were associated with the agenda.

CONSENT CALENDAR

Mayor Spencer announced that the Enterprise District update [paragraph no. 17-121] and the resolution regarding Island City Lighting and Landscaping District [paragraph no. 17-124] were removed from the Consent Calendar for discussion.

Councilmember 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.]

(*17-118) Minutes of the Special and Regular City Council Meeting Held on January 17, 2017. Approved.

(*17-119) Ratified bills in the amount of \$3,309,335.54.

(*17-120) Recommendation to Accept the Quarterly Sales Tax Report for the Period Ending September 30, 2016 Collected During the Period April 1, 2016 to June 30, 2016. Accepted.

(17-121) Recommendation to Receive the 6-Month Status Update on the Enterprise District Development Approach (July 2016 to December 2016).

Stated business parks should not be built without housing; housing is needed; commercial development should be leveraged for affordable housing: Angela Hockabout, Renewed Hope.

In response to Mayor Spencer's inquiry, the Base Reuse Director stated the development is part of a larger mixed-use development; the area focuses on jobs; 18,000 jobs were lost when the Base closed causing an imbalance of housing and jobs; the no-cost conveyance is supposed to replace jobs; a condition of getting the land under the no-cost, economic conveyance agreement with the Navy requires focusing on a mixed-use community and bringing jobs that were lost when the Base was closed; the 20 to 30 year plan makes sure commercial land is available.

Mayor Spencer stated if more than 1,400 homes are built, the City would have to pay \$50,000 per unit, which will be inflated over time.

Councilmember Matarrese stated the point of closed military bases is to replace lost jobs; the need for balance is important; jobs left, but houses did not leave.

Councilmember Matarrese moved approval of the staff recommendation.

Councilmember Ezzy Ashcraft Seconded the motion which carried by unanimous voice votes - 5.

(*17-122) Resolution No. 15230, "Amending Resolution No. 9460 to Reflect Current Positions and Entities to be included in the City of Alameda's Conflict of Interest Code and Rescind Resolution No. 14992." Adopted.

(*17-123) Resolution No. 15231, "Approving Two Workforce Changes at Alameda Municipal Power: Delete One Position, Senior Account Clerk; Add One New Position, Utility Information Systems Billing Specialist; and Amend the Salary Schedule of Electric Utility Professionals of Alameda (EUPA) to Retitle Engineering Supervisor to Engineering Manager, Effective March 5, 2017." Adopted.

(17-124) Resolution No. 15232, "Appointing an Engineer-of-Work and an Attorney-of-

Record for Island City Landscaping and Lighting District 84-2.” Adopted.

Councilmember Matarrese and Vice Mayor Vella recused themselves and left the dais.

Mayor Spencer moved adoption of the resolution.

Councilmember Oddie seconded the motion, which carried by unanimous voice vote – 3. [Absent: Councilmembers Matarrese and Vella – 2.]

(*17-125) Resolution No. 15233, “Appointing an Engineer-of-Work and an Attorney-of-Record for Maintenance Assessment District 01-1 (Marina Cove).” Adopted.

(*17-126) Resolution No. 15234, “Authorizing Residential Parking Program for Public Streets within Columbia Homeowners Association (HOA) Pursuant to Alameda Municipal Code Section 12-17.6(g).” Adopted; and

(*17-126A) Resolution No. 15235, “Authorizing Residential Parking Program for Public Streets within Headlands Homeowners Association (HOA) Pursuant to Alameda Municipal Code Section 12-17.6(g).” Adopted.

REGULAR AGENDA ITEMS

(17-127) Public Hearing to Consider Resolution No. 15236, “Upholding the Planning Board Decision to Approve Design Review Permit File No. PLN16-0232 for the Construction of an 880 Square Foot Accessory Structure at 1208 Saint Charles Street, including Demolition of a Two-Car Garage and Construction of an Accessory Structure with a Three-Car Garage and an Artist Studio.” Adopted. This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303.

The Assistant Community Development Director gave a Power Point presentation.

Stated they would like the ability to pursue their plans for an addition; the plans meet all requirements; the process has gone on for a long time; they are good neighbors and good citizens; their team is present tonight to speak on their behalf: Paula Mathis and Tom Ellebie, property owners.

Stated her client’s neighbors challenged the project regarding drainage, oak trees and a CEQA challenge; staff findings support her clients; studies show no negative impact from the project; the applicant’s experts are working on facts not opinion; urged Council to support upholding the Planning Board decision: Rena Rickles, Applicant’s Attorney.

Stated she has resided in Alameda for 23 years; the design and construction can be compatible; the location and layout is most appropriate for least disturbance to the site; her professional opinion is that the project will enhance the health and beauty of all heritage trees: Jennifer Bowles, Applicant’s Landscape Architect.

Showed a video clip of a Planning Board meeting where a commissioner called the project for review: Scott Dawson, Alameda.

Stated that she visited the neighbor's properties and made recommendations on construction zones; she is not in dispute with the applicant's arborist, but does not understand how the project can comply with the arborist recommendations: Darya Barar, Hort Science Inc.

In response to Vice Mayor Vella's inquiry regarding Ms. Barar's qualifications, Ms. Barar stated that she is a Cal Poly Pomona graduate and has been a certified arborist since 2002; she has 14 years work experience with the City of Pasadena.

Stated the City needs to update rules, regulations, and the Code; the neighbors are only trying to save trees; she has the right to fight for herself as well as her neighbors; she thinks the project is too much of a chance to take and may jeopardize the oak trees; urged the applicant to rebuild the garage where it has always been and find another location for the art studio: Dee Keltner, Alameda.

Showed a video clip of a Planning Board meeting where the project was called for review: Antonia Nicosia, Alameda.

Submitted information; stated the structure should be built as pier and graybeam construction, which can be done without cutting large roots; the trees are healthy; she supports the construction: Judy Thomas, Applicant's Arborist.

Stated he is the applicant's neighbor; he supports the garage construction; the owners have resources to fix their home; as a tax payer, he is concerned with the process and that the item is before the Council tonight; the Planning Board meeting clips do not show the whole picture; urged Council to uphold the Planning Board decision: Robert Doud, Alameda.

Stated he is the architect for the project with over 40 years in practice in Alameda; the design is a collaborative effort of many consultants; the owners proposed several versions of the project; the one approved addressed all the requirements; the foundation was designed consistent with the arborists report: Italo Calpestri, Applicant's Architect.

Asked Council to vote against the project if it impacts the trees; urged Council to consider the wide ranging benefits of trees: Sylvia Gibson, Alameda.

Mayor Spencer stated that she called the project for review because there was enough controversy between the neighbors and conflicting comments in the expert reports to have Council weigh in on the issue; she still has concerns as to how appropriate it would be to proceed after hearing the comments tonight.

In response to Councilmember Ezzy Ashcraft's inquiry, the Assistant Community Development Director stated the construction is a combination of existing slab on new extensions on the pier system.

Councilmember Ezzy Ashcraft inquired what date the two Planning Board video clips were from, to which the Assistant Community Development Director responded both video clips were from the night the item was called for review.

Councilmember Ezzy Ashcraft inquired whether there was a unanimous vote to approve the project when it came back for review on January 23, 2017.

The Assistant Community Development Director responded in the affirmative; stated staff revised the plans in between the time the project was called for review and the January 23rd meeting; all the issues were addressed, including making sure the oak trees would be protected and thrive; nobody disagrees that the trees are incredible and need to be preserved; the vote was 6-0 to approve the project.

Councilmember Matarrese inquired whether the combination of beam grade for new load and the slab for the existing footprint has been reviewed by the applicant's arborist, found to be protective and minimizes the risk to the trees, and if the City arborist concurred, to which the Assistant Community Development Director responded in the affirmative.

In response to Councilmember Oddie's inquiry regarding the review process, the Assistant Community Development Director stated Council is reviewing a decision that has already been made by the Planning Board; the Planning Board made findings based on three key things: 1) the project is consistent with the General Plan and zoning, 2) the design architecture is consistent with the main building, and 3) nothing about the project would be detrimental to the general health, welfare and safety of the community; the Planning Board made the final decision based on the third finding and determined the project would not hurt the trees; the Planning Board made the right decision.

Councilmember Oddie inquired whether some type of evidence is needed to make a contrary finding, to which the Assistant Community Development Director responded in the affirmative, stated evidence would have to be specifically pointed out.

In response to Councilmember Oddie's inquiry, the Assistant Community Development Director stated that he asked the City arborist to make a determination regarding the trees; the City arborist reported that the property owners are doing everything right; the City mitigated the design to make sure it would be okay; the Planning Board, staff, and the City arborist have taken all the right measures to protect the trees; no one wants to lose the trees.

Mayor Spencer inquired whether the City arborist provided a written report, to which the Assistant Community Development Director responded in the negative; stated staff did not request a written report.

Mayor Spencer stated that she would like to have seen a written, impartial report from the City arborist; knowing his credentials and qualifications is important; the other party's arborist credentials were requested; an independent report would have been preferred; the City does not have a written report from the tie-breaker expert.

The Assistant Community Development Director stated staff could discuss changing the process; staff, the Planning Board, and the City arborist all felt comfortable another opinion was not needed for the project.

Vice Mayor Vella inquired whether the City arborist attended the Planning Board meetings regarding the project, to which the Assistant Community Development Director responded in the negative; stated the City arborist reviewed all the materials presented at the meetings and found no issues.

Councilmember Oddie stated Council and Boards have to rely on the expertise of the professionals.

In response to Mayor Spencer's inquiry, the Assistant Community Development Director stated the garage foundation will be replaced with no new load.

Mayor Spencer inquired whether the foundation has to be replaced because the old foundation would not be able to hold the new building.

Mr. Calpestri responded the old foundation lacks reinforcement; it is better to remove the old foundation and spread the load; the slab size will remain the same.

Mayor Spencer inquired whether the foundation size matches the size of the building, to which Mr. Calpestri responded in the affirmative.

Councilmember Ezzy Ashcraft stated that she visited to the property; the neighbors expressing concern for the well-being of the trees is appropriate; the homeowners care about the trees as much as the neighbors; she hopes there was no attempt to mislead the Council with the two video clips that did not show the outcome; the Planning Board is competent; concerns were addressed at the January 23rd meeting; she feels due diligence has been done and is prepared to support the Planning Board decision; having the neighborhood feeling resurrected again is important going forward.

Councilmember Ezzy Ashcraft moved adoption of the resolution.

Councilmember Matarrese stated the Council's charge tonight is to determine whether or not the Planning Board made an error; he has reviewed all the reports and watched the videos; he does not see any new information that the Planning Board determination was made in error; he is satisfied with the judgements and findings of staff.

Vice Mayor Vella stated that she watched the Planning Board videos and visited the site; the process needs to be streamlined; approval of a project should not take so much time and so many resources; she has not seen anything that conflicts with the Planning Board information or undermines the three findings; she is familiar with the form of construction; she supports the project.

Councilmember Oddie stated that he concurs with Councilmember Matarrese; the applicant has done everything right and has the same right as a fourth generation Alamedan; he was heartened by the property owners' comments that, after all is said and done, they still want to make Alameda their home; as a Councilmember, it is important to trust staff; the Assistant Community Development Director would inform Council if he thought the project would kill the trees; he plans to support upholding the Planning Board decision.

Mayor Spencer stated that she will not support the Planning Board decision; she is disappointed there is not a more stringent policy to protect heritage trees; there are many things that will be unknown until the damage happens; Alameda does not have homes with three car garages; the project is not compatible with the City; she is not able to support the project.

Councilmember Matarrese seconded the motion.

Under discussion, Councilmember Ezzy Ashcraft stated that she has never known a judge to present a report as a matter of tie-breaking, but as a matter of evidence; the Planning Board did its due diligence in reviewing the reports from all experts and presented findings in making a correct decision.

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

Mayor Spencer called a recess at 9:20 p.m. and reconvened the meeting at 9:30 p.m.

(17-128) Recommendation to Review and Approve the 2017 Legislative Agenda for the City of Alameda.

The Public Information Officer gave a Power Point presentation.

Councilmember Oddie inquired whether the Broadway/Jackson discussions have been stalled.

The Base Reuse Director responded staff has been meeting with Alameda County Transportation Commission (ACTC) about Broadway/Jackson; a Transportation Commission meeting is being planned for March; the City tried to take a different, well-

coordinated approach; other stakeholders are on board and staff wants to be careful not to stall again; Chinatown and Oakland support a basic plan; the project is not ready to be discussed publicly.

Councilmember Ezzy Ashcraft stated she is familiar with the stakeholders; in the past, the plan never got buy-in; inquired whether it is a totally new plan, or new thinking.

The Base Reuse Director responded the previous plan was beneficial to Oakland; over time, guidelines have changed and became more technical; having a plan that was reviewed in the past would be ideal; staff is working with Caltrans to overcome important issues; the new plan would focus on new solutions and be creative; the building blocks are being tweaked to meet technical hurdles.

Councilmember Ezzy Ashcraft stated there is a reference to the continued work for Veteran's Administration (VA); the legislative update refers to efforts in Sacramento and Washington DC; inquired whether there may be some roadblocks with the VA.

The Base Reuse Director responded there are no roadblocks; the VA is in the design phase; Congress mandates that the VA be turned over to other federal agencies; the project is moving forward; meetings with engineering and infrastructure are being called.

In response to Councilmember Ezzy Ashcraft's inquiry, the Base Reuse Director stated funding is not entirely adequate; \$80 million out of \$220 million has been appropriated, which includes site preparation and offsite utilities; there has not been a lot of day to day contact; but staff is aware by activities; the City is trying to help broker some relationships and lend civil engineering support; she is not sure when everything will happen.

Councilmember Ezzy Ashcraft inquired whether revenue taxation is a statewide measure, to which the City Manager responded in the affirmative.

In response to Councilmember Ezzy Ashcraft's inquiry regarding reducing the threshold, the City Manager stated bills have been going through the process, but have not been successful.

Councilmember Ezzy Ashcraft inquired whether the City is looking for the State to help with Other Post-Employment Benefits (OPEB) and CalPers.

The Assistant City Manager responded the State modified the CalPers system; stated there has been some discussion to do similar reform for OPEB; there is nothing going on now, but the City would like to support any efforts.

Councilmember Ezzy Ashcraft inquired whether specific legislation addresses affordable housing, to which the City Manager responded in the negative; stated it is just general legislation.

Vice Mayor Vella stated she reviewed the proposed Federal Aviation Administration (FAA) revisions to airport noise; noted the proposal deals with more than just commercial airplanes; suggested removing the word “commercial”; she would not want to limit the types of aircraft.

In response to Councilmember Ezzy Ashcraft’s inquiry, Vice Mayor Vella stated the airport noise not only comes from planes; other factors include general ground elevation, climate, and the atmosphere; she wants to make sure the correction is made.

Councilmember Oddie stated the Maritime Administration (MARAD) is the number one tenant for Alameda; he would like to nurture and keep the relationship positive; he supports Senate Bill 2 (SB 2) by Senator Atkins which is the \$75 recording fee, which would raise up to \$500 million for affordable housing; Assembly Bill 71 (AB 71) is another \$300 million for affordable housing which will be matched and raised by eliminating the tax deduction for second mortgages; he hopes Alameda can support a lot of sanctuary bills and have realistic responses to the homelessness crisis; Assembly Bill 1643 (AB 1643) increases renters’ tax credit.

Councilmember Matarrese stated he thinks the plan is good; he hopes to receive notice if things move ahead at the Capital; information should be broadcast so the plan is not a once a year exercise carried over from year to year; he would like to see Council direction return in March for public discussion of the results of the priority setting meeting; he hopes to align priorities with the legislative program; the renters’ credit should be moved up and there should be discussion of the housing crises; income inequality contributes to the housing crisis; Del Monte units will cost about \$600,000 to build; Council needs to do more regarding the homeless issue; getting the government to declare a state of emergency should be a priority; the problem is growing; the legislative approach should be with the County, State and neighboring cities; he supports a tax deduction for rent paid under a certain level.

Mayor Spencer stated that she would like to figure out a place to add workforce housing; projects have affordable and luxury housing, but nothing for workforce housing.

The City Manager stated workforce housing is a high priority for Council as part of inclusionary housing; inquired whether Mayor Spencer wants the City to ask for State funding.

Mayor Spencer responded in the affirmative; stated Council has to intentionally support workforce housing, otherwise the City will not get funding.

In response to the City Manager’s inquiry, Councilmember Ezzy Ashcraft stated Council should support legislation to add affordable and workforce housing.

Mayor Spencer stated she would like to see the housing programs spelled out as a City priority, not just a League of California Cities priority; she would like the City to support

the last mile bike and pedestrian access to BART; figuring out transportation off the island is crucial.

The Public Information Officer stated there are more details and examples in staff report regarding transportation; the last mile was included.

Mayor Spencer stated the plan needs to be spelled out as a priority for Alameda; a bike bridge or access to BART should be included; Council is not voting tonight, just recommending changes.

Councilmember Matarrese inquired how staff will catalogue all the changes, to which the Public Information Officer responded she will review the video.

The City Manager inquired whether Council would like the legislative items to come back on the Consent Calendar, to which Councilmember Matarrese responded in the affirmative.

Councilmember Matarrese moved approval of directing the City Manager to take the input from tonight and bring a revised list to Council.

Vice Mayor Vella seconded the motion.

Under discussion, Councilmember Ezzy Ashcraft inquired whether the report will come back fully fleshed out, to which the City Manager responded staff will track the changes and bring it back.

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

(17-129) Recommendation to Review the Strategies Matrix and Provide Direction for Drafting the Economic Development Strategic Plan (EDSP).

The Economic Development Manager gave a brief presentation and Sujata Srivastava, Strategic Economics, gave a Power Point presentation.

(17-130) Mayor Spencer stated a motion is needed to consider remaining items [the Bladium Map, Williams-Sonoma lease and referrals].

Councilmember Matarrese moved approval [of considering the remaining items].

Councilmember Ezzy Ashcraft suggested hearing to the end of the regular items and not the referrals.

Mayor Spencer stated Councilmembers not being able to support hearing remaining items, especially the referrals, is a problem.

Mayor Spencer seconded the motion.

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

Councilmember Oddie stated housing advocates were not involved in developing the principal; there is a limited amount of land; the plan seems conflicted; Council has to decide whether to focus on housing, true mixed-use, or commercial; Council needs to stand behind the issues deemed important; attracting hotels is an issue; yet, when a hotel project came forward, the project fell through with the Bay Conservation and Development Commission (BCDC); there is a lot of disconnect; the desire is to have high quality jobs, yet there was a proposal to have a Ranch 99, which is a non-labor, non-union grocer who depresses wages for all other grocery workers; key stakeholders were missed left out of the process.

Vice Mayor Vella stated that she saw a lot of conflicts in the report; a number of skilled-trade unions are involved in different apprenticeship programs in Alameda and none of them were involved in process; as a job pathway, unions should be involved as a resource; she supports incubator space and nurturing space to grow businesses; one thing missing in the draft strategy is how incubator spaces and technology infrastructure will be supported; from an IT standpoint, the work is already being done and should be incorporated in the Strategic Plan; converting previous car lots should also be included; loss of businesses impacts revenues; the City needs to work with existing businesses to figure out options; the issues should be recognized in the strategic plan; revenue generation should also be a focus.

Councilmember Ezzy Ashcraft stated housing, transportation and jobs should rise to the top at the priority setting workshop; she would like to see a focus on housing; figuring out funding is important; inquired what the reference to the need for student housing means.

Ms. Srivastava responded one of the ideas from the Peralta Community College District was exploring adding student housing to the College of Alameda campus; details are not worked out, but if the idea could be fleshed out if it is of interest.

Councilmember Ezzy Ashcraft stated she would not be interested in non-funded mandates; tourism bumps down to a lower tier; the need for hotels for the business community should be kept in mind; transportation and jobs are important; she is intrigued by the suggestion that Alameda should work with other cities with maritime industries; the City has ageing infrastructure of the piers and grapples with the leases for maritime businesses; she is interested in knowing if there are examples of partnerships.

Ms. Srivastava stated there are examples for other types of infrastructure; the idea came directly out of a maritime industry focus group; the Metropolitan Transportation Commission (MTC) should play a role rather than going at it alone.

Councilmember Ezzy Ashcraft stated the City is open to all suggestions, Alameda is an island and needs maritime industry.

Councilmember Matarrese stated there is a fundamental flaw on how the plan is being developed; the plan is not community driven, it is staff driven; Council is expected to sift it out; there is no mention of the Economic Development Commission (EDC); when the EDC was first formed, its focus was to provide input and challenge ideas; some things in the current proposed plan are exactly the same as the 1996 plan; the 1996 plan delivered a number of foundations for Alameda Landing and the resurrection of South Shore; he does not understand the Plan not addressing the new way businesses have come to Alameda Point; businesses have not come by usual ways of marketing, they have come by word of mouth; he is surprised the City has not figured out a way to use said strategy; Alameda has to become cutting edge and should look forward instead of backward; more input and more ideas are needed from the Economic Development Advisory Panel (EDAP) and Planning Board; there is lot of value in using the talents on the two boards.

Councilmember Ezzy Ashcraft stated there is more than one way of reaching a solution such as community workshops and meetings of bodies; she does not see resurrecting the EDC; she agrees with the need to be cutting edge; urged staff to provide opportunities for Alameda Point businesses to invite folks to visit; the City needs a better website; Alameda should look at what other Cities are doing.

Mayor Spencer stated the Plan comments are way all too over the place; she does not like “quirky”, she likes “unique” and “magical”; name recognition is not a problem; a dining sector and retail is not a solution; there should be higher paying jobs; being paid minimum wage is a serious problem; she supports increasing the minimum wage; the strategy cannot be all over the place.

Councilmember Oddie concurred with Councilmember Matarrese; stated there is a conflict about vacancy rates; another conflict that should be discussed is tracking existing business and finding more creative ways to attract businesses.

(17-131) Resolution No. 15237, “Approving the Alameda Point Bladium Tentative Parcel Map Application: PLN16-0544.” Adopted.

The Base Reuse Director gave a brief presentation.

Councilmember Matarrese moved adoption of the resolution approving the Alameda Point Bladium Tentative Parcel Map Application: PLN16-0544.

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

(17-132) Introduction of Ordinance Approving a Lease and Authorizing the City Manager to Execute Documents Necessary to Implement the Terms of a 3 Year Lease

with No Extension Options with Williams-Sonoma, Inc. a Delaware Corporation, for Building 169, Suite 102 Located at 1680 Viking Street, Alameda Point. Introduced. [In accordance with the California Environmental Quality Act (CEQA), this project is Categorically Exempt under the CEQA Guidelines Section 15301(c) – Existing Facilities.]

The Assistant Community Development Director gave a brief presentation.

Councilmember Ezzy Ashcraft moved introduction of the ordinance approving a lease and authorizing the City Manager to execute documents necessary to implement the terms of a 3 year lease with no extension options with Williams-Sonoma, Inc. a Delaware Corporation, for Building 169, Suite 102 located at 1680 Viking Street, Alameda Point.

Vice Mayor Vella seconded the motion.

Under discussion, Mayor Spencer stated there are 10,000 visitors every month and that is how people are finding Alameda.

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

CITY MANAGER COMMUNICATIONS

(17-133) The City Manager announced there have been concerns about the number of U.S. Immigration and Customs Enforcement (ICE) vehicles on Webster Street; there is a customs office at Mariner Square and the vehicles are just employees going to lunch and not for any other reason.

ORAL COMMUNICATIONS, NON-AGENDA

(17-134) Rasheed Shabazz, Alameda, invited the public to a presentation on the Struggles of African Americans for Housing in Alameda on February 28th at the College of Alameda Student Lounge.

COUNCIL REFERRALS

(17-135) Consider: 1) Directing Staff to Provide an Update on the Negotiations between the City and the Friends of the Alameda Animal Shelter (FAAS) at the March 7, 2017 City Council Meeting; and 2) If a Memorandum of Understanding (MOU) has not been Reached between the City and FAAS, that Council Provide Direction to Staff on the Terms of a MOU between the City and FAAS. (Mayor Spencer)

Mayor Spencer made brief comments.

Stated she was looking forward to robust discussion about FAAS; similar to the discussion on oak trees: Swati Shah, FAAS.

Stated the strength of volunteer force keeps FAAS going: Marcy Morrison Pearce, FAAS.

(17-136) Councilmember Matarrese moved approval of continuing the meeting past 11:00 p.m.

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

Urged Council to accept the FAAS proposal: Tenzin Petersen, Alameda.

Stated FAAS will lose volunteers if funds are not received to continue providing service: Patricia Phillips, FAAS.

Expressed support for FAAS funding request; stated she loves volunteering at FAAS: Susan Getman, FAAS.

Urged staff to update the website with more accurate information; announced an MOU with Alameda Point Collaborative (APC) has been drafted to begin working with APC on an ongoing basis: Deb Knowles, FAAS.

Councilmember Ezzy Ashcraft stated she toured the shelter; the City only received the FAAS financials in January; the matter is on the next meeting on March 7th; progress is being made.

Mayor Spencer stated it is critical to have certainty that the issue is being heard.

The City Manager stated there has been movement on both sides; details are more approachable and it feels like there is good will on both sides; the City does not intend to bring the operation back under the Police Department; staff is working on details; the item is scheduled for March 7th closed session; staff will meet with the FAAS board and come back to Council soon after.

Councilmember Matarrese stated the plan sounds reasonable; that he does not want to see a sign on the door that FAAS is closed because there is no money.

The City Manager stated until a decision is made, FAAS employees and animals are secure.

Councilmember Matarrese stated the discussion of the true budget and projections is needed; everyone will be in better place than rushing through; his expectation is not to come out of closed session until there is a deal.

Mayor Spencer stated she does not think there is a conflict; many items have been discussed in closed session and then in open session to update the public and people can weigh in on the issue.

Councilmember Matarrese stated giving direction in open session is a bad idea and not good faith bargaining.

Mayor Spencer stated Council could give direction to staff if an agreement is not reached; there should still be an update for the public.

The City Attorney stated negotiations are better done in closed session; staff has advised FAAS that there will be a closed session on March 7th, the draft document will come back to Council; she recommends against announcing anything in open session.

Vice Mayor Vella stated Council normally handles contract negotiations in closed session; there are open lines of communication on both sides; she wants to empower staff to get a deal done which would be the point of the closed session.

Mayor Spencer inquired whether the website can be revised in the meantime, to which the City Manager responded in the affirmative.

Councilmember Oddie stated typically negotiations do not occur in public; suggested rather than updating websites, both sides take down their websites and stop the press releases and letter writing; clamping down and making a deal is better than getting misinformation.

Mayor Spencer stated the matter is taking way too much time, it is appropriate for Council to give direction.

The City Manager stated the problem with not meeting in closed session to get price and terms is Council does not give the FAAS board the opportunity to review the information to see if it works.

Councilmember Ezzy Ashcraft stated she does not think Council could stop the first amendment.

Councilmember Oddie stated dueling press releases are not helpful.

Mayor Spencer moved approval of directing staff to provide an update on the negotiations between the City and FAAS at the March 7, 2017 City Council meeting.

Councilmember Matarrese seconded the motion, with the amendment that the update be the reporting out from the closed session, which FAILED by the following voice vote: Ayes: Councilmember Matarrese and Mayor Spencer – 2. Abstentions: Councilmembers Ezzy Ashcraft, Oddie and Vella – 3.

(17-137) Consider: 1) Sending a Letter to Alameda Health System and Appropriate Health Insurance Plans regarding the Lack of Contracts Covering Many Alameda Residents and Urging Them to Reach Agreements; and 2) Creating a Committee to Review the Issue of Providing Access to on Island Healthcare for Alameda Residents and Make Recommendations of How to Proceed. (Mayor Spencer and Councilmember Oddie)

Mayor Spencer and Councilmember Oddie made brief comments.

Councilmember Matarrese moved approval of the referral.

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

(17-138) Consider Directing Staff to: 1) Identify All Accounts with Wells Fargo and Investments in Wells Fargo Securities; 2) Draft a Request for Proposal (RFP) for Banking Services for the City of Alameda; and 3) Exclude Wells Fargo from the RFP process and Refrain from Making New Investments in Wells Fargo Securities for a Period of Three Years. (Vice Mayor Vella and Councilmember Oddie)

Councilmember Oddie and Vice Mayor Vella made brief comments.

In response to Mayor Spencer's inquiry, Vice Mayor Vella stated the request is to not make any investments with Wells Fargo after Council votes on it tonight.

Councilmember Oddie stated the City Treasurer could come back with a report; some accounts may not be feasible; he would like to know more information and be socially responsible before issuing an RFP.

Mayor Spencer inquired whether Council should vote now or wait for a report to come back.

The City Manager stated she interprets the item as a referral; the question is whether to compile data and bring it back to Council to make a determination; in the meantime, the City will not make any additional investments in Wells Fargo.

Stated massive financial institutions are making irresponsible investments; urged Council to define the community by choosing financial institutions who exhibit socially responsible actions: Gaby Dolphin, Alameda Progressives.

Submitted information; stated he fully supports the proposal; urged Council to consider using a local credit union as a best choice for a banking business: Maxwell Bunshadt.

Discussed a prisoner who suffered maltreatment and died because the company that controlled the for-profit correctional facility valued profit over human life; stated Wells Fargo promotes the abuse of practices for private prisons; urged Council to end

Alameda's relationship with Wells Fargo: Benjamin Davis, Berkeley.

Urged Council to approve the proposition and investigate other measures which would ensure Alameda does business with socially responsible institutions: Cheri Johansen, Alameda Progressives.

Stated that his group led a campaign to get the University of California to divest from private prisons; he supports the proposal; urged Council to make investments that align with good values: Yoel Haile, African Black Coalition.

Stated that his unions have taken a position against the Dakota Access Pipeline; he supports the referral; urged Council to consider using credit unions: Marcus Holder, Alameda resident, ILW Local 10 and San Francisco Labor Council.

Stated that she supports Council's efforts to make Alameda a responsible and humanitarian city: Jessica Reed, Alameda.

Submitted information; urged Council to divest from Wells Fargo; named other financial institutions that are better choices: Laura Kindsvater, Alameda.

Stated that she hopes Alameda will be able to divest from Wells Fargo and move on to other financial institutions: Becca Loux, Oakland.

Stated that she appreciates being heard as part of the civic process; urged support of the referral: Austen Wiannecki-Wang, Alameda.

Listed reasons why Alameda should divest from Wells Fargo: Sacha Moustakas, Alameda.

The City Treasurer stated the process has been happening for a couple months; Alameda has a good grasp on the situation; he is happy to work with the Council and the City if the referral is approved; the plan is to do the annual investment policy review in six weeks; decisions can be incorporated in the investment policy; it sounds like the money managers need to be notified as soon as tomorrow morning; inquired whether the issue will be handled through a revision of the investment policy, which would be the formal way, or have an interim ad hoc solution.

Vice Mayor Vella inquired what the ad hoc solution would entail, to which the City Treasurer responded Alameda would be best served as an organization to give the money managers formal direction, which would be through the investment policy; suggested the referral be to discuss the issue more in-depth and plan to approve an investment policy in April which will incorporate any revisions and give formal notice on how to address the three securities owned today; stated the money managers would be very clear on how to execute the City's instructions.

Vice Mayor Vella stated she would be amenable to the City Treasurer's suggestion; she would rather have quality than misinformation.

Councilmember Matarrese stated the City Treasurer has a good point; he does not want the City to be part owner of a company who defrauds people and prisons; he would like no more investments in the interim, then wait for the investment policy in April.

The City Treasurer stated between now and when a policy is approved, which reflects Council's conclusions, it would be difficult to instruct staff and the people handling the money on a day-to-day basis that no more money should be going in that direction; suggested a more thoughtful, formal approach on how to address the issue, which would be comprehensively through the investment policy.

Councilmember Matarrese stated Alameda should not invest any more money; information is needed to set the parameters; on the investment side, more securities should not be bought until there is criteria to measure.

The City Treasurer inquired whether he should call the investment broker tomorrow and instruct them not to buy anymore Wells Fargo securities, to which each member of the Council responded in the affirmative.

Mayor Spencer stated Alameda will not be purchasing any more securities and the City Treasurer would come back with a plan on divesting the current investments.

The City Attorney stated the City Treasurer is hoping to give direction to the investment folks with the investment policy instead of making a phone call tomorrow morning.

The City Treasurer stated he understands what Council is aiming for, but the best way to do so is by the investment policy, which addresses investments going forward as well as current investments; verbal instruction is not enough to ensure direction will be executed; what is happening now is the investment policy is being modified through the referral at 12:15 a.m.

Mayor Spencer stated Council should at least be able to give the verbal direction; if verbal direction is not sufficient, Council will get the update in April and do more; at this point a majority would like the referral to be revised to read "refrain from making new investments in Wells Fargo Securities until further Council direction."

Councilmember Oddie moved approval of the entire referral with the Mayor Spencer's amendment to add "until further Council direction."

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

COUNCIL COMMUNICATIONS

(17-139) Councilmember Oddie thanked the City Treasurer and staff; stated the City

Treasurer updated the investment policy last year and now the City is not investing in any coal companies.

ADJOURNMENT

(17-140) There being no further business, Mayor Spencer adjourned the meeting at 12:22 a.m. in memory of Betty Sanderson, John Villa, Solana Henneberry, Michael Devlin, and Dona Hoard.

Respectfully submitted,

Lara Weisiger
City Clerk

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