

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -JANUARY 2, 2018- -7:00 P.M.

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

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

None.

ORAL COMMUNICATIONS, NON-AGENDA

(18-001) Steven Schiesser, Alameda, expressed concern with the imbalance of low wages versus increasing housing prices.

CONSENT CALENDAR

Councilmember Ezzy Ashcraft moved approval of the Consent Calendar.

Councilmember 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.]

(*18-002) Minutes of the Special and Regular City Council Meetings Held on December 5, 2017. Approved.

(*18-003) Ratified bills in the amount of \$5,848,965.23.

(*18-004) Ordinance No. 3207, “Ordinance Approving a Real Estate Exchange Agreement between the City of Alameda (“City”) and PUR Atlantic LLC (“PUR Atlantic”) to Exchange Approximately 820 Square Feet of City Owned Property for Approximately 2,173 Square Feet of PUR Atlantic Owned Property in Order to Facilitate Construction of the Cross Alameda Trail Project along Ralph Appezzato Memorial Parkway between Main and Webster Streets and Authorizing the City Manager to Execute Documents Necessary to Implement Its Terms.” Finally passed.

REGULAR AGENDA ITEMS

(18-005) Resolution No. 15338, "Appointing Jennifer Roloff as a Member of the Commission on Disability." Adopted; and

(18-005A) Resolution No. 15339, "Appointing Brad Weinberg as a Member of the Housing Authority Board of Commissioners." Adopted.

Councilmember Matarrese moved adoption of the resolution.

Councilmember Ezzy Ashcraft seconded the motion.

Under discussion, Councilmember Ezzy Ashcraft made brief comments regarding Ms. Roloff's qualifications.

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

The City Clerk administered the Oath of Office and presented Ms. Roloff and Mr. Weinberg with certificates of appointment.

(18-006) Public Hearing to Consider Introduction of Ordinance Amending the Alameda Municipal Code by Amending Section 30-4.23 "Multi-Family Residential Combining District," Section 30-4.17C "G Special Government Combining District," and the Zoning Map to Ensure Consistency Between the City of Alameda Municipal Code, Zoning Map and the Naval Air Station (NAS) Alameda Community Reuse Plan for the North Housing Property Located on Singleton Avenue on the Former Naval Air Station in Alameda in Order to Convey the Property to CP VI Admirals Cove, LLC, Habitat for Humanity, and the Alameda Housing Authority. Introduced. [The Proposed Zoning Amendments Would Not Result in Any New Environmental Impacts or More Severe Environmental Impacts Than Those Previously Identified with the Adoption of the Community Reuse Plan Environmental Impact Report (EIR) 2009 Addendum, and the Housing Element 2012 EIR Addendum]; and

(18-006A) Recommendation to Authorize the City Manager to Negotiate and Execute a Memorandum of Understanding (MOU) with CP VI Admirals Cove, LLC for Construction of Infrastructure.

Councilmember Oddie suggested limiting the speaker time to 2 minutes each.

Councilmember Ezzy Ashcraft concurred with Councilmember Oddie.

Mayor Spencer stated that she does not support the suggestion; the item has not come before Council previously.

Councilmember Oddie moved approval of limiting the public speaking time to 2 minutes each.

Councilmember Ezzy Ashcraft seconded the motion which carried by the following voice vote: Councilmembers Ezzy Ashcraft, Matarrese and Vella – 3. Noes: Councilmember Matarrese and Mayor Spencer – 2.

The Community Development Director and Assistant Community Development Director gave a Power Point presentation and responded to questions.

Mayor Spencer inquired whether the suggestions to remove the Multi-Family (MF) housing designation and amend the Code and zoning map to add an additional zoning district to accommodate the cap is possible.

The Assistant Community Development Director responded staff would not recommend the suggestion; stated the MF overlay has other benefits and allows for important MF housing.

Mayor Spencer suggested creating a special government combining district.

The Assistant Community Development Director responded a government combining district is specifically for properties owned by the federal or State government; continued the presentation.

Vice Mayor Vella inquired what is the impact of the new State legislation regarding the cap.

The Assistant Community Development Director responded Council has the right to do any of the three options regarding the cap.

The City Manager stated the Housing Authority can speak to the new Senate Bill 35 (SB35), which might answer Council's questions.

In response to Councilmember Oddie's inquiry, the Assistant Community Development Director responded if Option 1 is chosen the G overlay would be removed and the MF zoning would not be amended at all.

Councilmember Oddie inquired whether Section 1 of the draft ordinance would be removed and the other options renumbered, to which the Assistant Community Development Director responded Section 1 would have to be removed to remove the cap entirely.

Mayor Spencer inquired whether or not accepting the recommendation from the Planning Board and staff is the same as removing Section 1.

The Assistant Community Development Director responded in the affirmative; stated removing Section 1 is the original staff recommendation.

Councilmember Ezzy Ashcraft inquired why new housing is no being built.

The Assistant Community Development Director responded there are advantages in rehabilitating, such as quick turnaround; continued the presentation.

Councilmember Oddie inquired whether a developer would be responsible for the additional upgrades in the future.

The Assistant Community Development Director responded building more than the 435 units in the future would be the responsibility of the developer.

Councilmember Oddie inquired whether the Mosley Avenue and Singleton Avenue extensions is being required sooner rather than later.

The Assistant Community Development Director responded said request is a point of negotiation, but a deadline has not been set.

Councilmember Oddie inquired if extra direction needs to be given on the request.

The City Manager responded the request is currently in the terms.

Councilmember Ezzy Ashcraft inquired if Council increases the cap and a subsequent developer adds additional housing would the developer be responsible for the infrastructure, to which the Assistant Community Development Director responded in the affirmative.

Councilmember Ezzy Ashcraft inquired whether the developer doing the initial infrastructure can do more than just for the 435 units.

The Assistant Community Development Director responded staff is in conversations with the developer to increase the infrastructure work.

Mayor Spencer inquired whether the units will be rental units.

The Assistant Community Development Director responded Carmel Partners will be rehabilitating 146 units for rentals.

Mayor Spencer inquired whether homes or other amenities can be added in between the open space of the existing homes.

The Assistant Community Development Director responded in the affirmative.

Mayor Spencer inquired whether any additions would have to come back to Council, to which the Assistant Community Development Director responded in the affirmative.

Mayor Spencer inquired whether there is currently an existing plan for what will be built.

The Assistant Community Development Director responded there is a lot the developer can build under the zoning.

Mayor Spencer inquired whether Council is being asked to approve the developer's ability to rehabilitate 146 units.

The Assistant Community Development Director responded Council is being asked to remove the G overlay, decide whether to put the cap back into the MF Overlay or not, and authorize the City Manager to negotiate and execute the MOU related to the infrastructure.

Mayor Spencer inquired whether the item will return to Council.

The Assistant Community Development Director responded under the zoning, the developer can rehabilitate units or rebuild.

Mayor Spencer inquired whether the developer will rehabilitate the existing units.

The Assistant Community Development Director responded the developer has told the City the plan is to rehabilitate.

Mayor Spencer inquired what is the difference between building new versus rehabilitating a unit.

The Assistant Community Development Director responded everything has to be brought up to the current Building Code.

In response to Mayor Spencer's inquiry about soil contamination, the Assistant Community Development Director stated the soil is regulated by the Navy, not Council.

Councilmember Ezzy Ashcraft inquired whether there will be any home ownership opportunities.

The Assistant Community Development Director responded home ownership will be through Habitat for Humanity.

In response to Councilmember Ezzy Ashcraft's inquiry about lead paint, the Assistant Community Development Director stated everything has to be brought up to Code.

Mayor Spencer inquired whether the units will be subject to rent control.

The Community Development Director responded the existing units will be covered by the rent stabilization ordinance.

Mayor Spencer inquired whether Carmel Partners would be able to opt out of Costa-Hawkins due to the units being older than 1995, to which the Community Development

Director responded in the affirmative; stated covenants will be a part of the deed and the owners will have to comply.

Mayor Spencer inquired whether transportation fees will be collected.

The Community Development Director responded in the negative; stated the development is not new, so there is no ability to charge a Transportation Demand Management (TDM) fee.

Greg Pasquali, Carmel Partners, gave a Power Point presentation.

Councilmember Ezzy Ashcraft inquired whether Carmel Partners has contemplated making some of the units available for purchase.

Mr. Pasquali responded the process would be too costly.

Councilmember Oddie inquired whether the financing is in place, to which Mr. Pasquali responded in the affirmative.

Councilmember Oddie inquired whether Carmel Partners will return to request more money.

Mr. Pasquali responded in the negative.

In response to Councilmember Ezzy Ashcraft's inquiry about labor peace, Mr. Pasquali stated Carmel Partners has their own in house general contractor; Carmel Partners bids to union and non-union to obtain the most qualified workers on the job.

Councilmember Ezzy Ashcraft inquired whether Carmel Partners is opposed to ensuring the workers are being paid to their classifications.

Mr. Pasquali responded that he can look into the process with the Housing Authority.

Mayor Spencer inquired why the MOU is 10 years.

Mr. Pasquali responded to ensure the build out of the properties.

In response to Mayor Spencer's inquiry about the timeline, Mr. Pasquali stated in approximately one year, Carmel Partners would like to have the property ready for residents to move in.

Mayor Spencer inquired when the road extensions will occur.

Mr. Pasquali responded Carmel Partners would like to build the road extensions as quickly as possible and is working with the Housing Authority and Habitat for Humanity.

The City Manager stated the Housing Authority would like to build the roads as quickly as possible.

Mayor Spencer inquired whether Carmel Partners is agreeable to move quickly, to which Mr. Pasquali responded in the affirmative.

Mayor Spencer inquired whether Council is being asked to approve the draft MOU.

The City Manager responded staff is requesting clear direction from Council.

Councilmember Ezzy Ashcraft inquired whether a 10 year MOU term is unusually long.

The City Manager responded the terms were decided based on when staff believes all the terms of the MOU can be completed; stated the project is dependent on the Housing Authority building housing and Habitat for Humanity's funding.

Councilmember Ezzy Ashcraft inquired whether the MOU is only between Carmel Partners and the City.

The City Manager responded in the affirmative, stated there are a number of items that link the three entities together.

The Director of Housing and Community Development gave a Power Point presentation.

Mayor Spencer inquired why the Housing Authority is presenting if the organization is not a part of the MOU.

The City Attorney responded the Housing Authority is involved as a third party beneficiary.

Mayor Spencer stated the Housing Authority should not negotiate the terms of the MOU; the negotiations are more appropriate coming from staff.

The City Manager stated the Housing Authority is involved in the conveyance of land dependent on Council decision.

Mayor Spencer inquired whether the ask is to remove the G overlay

The City Manager responded for the public and transparency, the partnership is between the City which triggers the Housing Authority and Habitat for Humanity; stated if the presentation only discussed Carmel Partners the other impacts and partnerships would be missed.

Mayor Spencer stated the Housing Authority should not be making recommendations regarding traffic flow; the MOU is between the City and Carmel Partners.

The City Manager stated the staff perspective is that there are connections between the Housing Authority, the City and Carmel Partners.

Councilmember Matarrese inquired whether the presentation can succinctly focus on what the Housing Authority is trying to deliver and holds relative to the MOU.

Councilmember Ezzy Ashcraft inquired whether the Housing Authority was represented in the meetings that have taken place between Carmel Partners and the City.

The City Manager responded the Housing Authority was represented in most of the meetings.

Councilmember Ezzy Ashcraft stated Council is not negotiating; Council will provide direction to the City Manager to negotiate.

Mayor Spencer inquired whether the Housing Authority will speak directly to the grid layout of the streets.

The Housing Authority Director responded that she will discuss the removal of the G overlay, expanding opportunities for affordable housing, and how the infrastructure greatly impacts the feasibility of the housing; continued the presentation.

Mayor Spencer inquired whether the current MOU being presented to Council contains the terms of modification on Mosley Avenue that the Housing Authority is requesting in its letter.

The Community Development Director responded in the negative; stated said term can be added to the MOU.

Mayor Spencer inquired whether staff is requesting Council to add a specific date to the MOU.

The Community Development Director responded in the negative; stated staff is requesting Council to authorize the City Manager to negotiate and execute the MOU; the date can be addressed as part of finalizing the MOU.

Mayor Spencer requested clarification on the Housing Authority letter.

The Community Development Director stated there are two alternatives for Mosley Avenue; staff is still negotiating, but would like direction from Council on the matter.

Stated that she supports the production of more housing in Alameda; urged Council to remove the G overlay; she does not support removing the cap: Katherine Mertz, Alameda.

Stated Alameda needs housing for seniors: Janet Bailey, Alameda.

Urged Council to support the project: Matt Regan, Bay Area Council.

Stated Alameda Citizen Task Force supports keeping the cap and 15 units per acre: Paul Foreman, Alameda Citizens Task Force.

Stated that she supports the 15 units per acre and the project proposed by Carmel Partners: Dorothy Freeman, Alameda.

Stated that he supports the proposed project; listed the benefits of infill development: Sam Hare Steig, Center for Creative Land Recycling.

Stated that he does not support the cap due to the need for housing: Doug Biggs, Alameda Point Collaborative (APC).

Stated the project will provide hope for many people in Alameda; urged Council to give the infrastructure improvements a priority to fast-track the construction of affordable housing: Michelle McGarraugh, APC.

Stated that he supports removing the G overlay; urged Council to support the cap: Mark Vis, Alameda.

Urged Council to support the project and build more housing: Denise Trepanier, Alameda.

Urged Council to not remove the cap: Courtney Shepard, Alameda.

Expressed concern with the completion of the roads to address traffic for the neighbors in the area with the new development: Kathryn Sáenz Duke, APC.

Urged Council to support the project and build more affordable housing in Alameda: John McCahan, Housing Authority Board of Commissioners.

Urged Council to not impose a cap and allow for more affordable housing in Alameda: Doyle Saylor, Renewed Hope.

Stated that she is opposed to the cap: Lynette Lee, Renewed Hope.

Urged Council to support the project to address the housing issue in Alameda: Liz Verela, Building Futures with Women and Children.

Urged Council to remove the G overlay; stated that she does not support the cap: Laura Thomas, Renewed Hope.

Urged Council to support the street extensions and build housing: Miriam Delagrange, Building Futures.

Urged Council to remove the G overlay and support the project to build much needed housing: Sherry Johansen, Alameda Progressives.

Discussed the history of the estuary projects and segregation; urged Council to support the project to build family housing for different needs: Rasheed Shabazz, Alameda.

Urged Council to support the project; stated that he has seen many friends leave Alameda due to lack of housing: Paul Anzel, East Bay for Everyone.

Discussed the good points of the project; urged Council to support the project: Karen Bey, Alameda.

Stated there is no plan for the future development; urged Council to wait until a plan is in place: Diana Maiden Aiken, Alameda.

Expressed support for the project; urged Council to lift the cap: Michael Yoshii, Buena Vista United Methodist Church.

Urged Council to support the project: Michael John Torrey, Alameda.

Stated the road should be designed correctly for bicyclists; urged Council to consider a protected bike lane: Brian McGuire, Bike Walk Alameda.

Urged Council to support the project and remove the cap to allow for more housing: John Spangler, Alameda.

Mayor Spencer called a recess at 9:34 p.m. and reconvened the meeting at 9:40 p.m.

Councilmember Ezzy Ashcraft requested information regarding SB35 and Senate Bill 166 (SB166).

The Assistant City Attorney stated SB166 does not apply to Charter cities; SB35 allows certain projects to qualify for streamlined approval, ministerial approval, without CEQA review in certain instances.

Mayor Spencer inquired whether the 435 cap was disclosed to Carmel Partners from the U.S. Navy, to which the Assistant Community Development Director responded in the affirmative.

Mayor Spencer inquired whether removing the cap will increase the number of units on the property.

The Assistant Community Development Director responded the cap is distributed evenly by acreage, which would yield approximately 220 units; removing the cap would double the amount of units the developer could build to approximately 440 units.

Mayor Spencer inquired whether the property Carmel Partners purchased from the U.S. Navy stated 435 units.

The Assistant Community Development Director responded in the affirmative.

Mayor Spencer inquired whether removing the cap would modify the terms which Carmel Partners bid on, to which the Assistant Community Development Director responded in the affirmative.

Mayor Spencer requested clarification on what the developer bid on.

The Assistant Community Development Director responded the developer bid on 15 of the 30 acres, while knowing the entire 30 acres is limited to 435 units.

Mayor Spencer inquired whether the extension of Mitchell Road was delineated in the purchase.

The Assistant Community Development Director responded in the negative.

Mayor Spencer inquired whether staff included which roads the City wants extended.

The Assistant Community Development Director responded the reuse amendment did not make Mitchell Road extension a responsibility of North Housing.

Mayor Spencer inquired whether the extension is a new term after the bid.

The Community Development Director responded in the affirmative.

Mayor Spencer inquired whether the terms of the bid from the U.S. Navy included input from City staff.

The Community Development Director responded the goals and objectives in the amended Reuse Plan were approved by the City Council; stated the amended reuse plan was a part of the disclosure documents for all the developers bidding on the property.

Mayor Spencer inquired whether the Mitchell Avenue extension is included.

The Community Development Director responded Mitchell alignment is in the General Plan and is not subject to the auction; stated the land is not owned by the U.S. Navy.

Mayor Spencer inquired whether bike lanes have been disclosed.

The Community Development Director responded the cross sections can accommodate bike, parking and traffic lanes and have already been designed.

Mayor Spencer inquired whether the bike lanes were disclosed to the developer when they bid on the property, to which the Community Development Director responded in the affirmative.

Mayor Spencer inquired whether the request is different than the MOU proposal.

The Community Development Director responded the cross section was disclosed as part of the due diligence documents; stated Carmel Properties has agreed to pay for the Mitchell Avenue and Mosley Avenue extensions as part of the MOU.

Mayor Spencer inquired whether staff is satisfied that the language in the MOU requires bike lanes, to which the Community Development Director responded in the affirmative.

The City Manager stated that she understood the request to have a cycle track on one side of the road.

Mayor Spencer inquired whether a copy of what the developer bid on with the U.S. Navy is not included in the staff report or attachments, to which the Community Development Director responded the bid is not included; stated Carmel Partners is open to discussing the different types of bike lanes.

Mayor Spencer inquired whether the discussion would go to the Transportation Commission.

The Community Development Director responded the discussion would follow the standard process.

Vice Mayor Vella stated that she does not like the idea of finite dates; she would like to meet different benchmarks to allow for flexibility; she would like to see the project move forward without bureaucratic road blocks to build affordable housing and another estuary crossing; she would like to review removing the cap.

The City Manager stated the Council can decide to increase or remove the cap on the affordable housing or have the cap by acreage.

Vice Mayor Vella inquired whether Council could set the cap at 15 units per acre for the Carmel Partners properties.

The City Manager responded in the affirmative.

The Assistant Community Development Director responded different properties can have different zoning caps.

The City Attorney stated the details would need to be worked out depending on Council's prerogative.

Councilmember Ezzy Ashcraft inquired how the dollar amount is determined in the MOU language subparagraph 3 on page 1: "...Carmel shall provide a fixed payment..."

The Assistant Community Development Director responded the language means the City is requesting the money in the event Carmel cannot build the roads; the blanks are because the City has to estimate the cost of building the roads.

Councilmember Ezzy Ashcraft inquired whether the language should be clearer.

The Assistant Community Development Director responded in the affirmative.

Councilmember Ezzy Ashcraft inquired whether the language "...Carmel will work cooperatively with the City" includes sufficient specificity so that each party knows its obligations.

The Assistant City Attorney responded in the affirmative; stated the MOU would be clearer.

Councilmember Ezzy Ashcraft inquired whether the language regarding the dollar amount for the storm drain can be clearer.

The Assistant Community Development Director responded the City is having consultants create the cost estimates.

Councilmember Ezzy Ashcraft inquired whether the City, in any way, vetted Carmel Partners' claim that the project will net \$100,000 annually to the General Fund.

The Assistant Community Development Director responded the City is comfortable with the claim after reviewing it; stated if the Council would like the claim peer reviewed, staff can do so.

Mayor Spencer inquired whether Carmel Partners can return and want to build market rate housing without the cap or sell the property to someone without a cap.

The Assistant Community Development Director responded removing the cap benefits the Housing Authority; Carmel's plans are to rehabilitate 146 units; stated lifting the cap provides value to the land.

Mayor Spencer inquired whether the Housing Authority is limited to building affordable housing or can build market rate housing.

The Assistant Community Development Director responded the zoning does not prevent the Housing Authority from building market rate housing.

Mayor Spencer inquired whether the Housing Authority could come back with a proposal to build market rate housing and, without a cap, there would be no idea what the maximum number could be.

The Assistant Community Development Director responded removing the cap means the maximum density for the Housing Authority is 30 units per acre plus a density bonus of up to 35%; even with no density bonus, the minimum would still be 15% affordable.

Mayor Spencer inquired whether the MOU is to determine whether Carmel Partners would like to purchase the property and do the rehabilitation.

The Assistant Community Development Director responded in the affirmative.

Mayor Spencer inquired whether the normal process when a property owner wants to rehabilitate units would include the City looking at rezoning the property or adjacent parcels.

The Assistant Community Development Director responded in the negative; stated the only reason the property needs rezoning is because it used to be federal ownership.

Mayor Spencer inquired whether the City would be looking to remove the cap if a property owner was looking to rehabilitate 435 units.

The Assistant Community Development Director responded in the negative; stated the land moving from federal to private requires the G overlay removed.

Mayor Spencer inquired whether a property owner would appear before Council to change the number of units if they would like to remove the cap in the future.

The Assistant Community Development Director responded in the affirmative; stated it is a zoning amendment.

Mayor Spencer inquired whether there is a process to do so, to which the Assistant Community Development Director responded in the affirmative; stated the cap is imbedded in the G overlay; removing the G overlay will remove the cap unless there is a subsequent action to re-impose the cap.

Mayor Spencer inquired whether the normal process for public participation in a zoning change begins with the Planning Board.

The Community Development Director responded staff followed the standard process to change the zoning.

Councilmember Oddie stated it is Council's responsibility to protect the tenants of the City; he supports the project; he agrees with no fixed date for the street expansion.

(18-007) Mayor Spencer stated a motion is needed to consider the remaining items: the referrals.

Vice Mayor Vella moved approval of hearing the tobacco [paragraph no 18-009] and rent fee [paragraph no 18-010] items.

Councilmember Oddie seconded the motion.

Under discussion, Councilmember Ezzy Ashcraft stated that she is prepared to vote against the motion because Council will have to add more meetings throughout the year.

Mayor Spencer stated that she supports the motion since speakers have been sitting in the audience the entire meeting.

The City Clerk requested clarification, stated the bike item [paragraph no 18-011] has speakers, not the rent fee item.

Vice Mayor Vella Clarified motion to hear the tobacco and the bike items.

Councilmember Oddie seconded the motion.

On the call for the question, the motion failed by the following voice vote: Ayes: Councilmembers Oddie, Vella and Spencer – 3. Noes: Councilmembers Ezzy Ashcraft and Matarrese – 2.

Mayor Spencer called a recess at 10:30 p.m. and reconvened the meeting at 10:32 p.m.

Councilmember Matarrese stated direction should be given to staff to put a milestone and timeframe around the delivery of the infrastructure and the roads that are needed by the Housing Authority to complete the affordable housing; that he disagrees with the point that keeping 15 units per acre means the City is saying no to housing; it is proper planning; the Housing Authority can ask for a zoning change; he sees no problem in keeping the first reading of the ordinance with the 15 unit per acre restriction within the MF zoning for the two parcels.

Councilmember Matarrese moved approval of directing the City Manager to negotiate an MOU incorporating the comments that were made by the Council with an emphasis

on making the feasibility of the Housing Authority projects number one, adopting the alternative language in the text section in the staff report and having the first reading of the ordinance.

Councilmember Ezzy Ashcraft stated that she concurs with Councilmember Matarrese; inquired whether removing the G overlay and the cap would change the item from a first reading and require the matter to come back.

The City Attorney responded in the negative; stated the first reading could be now, as long as the language is agreed upon tonight.

Councilmember Ezzy Ashcraft inquired whether there is a legal reason to keep the cap.

The Assistant Community Development Director responded there is no legal issue with removing the cap.

Councilmember Ezzy Ashcraft stated that she is fine with removing the cap as a friendly amendment to the motion.

Councilmember Matarrese inquired whether Councilmember Ezzy Ashcraft's request is to remove the alternative text; stated his motion is to accept the staff's alternative text amendment and approve the ordinance as written; declined the friendly amendment.

Mayor Spencer seconded the motion; stated it is appropriate to honor the offer and bid and not change any of the terms.

On the call for the question, the motion failed by the following voice vote: Ayes: Councilmember Matarrese and Mayor Spencer – 2. Noes: Councilmembers Ezzy Ashcraft, Oddie and Vella – 3.

Vice Mayor Vella moved approval of the MOU and the ordinance removing the language adding the cap.

Mayor Spencer requested a friendly amendment to bifurcate the two motions.

Vice Mayor Vella accepted the friendly amendment.

The Assistant City Attorney read language to ensure everyone is clear; stated: in the title, delete the words: "Alameda Municipal Code Section 30-4.23 multiple family residential combining district and replace with "deleting; the section would read "Deleting Section 30-4.17.c" and read on as currently drafted; Section 1 would be deleted in its entirety; Section 2 would be renumbered to Section 1 and would read: "Section 30-4.17 Subsection C shall be deleted in its entirety" and the remainder of the sentence would be deleted; said changes would remove the G overlay and remove the cap.

Councilmember Oddie inquired whether Section 3 becomes Section 2 and Section 4 becomes Section 3 and so forth, to which the Assistant City Attorney responded in the affirmative; stated all remaining sections would be numbered accordingly.

Vice Mayor Vella moved introduction of the ordinance with the language as read by the Assistant City Attorney.

Councilmember Ezzy Ashcraft seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Ezzy Ashcraft, Oddie and Vella – 3. Noes: Councilmember Matarrese and Spencer – 2.

Vice Mayor Vella moved approval of the MOU with the direction from Council, primarily around setting up a roadmap for achieving milestones.

Mayor Spencer inquired whether the comments included ensuring the matter proceeds and not change the terms.

The City Attorney responded the motion is to authorize the City Manager to negotiate and execute consistent with the terms that are before Council as modified by the direction from Council.

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

CITY MANAGER COMMUNICATIONS

(18-008) Update on Tracking of Council Direction through the Referral Process. Not heard.

The City Manager proposed scheduling a special meeting on a regular week night for the Council to not have a facilitated goal setting, but to have a more focused Council meeting to set priorities and discuss the resources needed for each of the Council directed items.

Councilmember Oddie stated the facilitator was helpful; he would like to agendize the matter and discuss it.

Mayor Spencer stated that she would prefer to not have the matter facilitated; she believes Council communicates well and the matter can be done in less time; she concerned with slowing down the process.

Vice Mayor Vella stated that she enjoyed the facilitator last time.

Councilmember Ezzy Ashcraft stated that she also believed the facilitator was useful last time.

The City Manager stated that she is trying to find a solution to do the referral goal setting annually.

Council briefly discussed whether the matter could be discussed.

ORAL COMMUNICATIONS, NON-AGENDA

Catherine Pauling, Alameda Renter's Coalition (ARC), expressed concerns over Councilmembers saying the rental crisis is over; stated Ordinance 3148 has not stabilized the rental market and there is a rental crisis.

Eric Strimling, ARC, stated Council needs to do something about evictions.

COUNCIL REFERRALS

(18-009) Consider Directing Staff to Draft an Ordinance Requiring the Licensure of Tobacco Retailers, Including a Ban on the Sale of Menthol Cigarettes and Other Flavored Tobacco and Enacting an Annual Fee. Not heard. (Councilmembers Matarrese and Oddie)

(18-010) Consider Directing Staff to: 1) Determine Whether Council Can Enact an Ordinance to Pass Through a Portion of the Housing Program (Rent) Fee to Tenants; 2) Clarify the City's Collection Efforts for Landlords who do not Pay the Fee by December 31, 2017; and 3) Clarify that the Fee May be Passed Through as Part of a Rent Increase. Not heard. (Mayor Spencer and Vice Mayor Vella)

(18-011) Consider Directing Staff to Provide Information on the Citywide Dockless Bike Sharing Program and Return to Council with Additional Safety Requirements. Not heard. (Mayor Spencer and Vice Mayor Vella)

(18-012) Consider Banning Motorized Commercial Vehicles, Including Robotic Commercial Vehicles, from Sidewalks and Commercial Drone Aircraft Used for Deliveries. Not heard. (Councilmember Matarrese)

COUNCIL COMMUNICATIONS

(18-013) Consideration of Mayor's Nominations to the Commission on Disability and Housing Authority Board of Commissioners. Not heard.

(18-014) December 2017 Stopwaste Topic Brief on Food Waste. [Informational Only] (Councilmember Oddie)

ADJOURNMENT

There being no further business, Mayor Spencer adjourned the meeting at 10:58 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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