

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -SEPTEMBER 17, 2019- -5:30 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:31 p.m.

Roll Call – Present: Councilmembers Daysog, Knox White, Oddie, Vella and Mayor Ezzy Ashcraft – 5.

[Note: Vice Mayor Knox White was present via teleconference from Castillo Inn at the Beach, 22 Castillo Street, Santa Barbara, CA 93101; Councilmembers Daysog and Vella arrived at 5:33 p.m.]

Absent: None.

Public Comment

Michael Sturtz, Carnegie Innovation Hall (CI Hall), listed potential activities, including a public/education cable studio in conjunction with the School District.

J. Marlow Schmauder, CI Hall, read a statement on behalf of Puja Dasari.

Janet Magleby, Downtown Alameda Business Association, discussed downtown businesses; expressed support for CI Hall.

Jennifer Stein, Saint Joseph Notre Dame High School, discussed partnering with CI Hall.

Otto Wright, The Local, stated the project is important for the long term development of the City and the downtown.

Ron Limoges, CI Hall, discussed the need for a lease; urged approval.

The meeting was adjourned to Closed Session to consider:

(19-496) Conference with Labor Negotiators (Government Code Section 54957.6); City Negotiators: Nancy Bronstein, Human Resources Director; Employee Organizations: International Brotherhood of Electrical Workers, Local 1245 (IBEW); Under Negotiation: Salaries and Terms of Employment

(19-497) Conference with Real Property Negotiators (Pursuant to Government Code Section 54956.8); Property: 2264 Santa Clara Avenue (the Carnegie Building) and 1429 Oak Street (Foster House); City Negotiator: Debbie Potter, Community Development Director; Negotiating Parties: City of Alameda and Carnegie Innovation Hall; Under Negotiation: Price and terms of payment of property lease

(19-498) Conference with Legal Counsel – Liability Claim (Pursuant to Government Code § 54956.95); Claimant: Grand Edibles, Inc.; Agency Claimed Against: City of Alameda

(19-499) Conference with Legal Counsel – Existing Litigation (Pursuant to Government Code § 54956.9); Case Name: Guzman v. City of Alameda, et al.; Court: Superior Court of the State of California, County of Alameda; Case Number: RG17885538

Following the Closed Session, the meeting was reconvened and the City Clerk announced that regarding Labor, Real Property and the Liability Claim, staff provided information and Council provided direction with no vote taken; regarding Existing Litigation, staff provided information and Council authorized the following settlement by unanimous vote: a lawsuit filed by plaintiff Alina Guzman against AMF Bowling Center, Inc., Challenge Security Services, the City of Alameda, and Alameda Police Department (APD) Officers Brandon Hanson, Alyssa Schlitt, Rich Soto, and Mike Tanagataevaha alleging 1) negligence, 2) assault and battery, 3) false imprisonment, 4) violation of civil rights under 42 U.S. Code § 1983, 5) violation of civil rights under California Civil Code Section 52.3 and 6) intentional infliction of emotional distress; with respect to the City and the APD officers, the claims generally relate to the APD officers' arrest and detention of Ms. Guzman on May 21, 2017; the City maintains that APD Officers acted in accordance of all applicable laws; nonetheless, in order to avoid the expense and uncertainty of litigation, the City Council authorized the City Attorney to settle the matter with Ms. Guzman in an amount not to exceed \$17,500.

Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 7:15 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -SEPTEMBER 17, 2019- -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 7:23 p.m. Boy Scouts from Troup 2 led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Daysog, Knox White, Oddie, Vella, and Mayor Ezzy Ashcraft – 5.

[Note: Vice Mayor Knox White was present via teleconference from Castillo Inn at the Beach, 22 Castillo Street, Santa Barbara, CA 93101]

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(19-500) Proclamation Recognizing John McCahan for His Contribution to the City of Alameda.

Mayor Ezzy Ashcraft read the proclamation and presented it to Mr. McCahan.

Mr. McCahan made brief comments.

(19-501) Proclamation Declaring September 21, 2019 as Coastal Cleanup Day.

Mayor Ezzy Ashcraft read the proclamation and presented it to Michael Charnofsky, East Bay Regional Park District.

Mr. Charnofsky made brief comments.

(19-502) Proclamation Declaring October 6 through 12, 2019 as Public Power Week 2019.

Mayor Ezzy Ashcraft read the proclamation and presented it to Ann McCormick, Public Utilities Board.

Ms. McCormick made brief comments.

ORAL COMMUNICATIONS, NON-AGENDA

(19-503) Judy Blank, Immanuel Lutheran Church, made an announcement regarding an

event on September 25th to raise funds for rehabilitation.

(19-504) Linda Asbury, West Alameda Business Association, made an announcement regarding parklets being used for games on National Parking day on Friday.

(19-505) Armida Graca, Alameda, expressed concern over her treatment from the Housing Authority; stated she has tried everything; asked the Council for help.

(19-506) Catherine Pauling, Alameda, discussed Ms. Graca's case; expressed concern over the way the Housing Authority is treating tenants.

CONSENT CALENDAR

Mayor Ezzy Ashcraft announced the letter of support for H.R. 1225 and S. 500 [paragraph no. 19-511] and the ordinance amending the Alameda Municipal Code [paragraph no. 19-515] were removed from the Consent Calendar for discussion.

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

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

(*19-507) Minutes of the Special and Regular City Council Meetings Held on July 16, 2019. Approved.

(*19-508) Ratified bills in the amount of \$6,487,208.90.

(*19-509) Recommendation to Ratify a Memorandum of Understanding (MOU) between the Alameda Unified School District (AUSD) and the City of Alameda to Allow the City to Continue to Provide School Crossing Guard Services for AUSD by Accepting \$86,970 from AUSD to Fund the Program; and

(*19-509A) Recommendation to Authorize for the City Manager, or His Designee, to Execute a Third Amendment to the Agreement with All City Management Services Incorporated Extending the Term 12 Months and Adding the Amount of \$315,648 for a Total Contract Amount of \$1,123,149 for Crossing Guard Services. Accepted.

(*19-510) Recommendation to Authorize the City Manager to Execute a First Amendment with Marcy Wong & Donn Logan Architects, to Increase the Compensation in an Amount Not to Exceed \$241,132 for a Total Compensation Not to Exceed \$1,945,867 for Architectural and Engineering Services for the Seaplane Lagoon Ferry Terminal and to Correct an Error in the Stated Name of the Provider.

(19-511) Recommendation to Authorize the Mayor to Sign, on Behalf of the City, a

Letter of Support from Mayors Across the Country Regarding H.R. 1225 and S. 500, the Restore Our Parks and Public Lands Act.

Councilmember Oddie suggested leeway be given to the Mayor the next time the legislative agenda is prepared.

The City Manager stated anything in the gray area comes to Council; the matter was not time sensitive.

Mayor Ezzy Ashcraft stated that she is part of the US Conference of Mayors; noted that she is made aware of important legislation on a regular basis; stated California is under attack from the current Administration; she wanted Council to be given the chance to consider the item.

Councilmember Oddie moved approval of the staff recommendation with direction to give the Mayor leeway when the legislative agenda returns to Council next year.

Councilmember Vella seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; Vella: Aye and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

(*19-512) Recommendation to Approve a Service Provider Agreement with Jon K. Takata Incorporation, dba Restoration Management Company, in an Amount not to Exceed \$61,875, for the Second Phase of Mold Remediation at the Veterans Building, for an Aggregate Amount, including Contingency, Not to Exceed \$121,754.20. Accepted/

(*19-513) Resolution No. 15586, "Approving the Application for Parks and Water Bond Act of 2018 (Proposition 68) Per Capita Grant Funds for Park Improvements." Adopted.

(*19-514) Resolution No. 15587, "Approving Parcel Map No. 10960 for the Proposed Subdivision of Three Parcels Located at 1310 Harbor Bay Parkway, 1410 Harbor Bay Parkway, and 1430 Harbor Bay Parkway into Six Parcels for Commercial Condominium Purposes." Adopted.

(19-515) Ordinance No. 3250, "Amending the Alameda Municipal Code by (1) Adding Section 1-8.01 Concerning Hearing Procedures, Hearing Officers' Decisions and Administrative Regulations, (2) Repealing in Their Entirety Article XIV (Currently Suspended) and Article XV of Chapter VI Concerning (a) Review of Rent Increases Applicable to All Rental Units and Rent Stabilization Applicable to Certain Rental Units and (b) Limitations on Evictions and the Payment of Relocation Assistance Applicable to All Rental Units; and (3) Repealing Ordinance No. 3246 (Uncodified); and (4) Adding a Restated Article XV to Chapter VI Concerning Rent Control, Limitations on Evictions and Providing Relocation Payments to Displaced Tenants, including Section 8." Finally passed.

Councilmember Daysog stated that he is remaining consistent in his opposition to the item due to the changes adopted being incredibly burdensome to smaller mom and pop landlords, when an alternative exists.

Councilmember Oddie moved final passage of the ordinance.

Councilmember Vella seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: No; Knox White: Aye; Oddie: Aye; Vella: Aye and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Noes: 1.

(*19-516) Ordinance No. 3251, "Amending the Alameda Municipal Code by Adding Article XVIII to Chapter VI Concerning Fair Housing and Tenant Protections by Prohibiting Unlawful Tenant Harassment, Disruption of Housing Services and Housing Discrimination including Source of Income." Finally passed.

REGULAR AGENDA ITEMS

(19-517) Public Hearing to Consider an Appeal Filed by Brian Tremper of the May 28 and July 22, 2019 Planning Board Decisions for a 172-Room Hotel and Restaurant at 2900 Harbor Bay Parkway (PLN 18-0381); and

(19-517A) Resolution No. 15588, "Denying the Appeal Filed by Brian Tremper of the May 28 and July 22, 2019 Planning Board Decisions for a 172-Room Hotel and Restaurant at 2900 Harbor Bay Parkway (PLN 18-0381) and Upholding Planning Board Resolution PB19-16." Adopted.

The Planning, Building and Transportation Director gave a Power Point presentation.

Councilmember Oddie inquired whether there are two decisions and one appeal, which had been amended via e-mail.

The Planning, Building and Transportation Director responded the hearing is de novo; stated Council is able to consider and make changes without limitation to the issues raised by the appellant; the appellant submitted the appeal after the first [Planning Board] decision, and then decided to consolidate both appeals once the Planning Board made its final decision.

Councilmember Oddie inquired whether the appeal was made on the first Planning Board decision, to which the Planning, Building and Transportation Director responded the May 28th decision.

Councilmember Oddie stated in order for consideration there should have been an appeal on the second decision as well.

The Planning, Building and Transportation Director stated there is no difference; outlined overturning the Planning Board's decision and having the item return for

consideration.

The City Attorney stated after the initial appeal, staff had a conversation with the appellant; the appellant and staff reached an amicable resolution to continue the appeal and collectively appeal both at once; he recommends Council hear the appeal in its entirety.

Councilmember Daysog inquired whether the applicant has gone through the process of combining the three parcels.

The Planning, Building and Transportation Director responded in the negative; stated combining the parcels is a condition of approval.

Mayor Ezzy Ashcraft inquired whether the project applicant should speak first.

The City Attorney responded a written process is not set; recommended the project appellant speak last.

Discussed the project and outreach; stated the hotel will be nicest in the City; the project has been designed to be 100% compliant with City rules and regulations: Robert Leach, Project Applicant.

Expressed support for the project; stated there is not enough hotel space in Alameda, especially in the Harbor Bay area; urged Council to uphold the Planning Board decision: Michael McDonough, Chamber of Commerce.

Stated the May 28th meeting minutes show approval of the 35' setback; showed photos of an empty parking lot at 2701 and 2801 Harbor Bay Parkway; requested parking spaces be reduced: Pat Lamborn, Alameda.

Expressed support for the appeal; stated a Marriott Residence Inn would fit in better: Donna Fletcher, Alameda.

Gave a Power Point presentation; expressed concern over the building location and footprint: Brian Tremper, Freeport Homeowners Association.

(19-518) The City Clerk noted the rules would need to be suspended to give the speaker 10 minutes.

Councilmember Daysog stated the expectation of the appellant having 10 minutes should not be changed.

Councilmember Vella moved approval of allowing the speaker to have 10 minutes.

Councilmember Oddie seconded the motion, which carried by the following roll call vote:

Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; Vella: Aye and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

Gave a Power Point presentation: Ed Sing, Freeport Homeowners Association.

The Planning, Building and Transportation Director stated the plans from December 10th, May 28th and July 22nd each has a description of the setbacks which are the same; the setback has been consistent through the process; outlined the setback encroachment; stated there is no requirement for everything to be on the line; the requirement is everything cannot be closer than the 35 foot line; the appellants are asking for the hotel to be moved 5 feet closer to the park; the Planning Board made the right decision; there have been stakes posted to denote where the building is on the site.

Councilmember Daysog stated the matter before Council can be discussed on a de novo basis; that he believes Council missed an opportunity to exercise the leverage of getting the developer to work with nearby residents of Harbor Bay; a Planning Board member correctly noted that the main parcel must be combined with two additional parcels; the governing authority of the development project is the Harbor Bay Business Park Development Agreement ordinance from March 1988; outlined parking impacts; stated the project should have taken in residents' concerns; the parcels have still not been combined; urged Councilmembers to exercise the leverage and revisit the item.

Councilmember Oddie inquired how many parking spaces are projected.

The Planning, Building and Transportation Director responded there were originally 275 spaces and there are now 260; stated the Planning Board reduced the spaces by 15 to have more landscaping.

Councilmember Oddie inquired whether Council previously reduced the amount of spaces.

The Planning, Building and Transportation Director responded in the negative; stated Council provided conditions for ferry parking and requested review of moving the building back 15 feet, which would have eliminated a row of parking.

Councilmember Oddie inquired how many parking spaces are for ferry use, to which the Planning, Building and Transportation Director responded there could be an extra 100 spaces that can be leased out on most days.

In response to Councilmember Oddie's inquiry, the Planning, Building and Transportation Director stated the hotel has 172 rooms and needs 170 spaces; the demand for parking at hotels has gone down with the use of Uber and Lyft.

Councilmember Oddie questioned whether the hotel could survive without the row of

parking; stated the Climate Action Plan has been passed; a goal is to get cars off the road; a guiding policy is not to let parking dictate plans and planning.

The Planning, Building and Transportation Director stated parking was originally at 275 which met the Code; the Planning Board reduced the amount by 15 spaces to allow for further landscaping and Council has the authority to further reduce parking.

Councilmember Oddie stated the possibility should be reviewed; discussed the Climate Action Plan parking goals; stated the setback has not been proven to be wrong; that he is inclined to deny the appeal, but is open to a discussion about parking; the Transient Occupancy Tax (TOT) should be considered as well.

Vice Mayor Knox White stated Council gave the Planning Board direction, which included the consideration of removing more parking; that he is open to discussing parking, but does not want to hold up the project any further; a condition can be added for unused parking spaces to be used for future ferry riders; parking spaces should not be removed, but allowed for ferry riders instead.

Councilmember Vella stated the parking aspect is helping to accommodate neighbors with concerns about ferry parking spilling over into the neighborhood; if the project turns out to be over-parked, certain spaces can be dealt with in phases, but the project approval should not be delayed; different usage of the site can be discussed with the developer; there has been a significant uptick in usage of the ferry terminal; there is a need for the parking spaces; the setback has not proved to be an issue to require going back to the Planning Board; expressed support for the project.

Mayor Ezzy Ashcraft stated the project has had a lot of coverage; there has been a lot of interaction with the public; the outreach has provided for a better project; the project site is within a business park that does not have enough hotel space; Council should consider whether the project is good for the City and fair to neighbors; stated as an Island community, ferry transport makes sense; outlined difficulties in timing ferry transport; stated Council should not take away parking spaces; she would prefer to dedicate extra parking spaces for ferry riders; inquired whether the possibility exists.

The Planning, Building and Transportation Director responded staff has included ferry parking in the conditions of approval; stated ferry riders will be able to see available parking via a mobile phone application.

Mayor Ezzy Ashcraft inquired whether it is possible to ensure there is never a time when ferry parking is not available.

The Planning, Building and Transportation Director responded even if the hotel is filled, the possibility is not likely; stated the applicant's concern for parking is related to the restaurant; there is an opportunity to fill every space each evening with the restaurant, the hotel and ferry riders; expressed concern for making changes without ferry riders present; stated many promises have been made.

Mayor Ezzy Ashcraft stated a lot of work has been done with the project neighbors; many meetings have been held, which can cause a disincentive for developers to create projects in Alameda; discussed Harbor Bay businesses; stated when businesses have more visitors than current hotels can accommodate, guests are sent to San Francisco or Oakland; money is spent in those cities and missed TOT is lost revenue for Alameda; expressed support for moving forward with the project and denying the appeal.

Vice Mayor Knox White moved adoption of the resolution denying the appeal.

Councilmember Vella seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: No; Knox White: Aye; Oddie: Aye; Vella: Aye and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Noes: 1.

Mayor Ezzy Ashcraft called a recess at 9:03 p.m. and reconvened the meeting at 9:15 p.m.

(19-519) Recommendation to Approve the Transportation Commission's Recommended Design Concept for a Two-Way Bikeway for the Clement Avenue Safety Improvement Project and Cross Alameda Trail between Grand Street and Broadway.

The Planning, Building and Transportation Director gave a Power Point presentation.

Expressed support for Option 2; expressed concern over car zones: James Johnston, Alameda.

Expressed support for Option 2; stated a protected bike lanes keep people and children safe: Pat Potter, Bike Walk Alameda.

Stated bike lanes alone do not work; bike lanes are used as loading zones; the pathway would be used by kids to cross town to get to charter schools: Bonnie Wehmann, Alameda.

Discussed becoming a two car family upon moving to in Alameda; expressed support for Option 2: Doug Letterman, Alameda.

Expressed support for Option 2; stated other streets are not sufficient: Susie Hufstader, Bike East Bay.

Expressed concern over the proposed bike lane; discussed access to her family's boat business; suggested using another street: Suzanne Diers, Alameda.

Stated his boatyard relies on large vessels traveling to the site, which will be prevented by the proposed design; stated the new design will have a waterfront path: Shawn

Throwe, Grand Marina Boatyard.

Stated that he rides his bike along Clement Avenue without problems; stated the current lanes work; outlined other routes: Jim Strehlow, Alameda.

Stated that he opposes Option 2; expressed concern over cars not looking for cyclists traveling at high speeds: Zach Kaplan, Alameda.

Expressed support for Option 2; stated Clement Avenue needs protection since it is a bike route: Neela Miller, Alameda.

Expressed support for Option 2, which is the safest option; discussed being hit on Clement Avenue by a car that fled: Rich Cusimano, Alameda.

Mayor Ezzy Ashcraft made a brief comment.

Expressed support for Option 2; discussed the need for the protected bike lane: David Burton, Alameda.

Discussed drivers blocking bike lanes; urged Council to support Option 2: Morgan Bellinger, Alameda.

Stated that she supports a bike path, but opposes it being on Clement Avenue; urged Council to reroute the bike lane: Linda Diers, Alameda.

Expressed support for Option 2; discussed an incident riding his bike on Clement Avenue this morning: Robin Oliva-Kraft, Alameda.

Stated that she and her son are avid bike riders and support Option 2: Lana Rishina, Alameda.

Stated the three main concerns are lost parking, vehicles having to slow and cyclist being prevented from using the vehicle travel lane; stated the focus should be safety: Denyse Trepanier, Bike Walk Alameda.

Expressed concern over safety at driveways; expressed support for traditional bike lanes: Rick Stuart.

Councilmember Vella stated that she was hit by a car while bicycling in London but still rides when she visits; London has evolved substantially over the last decade with regard to bicycle access, due to the growing population, the urban center being made more accessible, and recognizing what adding different cycling options can do for the population; more bike and pedestrian traffic is wanted; allowing for and protecting cyclists as well as pedestrians is what will allow for the first and last mile; Alameda has a smaller geographic expanse and a cross-town trail is important; off-island traffic is not controllable; within town, there is a substantial need to allow kids to bike to and from

school in a safe way; many parents need to drop their kids off at daycare or school before heading out of town for work; expressed support for Option 2; stated safety is paramount; as soon as a cross-town trail is approved, the City will have the safest option for bicycles; people will learn and adapt to changing road conditions; many kids ride their bikes on the sidewalk due to safety concerns; a cross-town trail allows safety for all modes of transport; outlined vision-zero goals.

Vice Mayor Knox White stated some conversations pit bikes versus cars; the plan is about helping people get around the City the way they prefer; expressed support for Option 2.

Councilmember Daysog inquired whether Option 2 has a two-way bike lane, some parking and then roadway on the North side of Clement Avenue, to which the Planning, Building and Transportation Director responded in the affirmative.

Councilmember Daysog inquired how many parking spaces would be removed from Grand Avenue to Oak Street on the North side.

The Planning, Building and Transportation Director responded roughly 100 spaces.

Councilmember Daysog stated there is concern over transporting boats; if there is concern for boats, there will also be concern for trucks; questioned if space can be freed up by removing parking spaces.

The Planning, Building and Transportation Director responded Council can consider removing on-street parking spaces.

Councilmember Daysog stated a lot of the parking is on industrial parcels.

The Senior Transportation Coordinator stated the same analysis was completed in 2015 due to similar questions from the Transportation Commission; parking occupancy exceeded 100% in the area causing an excess demand in parking.

Councilmember Daysog stated Council should go big and make the North side completely protected.

The Planning, Building and Transportation Director stated the parking lane provides a lot of the protections; an 11-foot travel lane is a standard width for a truck route.

Councilmember Daysog stated there is an element of elegance having the North side of Clement Avenue dedicated to the two-lane option without cars parked next to the bike-lanes.

Councilmember Oddie stated that he was previously on the Bike Safety Council; the most important thing is safety; expressed support for Option 2; stated Option 2 is the safest; the project is not the end of bicycle infrastructure; every four-lane road is a

candidate for a road diet and protected bike lanes; bikes came before cars; cars have the least amount of history on city streets; expressed support for anything that helps slow traffic down; stated people must learn how to share the road and be respectful with each other.

Mayor Ezzy Ashcraft stated there are ways to balance concerns of all sides; more people are using bicycle pedestrian facilities throughout the City; streets must be made safe; discussed Councilmember Vella's point about people learning new habits; stated that she appreciates when she can ride her bike in dedicated bike lanes or cycle tracks; if future projects will go through environmental impact studies; newer and younger residents are opting for one or no car households; more kids should ride to school to help cut back on traffic impacts; Council has an obligation to ensure residents are travelling around the City in as much safety as possible; expressed support for the project and Option 2.

Councilmember Oddie moved approval of Option 2.

Vice Mayor Knox White stated the Golden Gate Bridge has lanes with 10' widths; there is no concern for a 25 mile per hour speed limit street; the street is being built with freeway standards for trucks.

Vice Mayor Knox White seconded the motion.

Under discussion, Councilmember Daysog stated that he would like an amended motion to disallow parking on the North side of Clement Avenue from Grand Street to Oak Street in an effort to free up capacity and address concerns raised by businesses and residents about enough width.

Mayor Ezzy Ashcraft inquired whether Councilmember Daysog is making a substitute motion.

Councilmember Daysog responded in the affirmative.

The substitute motion failed for a lack of second.

Councilmember Vella stated if a need develops, removing parking remains a possibility.

The Planning, Building and Transportation Director stated with the motion set forth, staff will continue the design process and will return with the construction contract; the parking may be removed at said time or a future date.

Vice Mayor Knox White stated that he will not vote on the motion with the idea that Council should come back and discuss the design of the project; if problems are identified, changes can be made; this is a safety project; it is counterintuitive to the project to widen the vehicle lanes and allow for higher speeds of traffic.

Councilmember Daysog stated the project is very exciting; taking time to remove some of the parking on the North side of Clement Avenue would make the project even more exciting; issues that could arise would not just be from engineering, but also from enforcement; discussed speeding on Shoreline Drive; stated there is a missed opportunity to work with residents and apply easy solutions; there is no issue if parking is removed from the North side of Clement Avenue; when development occurs, it will be much more difficult to remove the parking spaces versus now; the project is a chance for an elegant two-way bike path; urged Councilmembers to pursue removing parking.

Mayor Ezzy Ashcraft stated the average speed on Shoreline Drive and the number of collisions has reduced significantly since the cycle track has been added.

Councilmember Oddie stated there is merit to the idea of reducing parking; reducing parking encourages people not to drive as much; the design meets freeway standards; that he is not in favor of reducing parking to widen lanes; expressed concern that the project would be a repeat of the Central Avenue project that has not been completed; stated the motion should be amended to ensure the project is completed.

Mayor Ezzy Ashcraft stated Central Avenue is being worked on; there are complications arising due to State Highway status.

The Planning, Building and Transportation Director stated the motion as he understands is to move forward with the design as-drawn with the 11 foot lanes and keeping the parking; stated painting 15 foot travel lanes is counter to staff's recommendation; it is helpful for Council to provide staff with very clear direction which can be relayed to designers.

Councilmember Daysog stated the lanes can stay 11 to 12 feet wide; removing the parking would add cushion to the North side of Clement Avenue.

On the call for the question the motion carried by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; Vella: Aye and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

CITY MANAGER COMMUNICATIONS

(19-520) The City Manager made an announcement regarding launching the Corporation for Education Network Initiatives in California (CENIC) Network and business district street work.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

(19-521) Consider Addressing Gun Violence by Sanctioning a Town Hall Event on October 14, 2019, and Creating a Subcommittee to Organize the Event and Create Policy Options for Council Discussion. (Vice Mayor Knox White and Councilmember Oddie)

Councilmember Oddie and Vice Mayor Knox White made brief comments regarding the referral.

Stated that he would like to volunteer to help; discussed rifle sports, teams and scholarships, which should be considered: Gordon Taras, Alameda.

Councilmember Vella stated the issue of gun violence has been ongoing; that she is weary of reinventing the wheel; a number of Bills have been carried both federally and Statewide; there have been a number of conversations with community leaders; questioned the context of the referral; stated the issue of addressing gun violence is broad; a number of elected officials will be involved, but there is a limit to what the City can do; questioned the goal specifically related to the City and which staff members will be involved.

Mayor Ezzy Ashcraft stated there have been three mass shootings recently in: Gilroy, CA, El Paso, TX and Dayton, OH; a letter has been sent urging the Senate to take on gun control safety legislation; 281 Mayors have signed the letter; California has some of the most progressive gun safety legislation in the Country; support letters have been offered to committee chairs and the Governor; Assembly and Senate floor alerts have been sent; outlined 11 State Assembly Bills; stated cities are limited; expressed concern for duplicating staff efforts; questioned whether there is a way to fold the idea and encourage new legislation at the State and federal levels; stated lobbying for stronger federal action is needed; the Bay Area wide United Against Hate Campaign will be in November; community members are encouraged to participate in events to raise awareness to spark actions that stop hate and build inclusions; outlined event topics; questioned whether there is room to fold ideas into the United Against Hate Campaign.

Councilmember Vella questioned which staff members would be involved; stated there has been significant work done by Christ Episcopal Church; members of City staff and the community have reviewed the status at State and federal levels; the work has been done by an active and involved group of women and should be recognized; expressed support for combining events.

Councilmember Oddie expressed support for building on the work that has been done; stated the City Attorney's office would assist with City limits; letters have been written with no result; there is an opportunity to do something; California has some of the strictest gun laws, but the Gilroy shooting still happened; nothing has been done at the City level; this is a public health crisis; there still is an opportunity to solve the crisis; people are looking to leaders for action.

Mayor Ezzy Ashcraft stated a change in Washington DC needs to be made; laws have

made a difference, but there is difficulty in measuring a negative; good laws can be improved upon and supplemented; working collectively toward a solution will prove helpful; staff time should be kept in mind; questioned if events can be merged; stated the United Against Hate Campaign is a worthy event.

Councilmember Daysog stated the subject matter of gun violence correctly causes energized emotions; there is room for Councilmembers to pursue issues; one Councilmember can deal with gun use intervention and design local policy and strategies; another Councilmember can look into gun violence prevention; there are many way to approach the issue.

Councilmember Vella questioned how the item is different from the previous Town Hall and how work done to-date will be incorporated; stated the City has taken steps and a lot of comments have been received; questioned the goal of the referral; stated an accounting of what has been done can be completed; there is nothing stopping Council from bringing back ideas; questioned the use of staff time; whether there is an Ordinance that can be discussed; expressed concern for adding another event and impacting staff time.

Councilmember Oddie stated that he and Vice Mayor Knox White are going to complete the majority of work; brief discussions with both the Police Chief and the City Attorney have occurred, yielding support from both; gathering local and State representatives will help build on what has been done; assistance from the City Attorney and the Public Information Officer will help at the City level.

Councilmember Vella inquired where the event will take place, to which Councilmember Oddie responded the location has not been determined.

Mayor Ezzy Ashcraft inquired what accomplishments are attempting to be achieved.

Councilmember Oddie responded an action plan that can be implemented by the City; the action plan can include legislation and ways to motivate citizens to have their voice heard; nothing has been done over the past year; there has not been a lot of organization and energizing; staff does not have to spearhead the plan; that he had hopes to have a Council decision on gun violence being a public health crisis.

Councilmember Vella stated Council is not choosing to not be involved; Council has taken an active stance in supporting different legislation; substantial student action has occurred; continued action is also occurring; expressed support for folding in the various groups that have been continuously working on the issue; stated that she does not want to discount groups which have been working on the issue; questioned if a request for declaration is being made of Council; stated the request should be put before Council to vote; stated that she is unclear of the desired outcome based on the referral.

Vice Mayor Knox White stated that he would like to ensure Councilmember Oddie and himself are not the only ones working toward the goal; Council has not discussed or

addressed gun safety since he has been in office; there is room for many groups to join the discussion; understanding and motivated advocates need to be developed; a conversation with those who are energized about the topic is invited to determine what action the City can take; there is no value in combining the events; there is support and value for having multiple events.

Mayor Ezzy Ashcraft stated a moment of silence was taken after the Gilroy shooting.

Vice Mayor Knox White stated there has not been a vote on steps forward on how Council would like to address gun violence; a Town Hall is a place for individuals to bring ideas and engage on how to move forward.

Councilmember Oddie stated that he is happy to connect with anyone who would like to participate as logistics are finalized or invite anyone that has been involved to give perspective or provide research; expressed support for gaining opinions and perspectives; stated there seems to be a gap in communication from the work which occurred a year ago; moments of silence do not solve the problem.

Councilmember Vella stated the issue has also been added to Council's list of priorities and legislation supporting gun control, regulation and addressing gun violence has been agendaized; there are issues around enforcement and feasibility; expressed concern for action which are not effective.

Councilmember Oddie stated the discussion allows for a set level of expectations and understanding.

Councilmember Daysog stated community members would want the Council actively engaged; there are specific things City Hall can do; discussions are worth having; questioned the need for local retail sales of firearms.

Mayor Ezzy Ashcraft stated local retail gun sales are hunting rifles not automatic or semi-automatic weapons.

Councilmember Oddie moved approval of the referral.

Vice Mayor Knox White seconded the motion.

Under discussion, Councilmember Vella inquired why the date of October 14th, Indigenous People's Day, was chosen.

Councilmember Oddie responded that it was the only day all three elected officials were available at the same time.

Councilmember Daysog stated the referral is asking a direct request of Council to endorse the October 14th event; other Councilmembers can move forward on other related items.

Councilmember Oddie stated there is a responsibility owed to constituents to address the issue.

The City Manager stated the event will need to be agendaized if more than two Councilmembers are to attend.

Mayor Ezzy Ashcraft questioned staff time.

The City Manager stated Vice Mayor Knox White and Councilmember Oddie will organize the event; inquired whether staff time would be needed for communications.

Councilmember Oddie responded outreach will be needed and the use of a City location; legal support will also be needed.

The City Manager stated the legal support would rely on the City Attorney's office and support from the Public Information Officer can be included as well.

The City Attorney stated that his office is prepared to provide high level analysis for the whole Council.

Councilmember Daysog stated that he would like to know the specific things City Hall can do to deal with and prevent mass shootings.

Mayor Ezzy Ashcraft requested consultation with the Police Chief be continued through the process.

Councilmember Daysog stated lessons learned from the Episcopal Church process should be obtained.

On the call for the question which carried by the following roll call vote: Councilmembers Daysog: Aye; Knox White: Aye; Oddie: Aye; Vella: Aye and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

COUNCIL COMMUNICATIONS

(19-522) Councilmember Oddie announced Stop Waste had a presentation on China's National Sword policy; urged everyone to sort trash and recycling properly; stated that he will present an informational flyer from Stop Waste on community outreach grants on the next Council agenda.

(19-523) Councilmember Vella made an announcement about the Alameda County Lead Abatement meeting on September 26th; stated meeting locations will rotate in the coming months.

(19-524) Mayor Ezzy Ashcraft made an announcement regarding the groundbreaking

event for Seaplane Lagoon Ferry terminal; stated the terminal will be open late Spring 2020; made an announcement regarding the Coastal Cleanup event at Crown Beach.

(19-525) Consideration of Mayor's Nominations for Appointment to the Economic Development Advisory Panel.

Mayor Ezzy Ashcraft nominated Adam Elsesser, Brock Grunt, Tim Karos, David Mik, Remy Moteko, Mike Rose, Madlen Saddik, and Debi Stebbins.

ADJOURNMENT

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 11:25 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

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