

Eileen Harrington

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**From:** Patti Kjonaas <pattikjonaas@gmail.com>  
**Sent:** Sunday, January 22, 2017 12:21 PM  
**To:** citycouncil  
**Subject:** Albany hill cross

Dear Council Members,

I have lived in Albany for 33 years as a home owner. I am again and again deeply disturbed by the illuminated cross on top of Albany hill. It is, without you intending it, a city-sanctioned display of the merger of church and state, of which I and most of my neighbors and friends are, profoundly dedicated to the preservation of this separation. It always looks as though the city is endorsing this brightly lit, dominant display of partisanship. As for the current idea to allow the site to be used by other groups, I also do not wish to see a revolving display of other groups insignia on top of this very prominent and imposing site.

Personally, as a non-Christian, I have found the cross display to be intimidating, and I protest strongly against it.

Sincerely,

Patti Kjonaas

  
Albany

Eileen Harrington

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**From:** M S <muey.saechao@gmail.com>  
**Sent:** Sunday, January 15, 2017 9:27 AM  
**To:** citycouncil  
**Subject:** Thank you! Albany Hill Cross

Dear Council Members,

I wanted to say thank you to each of you that have supported the removal of the big cross on Albany hill. My first thoughts when I saw this religious symbol was that I was not welcome unless I was maybe Christian or a specific Christian & that perhaps I'm trespassing on private property. Your fairness in looking into alternatives so that a public, shared area can be just that, has given me shared hope for a better future. This is an important step for the city to be inclusive. I hope the Lions Club will see this & work with the community so that we can all be respected, and not just one belief is up on display. Again, thank you. You're representing my views along with many people I know and we appreciate that. All the best for a more compassionate, transparent, progressive and hopeful 2017.

Warm regards,

Muey Saechao

**From:** Bryan Marten <bdmarten@gmail.com>  
**Sent:** Monday, January 16, 2017 1:58 PM  
**To:** citycouncil  
**Subject:** Albany Hill cross, easement background

This is something I took time to write on NextDoor a few weeks ago and wanted to share with the city to help ensure everyone is up to speed with the history and chronology of the hill according to court documents. I think it is useful in discussions of the cross and in particular in thinking about what the easement actually says (the easement grants no ownership) and its legitimacy. I'm no lawyer but I summarized here what I read in the documents. My only modifications from the original NextDoor post are to remove the guy's name I was responding to and to add a "\*" and a P.S. and P.P.S. at the bottom. -Bryan Marten

I wanted to correct a central falsehood and misconception in your posts that may be confusing to some people.

You say

“This Cross is standing on a land donated by a former Mayor of ACC and the Cross too was donated by him.”

“...he should be honored and thanked for giving up his own land for the benefit of us all.”

“Thank you former Mayor for donating /gifting your land for the benefit of the citizens of Albany.”

We can see the following facts from the California State Supreme Court ruling against the former mayor Mr. Call. My statement below is a summary. Anyone is free to read the document for themselves to find these facts in the top portion of the document.

<http://scocal.stanford.edu/opinion/thomson-v-call-30730>

Mr. Call, a Lion, did not donate the land to the city. While he was mayor, in 1970 he bought the land at the top of the hill for under \$63,800\* at about the same time a huge development was being planned down the hill by the freeway where large condos and apartments are now. In 1971 Mr. Call's Lions organization erected the cross where it stands now. He and the city then worked out a multi-part deal to allow the developer to move ahead with the huge development down-hill (it required a zoning change) but only if Mr. Call could be \*paid\* for his few acres of land at the top of the hill and if the land could then be transferred to the city as a public park. The developer agreed to this, originally offering Mr. Call its appraised value of \$63,800 stating that the land must not contain any easements or other encumbrances that would diminish the value of the land. In the end, Mr. Call bargained the developer up to \$258,000 which is how much he was paid for the land (minus fees) while mayor. Shortly before the deal closed, Mr. Call insisted upon burdening the parcel of land with the easement granting the Lions no land and no ownership of the cross but access to it “for ingress and egress to maintain the existing cross.” Having any kind of easement actually diminished the value of the land but the real estate developer went through with the deal anyway because the developer did not care because the developer knew it was going to follow through with the multi-part agreement by promptly donating the land, burdened with Mr. Call's easement, to the city. As the court documents reveal, it appears the city was deceived in accepting the easement to maintain the cross because “There is no evidence that the members of the council, other than Call, knew that the Calls' 1.1-acre parcel was being accepted by the city subject to the easement for maintenance of the cross.” Due to the conflict of interest, the court ruled against Mr. Call, ordering him to pay the city all \$258,000 (plus interest, minus fees) he had gained and to forfeit the land.

So yes the city did get the land for free but it was donated by a developer who, as part of a multi-part deal, had paid Mr. Call many times what Mr. Call had bought the land for just a year or 2 before. And yes there is an easement on access to the cross but it grants no property rights other than access and was added last-minute without the knowledge of the city. I myself wonder what kind of person tries to preserve a newly-erected lit cross on land knowing it will become part of a public park?

I would note that from the Friends of Albany Hill website

<https://friendsofalbanyhill.org>

we can see a personal statement from one of the 9 Albany residents who were part of the lawsuit brought against Mr. Call for his conflict of interest. We get a peek into the kind of person Mr. Call was by seeing he counter-sued these 9 Albany residents for damages of \$1 million each. Quoting from the website here:

According to Thelma Rubin, an original member as well as a former Albany city council member and mayor, Friends of Albany Hill seems to have started in 1974, when nine residents (including Thelma Rubin, Dario Meniketti, and Catherine Webb) of Albany Hill brought a lawsuit against the city of Albany, councilman Hubert Red Call and his wife Ruth Call, four other council members, and a development company, Interstate General Development Corporation. Councilman Call had sold 1.1 acres of his Albany Hill land to IGD for \$258,000, and IGD then donated the land to the city. The citizens alleged the land Call sold to IGD was overpriced and the transaction was a conflict of interest, since Call was an elected official. IGD was building the Gateview condominium towers on the west side of the hill at the time.

Peter Taussig, a lawyer who lived on Albany Hill, handled the case pro-bono, with Friends of Albany Hill paying legal fees. The suit went through many courts and IGD and Call filed counter-suits against the city and the nine plaintiffs. Rubin recalled that, although she was being sued for one million dollars, she and her husband were still able to receive a car loan they applied for.

In 1985 the California Supreme Court ruled in favor of the nine citizens and ordered Call to pay the city the amount he received from the sale of his land plus interest.

Mr. Call eventually did hard time in a state prison for selling stolen goods. As Rochelle pointed out in a different post, he was sentenced to state prison for a six-month-to-five year term - not for the cross shenanigans, but for fencing jewelry out of his shop on San Pablo Avenue ("City Councilman Sentenced, The Argus, April 13, 1976")

This is the person you and some in the Lions Club are saying we should honor and thank and preserve his legacy of a lit cross overlooking the East Bay.

One last item I would like to briefly address. You say:

"Wouldn't that be a nice tradition to start rather than spending tax payer money on litigation? Think about it."

I would state the obvious that the only reason the city would spend taxpayer money on litigation here would be if the Lions Club files a lawsuit. The Lions Club is a service organization whose own Bylaws and Constitution say not to even debate sectarian religion yet here we are with a Lions Club group forcing evangelical Christianity on the residents of Albany while several (most?) of its officers are not Albany residents. As a non-profit, public records show it is not even incorporated in Albany. Some of its members are Albany residents so in that sense it represents Albany but one could say the same of the East Bay Atheists who we should actually honor and thank for bringing to the public's and the city's attention the fire hazard represented by the way the cross, until last week, used a eucalyptus tree for a power pole (!!!) in what the city had long before deemed a "Critical Fire Area".

Other Lions Clubs like the one in La Crescent, Minnesota last year, have worked with their city councils to remove a cross from public land. I would hope and trust that the Albany Lions could show the residents of Albany how a respected service organization can handle a situation like this.

\*The documents I see don't say how much Mr. Call bought the 1.1 acres for but they say he bought it for less than the lowest appraised value prior to the land deal with the developer and \$63,800 is the lowest appraised value. As I say above, a year or 2 later he then sold it for \$258,000. That was the crux of the case against him.

P.S. An elderly neighbor down the street from me who was born in Albany and is a long-time resident told me today he remembers Mr. Call and his jewelry shop and that while mayor, Mr. Call flew to Hawaii to wine and dine the elderly man (97 yrs of age as the story goes) who owned the top of the hill so Call could buy the 1.1

acres for a song, knowing the Pierce St. development was being planned. I have nothing to back this up but it seems consistent with the rest of Call's actions.

P.P.S. Here is the blurb in The Argus newspaper from 1976 about Mr. Call being sentenced to state prison.

<https://www.newspapers.com/newspage/38004391/>

The article can be seen in that grainy image. An image-to-text version found on that same web page (with some minor error correction on my part) says this:

Albany councilman sentenced OAKLAND (UPI) Albany city councilman Hubert F. Call, 57, yesterday was sentenced to state prison for six months to five years for attempting to receive stolen jewelry from an undercover police agent. Superior Court Judge Hugh S. Koford also fined Call \$15,000. Execution of the sentence was stayed until June to make a determination of an announced appeal by Call's attorney, Martin MacInris. Madiris charged the case was a contrived one and that the jewelry involved were never stolen but were seized by the Customs Service in a smuggling case. Call, a jewelry store owner, contended he was attempting to recover his wife's jewels which were stolen after a banquet and thought he was dealing with underworld figures attempting to resell his wife's jewels to him.

Eileen Harrington

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**From:** Bryan Marten <bdmarten@gmail.com>  
**Sent:** Sunday, January 15, 2017 10:38 AM  
**To:** citycouncil  
**Subject:** Santa Clara public park cross gone, to be moved to private land

FYI. Not exactly Albany's situation but similar in some ways.

Lawsuit Prompts Santa Clara to Remove Large Granite Cross

The city has donated the cross to Santa Clara University

<http://www.nbclosangeles.com/news/california/Lawsuit-Prompts-Santa-Clara-to-Remove-Large-Granite-Cross-410711375.html>

"The battle over a large iconic cross in the South Bay has come to an end.

After standing in Santa Clara for more than six decades, the 14-foot cross was taken down."

"The granite cross was donated by the Santa Clara Lion's Club in 1953."

"As part of the settlement, the city donated the cross to Santa Clara University, where it will be placed on campus in the future."

Bryan Marten

Eileen Harrington

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**From:** Larry Hicok <terricts@fastemail.us>  
**Sent:** Sunday, January 15, 2017 10:21 AM  
**To:** citycouncil  
**Subject:** After 64 Years, A Giant Christian Cross Has Finally Been Removed From a Santa Clara (CA) Park

Link: [http://www.patheos.com/blogs/friendlyatheist/2017/01/15/after-64-years-a-giant-christian-cross-has-finally-been-removed-from-a-santa-clara-ca-park/?utm\\_campaign=shareaholic&utm\\_medium=email\\_this&utm\\_source=email](http://www.patheos.com/blogs/friendlyatheist/2017/01/15/after-64-years-a-giant-christian-cross-has-finally-been-removed-from-a-santa-clara-ca-park/?utm_campaign=shareaholic&utm_medium=email_this&utm_source=email)

A 14-foot-tall Christian cross in a Santa Clara (California) public park is no longer there thanks to atheists who fought the illegal promotion of Christianity.

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Shared via Shareaholic

January 3, 2017

Dear Mayor Peggy McQuaid, Vice Mayor Nick Pilch, and Council Members Michael Barnes, Rochelle Nason, and Peter Maass

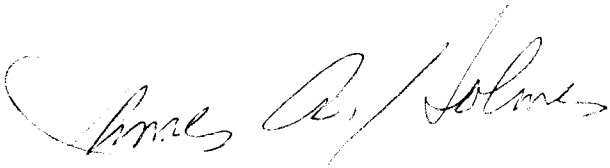
After digesting your Christmas Eve update about the cross on Albany Hill for the past 1 1/2 weeks, I feel compelled to submit my response.

I do not object to the cross on Albany Hill; to its location, illumination, or what it represents. I do object to the timing of this effort to remove it. For as long as I have lived in Albany, continuously since 1981, the cross has been a part of our community, our culture, and our pride. I understand and sympathize with the recent concerns of those who are not as comfortable with the cross as I am, but at the same time I don't think out of efforts to be inclusive we need to destroy our own home. To destroy our own culture under the guise of inclusiveness is to include others into nothing. Without traditions, cultural personalities, with a community fearful of treading on the antipathies of others when what we really want to do is to extend them our culturally heart-felt goodwill is to create a society of people fearful of interacting with each other out of fear of being insensitive, divisive. I am not Jewish, but I would be very happy, not the least bit offended, if a Jewish person were to extend to me a greeting important to him or her within their cultural belief system by wishing me Happy Hanukkah. That also goes for someone wishing me "Assalamualaikum."

It is bad enough we must think twice before wishing someone a Merry Christmas. It's already bad enough we no longer decorate Solano Avenue during Christmas. Must we also destroy the symbol of the reason we celebrate the "Holiday Season?" Must we destroy the very symbol representing our country's devotion to Judeo-Christian values with roots in the Magna Carta upon which it was founded? Must we finally destroy the symbol of the very reason a country exists into which people of varied ethnicities and religious beliefs have place to live in a free society? If so, then into what type of culture are we including everyone?

I respectfully request that you please reconsider your decision to relocate the Albany Hill cross.

Respectfully,

A handwritten signature in black ink, appearing to read "James A. Holmes". The signature is fluid and cursive, with a large initial "J" and "H".

James A. Holmes  
515 Curtis St.



Eileen Harrington

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**From:** Bryan Marten <bdmarten@gmail.com>  
**Sent:** Wednesday, December 14, 2016 11:57 PM  
**To:** citycouncil  
**Subject:** eucalyptus tree as power pole

Albany City Council,

Thank you for your recent statement that "The presence of the cross in the public park is at odds with the inclusive values the City encourages." I wholeheartedly agree.

I am concerned, however, to learn that PG&E is working to re-energize the power line. I live at the base of Albany Hill a few blocks from the cross. I cannot imagine how the power can be turned back on safely given that the energized wire is \*attached\* to a eucalyptus tree in what the city designated years ago as a "Critical Fire Area". This is not the typical wire going through branches that need to be trimmed. This is a wire using a eucalyptus tree as a power pole!

The wire can be hard to see up high in the tree but here is the photo the East Bay Atheists' site has posted for over a year now which shows it up close.

Middle photo in the top row: <https://eastbayatheists.org/imagesalbanyhill.html>

Direct link: <https://eastbayatheists.org/Resources/ServiceDrop.jpg>

I am requesting PG&E's plan for the support of the wire and asking the city to share the close-up photo with PG&E and get their response.

Lest we forget:

25 years later: Oakland hills ripe for another firestorm

October 20, 2016

<http://www.sfchronicle.com/bayarea/article/25-years-later-Oakland-hills-ripe-for-another-9984731.php>

"I go with what the Australians say about eucalyptus — they call them 'gasoline on a stick,'" said Susan Piper, who is still haunted by a searing image from her escape on Oct. 20, 1991: A grove of eucalyptus trees aglow in flame exploded just yards from where she sat in her family van, stuck in traffic with her 9-year-old daughter.

Thank you,

Bryan Marten

Eileen Harrington

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**From:** The Rev. Julie Wakelee-Lynch <rector@st-albans-albany.org>  
**Sent:** Tuesday, December 13, 2016 5:28 PM  
**To:** citycouncil  
**Subject:** Cross on Albany Hill

Dear Mayor McQuaid and Members of the Council,

I am writing to express my strong support for the removal of the lighted cross on "Albany Hill." While there may have been a time when such a public display of one sect's religious symbol on public property seemed appropriate, that time has passed.

As the leader of a faith community, I am strongly committed to the separation of church and state. Beyond that, I am very much invested in the work of ensuring that Albany is a place where all people feel safe and welcome.

Albany is not (nor should it be) a "Christian" city, and there should not be religious imagery exclusive to one tradition on city-held land. This is unwelcoming to people of other religious traditions (or those without religious affiliation), and belies the rich diversity of this community.

We all have touchstones to the past that are important and even precious to us. Sometimes, we need to be ready and willing to adapt as times change--to honor the past, but hold it lightly as we live in the present.

Thank you for your attention in this matter.

Sincerely,  
The Rev. Julie Wakelee-Lynch  
Rector, St. Alban's Episcopal Church

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The Rev. Julie Wakelee-Lynch  
Rector, St. Alban's Episcopal Church  
1501 Washington Avenue (at the corner of Curtis)  
Albany, CA 94706  
tel. 510-525-1716  
web: [www.st-albans-albany.org](http://www.st-albans-albany.org)  
email: [rector@st-albans-albany.org](mailto:rector@st-albans-albany.org)

Eileen Harrington

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**From:** Cityhall@albanyca.org  
**Sent:** Thursday, December 15, 2016 10:40 AM  
**To:** City General Mailbox Account  
**Subject:** Contact the City of Albany

Submission information

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Submitter DB ID : 16163  
Submitter's language : Default language  
IP address : 71.198.175.175  
Time to take the survey : 2 min. , 15 sec.  
Submission recorded on : 12/15/2016 10:40:05 AM

Survey answers

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Your Information:

Name Kirsten  
Email Kirsten\_mahoney@hotmail.com  
Subject Cross on Albany Hill

What can we do for you? Thank you Albany city officials for fighting against the Lion's Club as far as you could go with regards to the cross. I read your statement today and feel proud to call myself a resident of Albany. The world is changing and I feel honored to live in a town that wants to change with it.

Thank you and happy holidays,  
Kirsten

Eileen Harrington

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**From:** Sara Sunstein <info@sarasunstein.com>  
**Sent:** Friday, December 16, 2016 10:22 PM  
**To:** citycouncil  
**Subject:** Lions Club cross

Hi all.

I'd like to thank Rochelle for her NextDoor postings the last 4-6 weeks. And I appreciate the Council's statement that you'd prefer the cross removed, given that it's on public property and some community members find it intolerable as well as unconstitutional.

I'm one of those community members.

Not being an attorney, I'm not fully up on what an easement is legally, but my understanding is that it's permission to pass on someone else's property, an access issue. So I don't understand how the Lions Club equates access with ownership. And I also wonder about the height involved with an easement? Perhaps that cross is higher than easement rights.

I support you all to do whatever you can to get rid of the cross for once and all. (and find out which PG&E decision-maker is a member of the club or has been influenced by them. Clearly the wiring is dangerous) Please look into all the good information that has been posted on NextDoor from concerned neighbors, atheists and otherwise. Apparently there are tried and true ways to get rid of such heart- and eye-sores.

Thank you.

Sara

P.S. Can't come to Monday night's meeting (I'm dealing with moving, remember?) so I'm sending this email instead.

Sara Sunstein  
Ortho-Bionomy®, Somatic therapy  
510.526.5414  
<http://www.sarasunstein.com>

*"As the soft yield of water cleaves obstinate stone, so to yield with life solves the insoluble." Lao Tzu*

Please note: If you're emailing about an appointment that is within 24 hours, I may not see it. Please call instead.

Eileen Harrington

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**From:** Bryan Marten <bdmarten@gmail.com>  
**Sent:** Friday, December 16, 2016 6:05 PM  
**To:** citycouncil  
**Subject:** Re: eucalyptus tree as power pole  
**Attachments:** DSC\_0492.JPG; DSC\_0494.JPG; DSC\_0497.JPG; DSC\_0498.JPG; DSC\_0499.JPG

I took the dog up the hill to check out the cross for myself this afternoon and discovered PG&E has finished the job and it is \*much\* safer. Maybe even completely up to code, minus concerns about the cross itself falling over (which is still a concern due to the erosion at its concrete base and the haphazard welds holding the plate to the concrete).

The wire used to be connected at the street at a pole and then threaded through eucalyptus trees (attached to one!) to eventually get to the cross. And maybe PG&E said its original plan was to improve safety by merely fortifying the wire but what I saw today they \*actually\* did is to make a new connection at the street mid-way between 2 poles (see attached photo) with a straight shot to the cross with no extra support. That is a shorter distance than it was before to the pole because it's almost straight perpendicular from the line. I checked where the line to the cross sags and it is pretty low to the ground but not reachable by me so it may meet code but I don't know. I don't know how long the wire is - its unsupported length may or may not be up to code.

In any event, the East Bay Atheists and the city and all who expressed concern about the fire safety represented by having for decades an electrical service using a eucalyptus tree as a pole in a Critical Fire Area (!!!) appear to have caused a huge change for the better for the residents and city of Albany. There may still be issues with the safety of the cross structurally or with the new electrical service distance or height. That should be looked in to by someone knowledgeable in electrical and structural codes but those who have been involved with this effort should know that they have helped make the situation \*much\* better than it was.

There are also of course serious concerns the council and I and others have expressed with how the cross in the public park goes against the city's statement of inclusion. Those still need to be addressed.

Attached are the photos I took up at the cross. The photo DSC\_0492.JPG I took a few months ago showing zoomed in where the wire used to connect to the street at a pole so you can see the difference. The other 4 photos are from today with the new connections.

Bryan Marten

On Wed, Dec 14, 2016 at 11:57 PM, Bryan Marten <bdmarten@gmail.com> wrote:  
Albany City Council,

Thank you for your recent statement that "The presence of the cross in the public park is at odds with the inclusive values the City encourages." I wholeheartedly agree.

I am concerned, however, to learn that PG&E is working to re-energize the power line. I live at the base of Albany Hill a few blocks from the cross. I cannot imagine how the power can be turned back on safely given that the energized wire is \*attached\* to a eucalyptus tree in what the city designated years ago as a "Critical

Fire Area". This is not the typical wire going through branches that need to be trimmed. This is a wire using a eucalyptus tree as a power pole!

The wire can be hard to see up high in the tree but here is the photo the East Bay Atheists' site has posted for over a year now which shows it up close.

Middle photo in the top row: <https://eastbayatheists.org/imagesalbanyhill.html>

Direct link: <https://eastbayatheists.org/Resources/ServiceDrop.jpg>

I am requesting PG&E's plan for the support of the wire and asking the city to share the close-up photo with PG&E and get their response.

Lest we forget:

25 years later: Oakland hills ripe for another firestorm

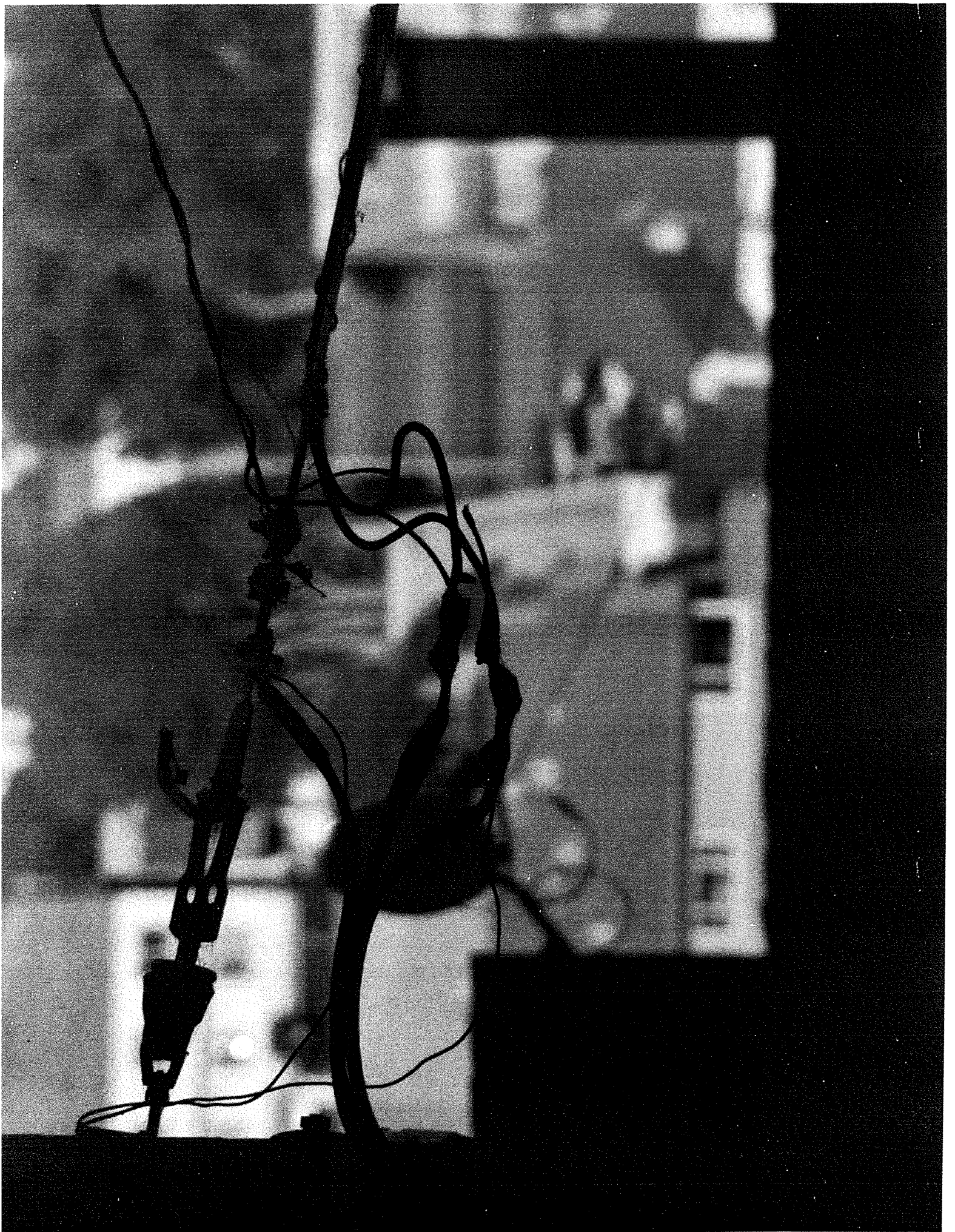
October 20, 2016

<http://www.sfchronicle.com/bayarea/article/25-years-later-Oakland-hills-ripe-for-another-9984731.php>

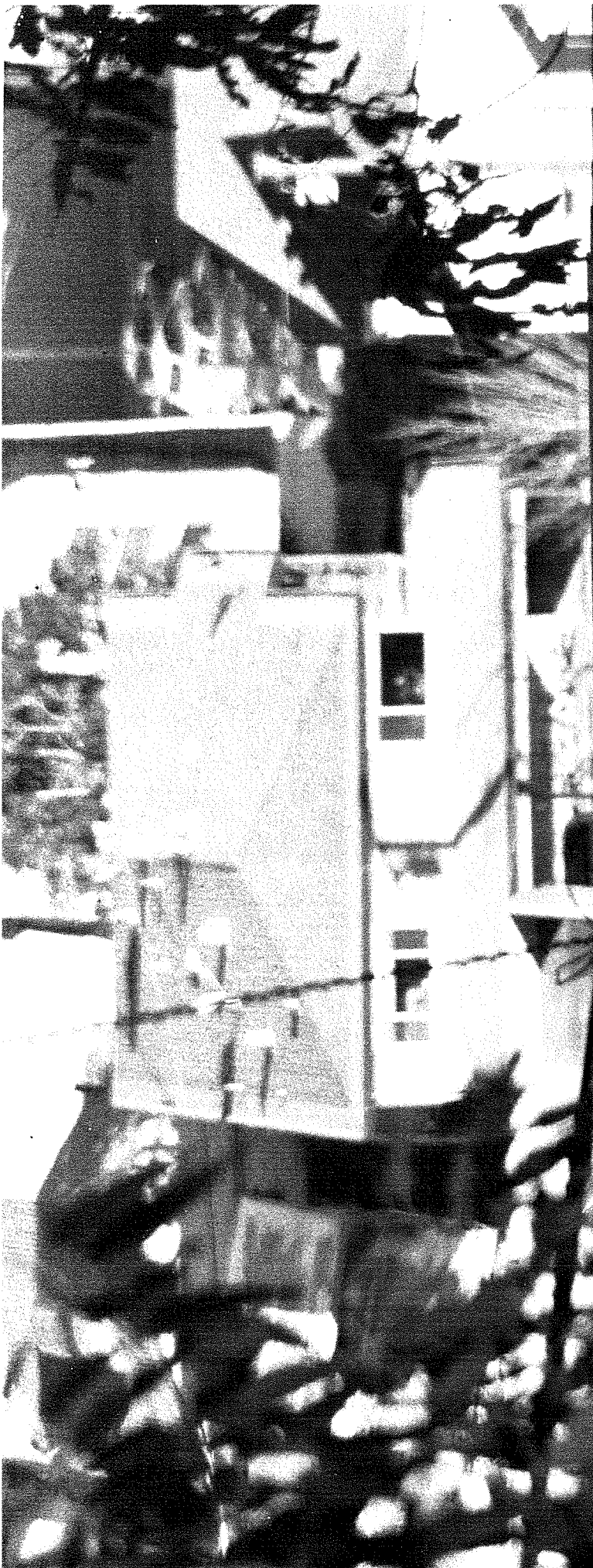
"I go with what the Australians say about eucalyptus — they call them 'gasoline on a stick,'" said Susan Piper, who is still haunted by a searing image from her escape on Oct. 20, 1991: A grove of eucalyptus trees aglow in flame exploded just yards from where she sat in her family van, stuck in traffic with her 9-year-old daughter.

Thank you,

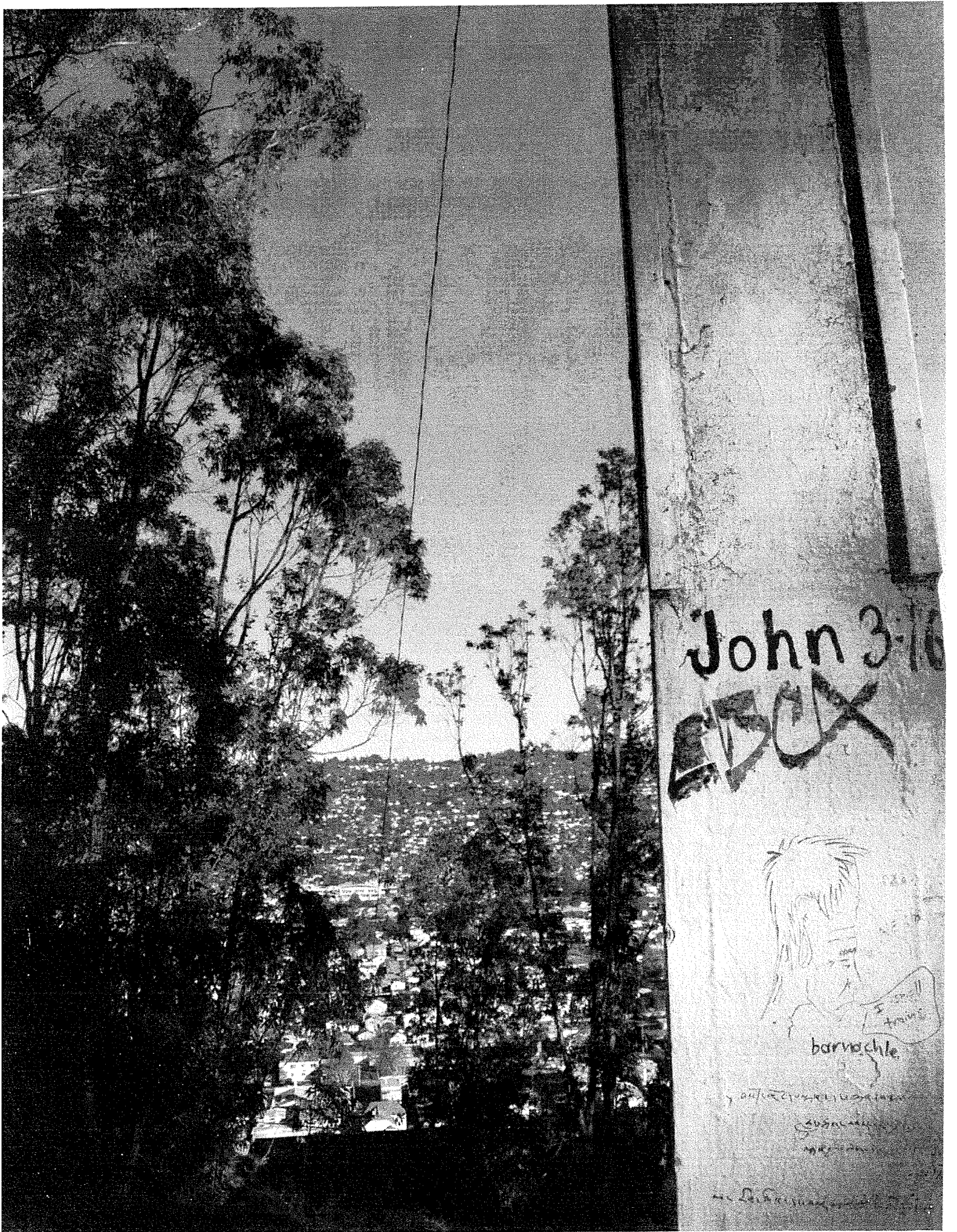
Bryan Marten



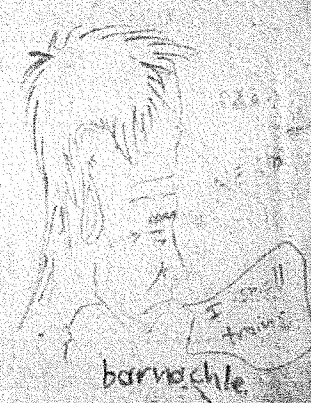








John 3:16

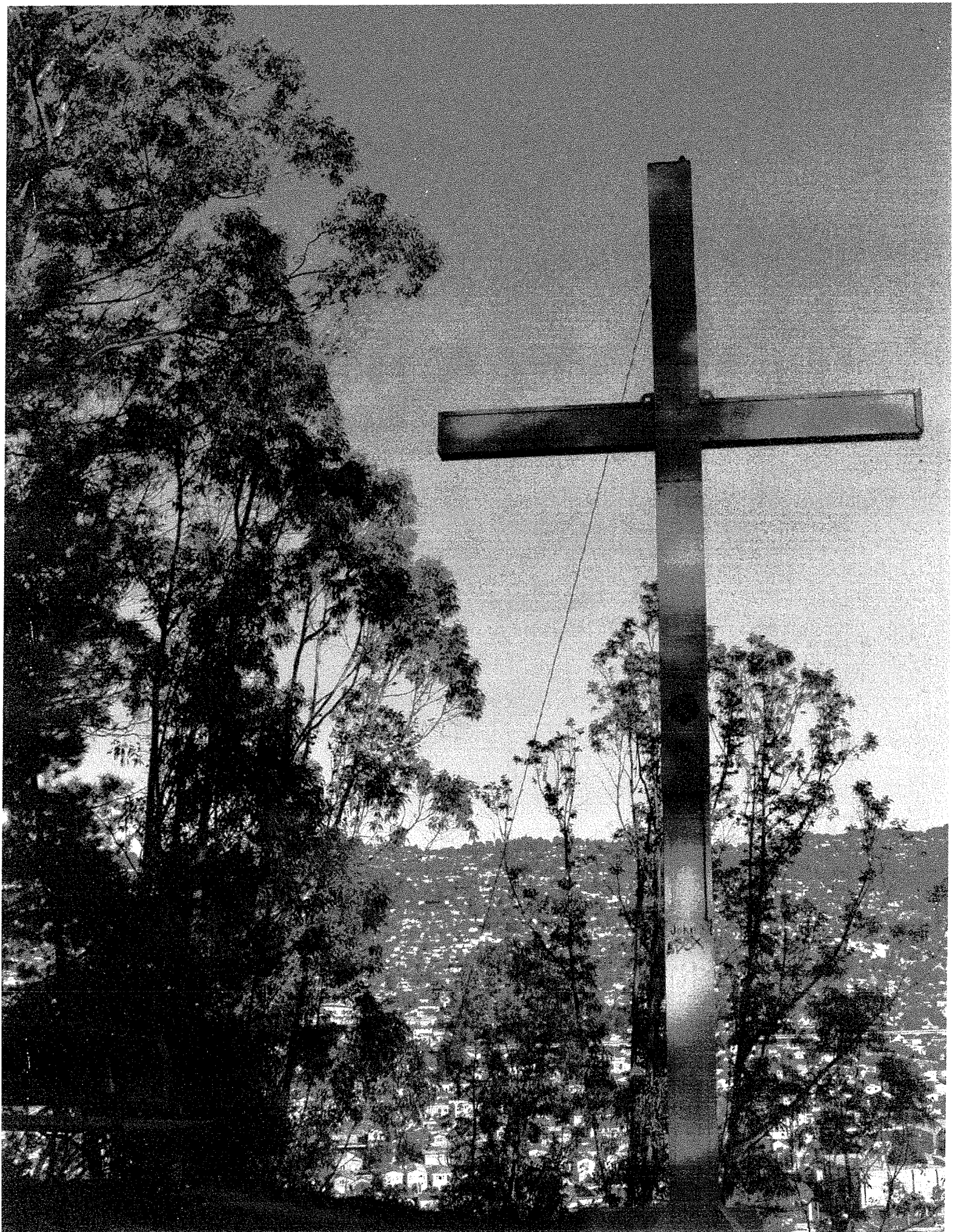


barnacle

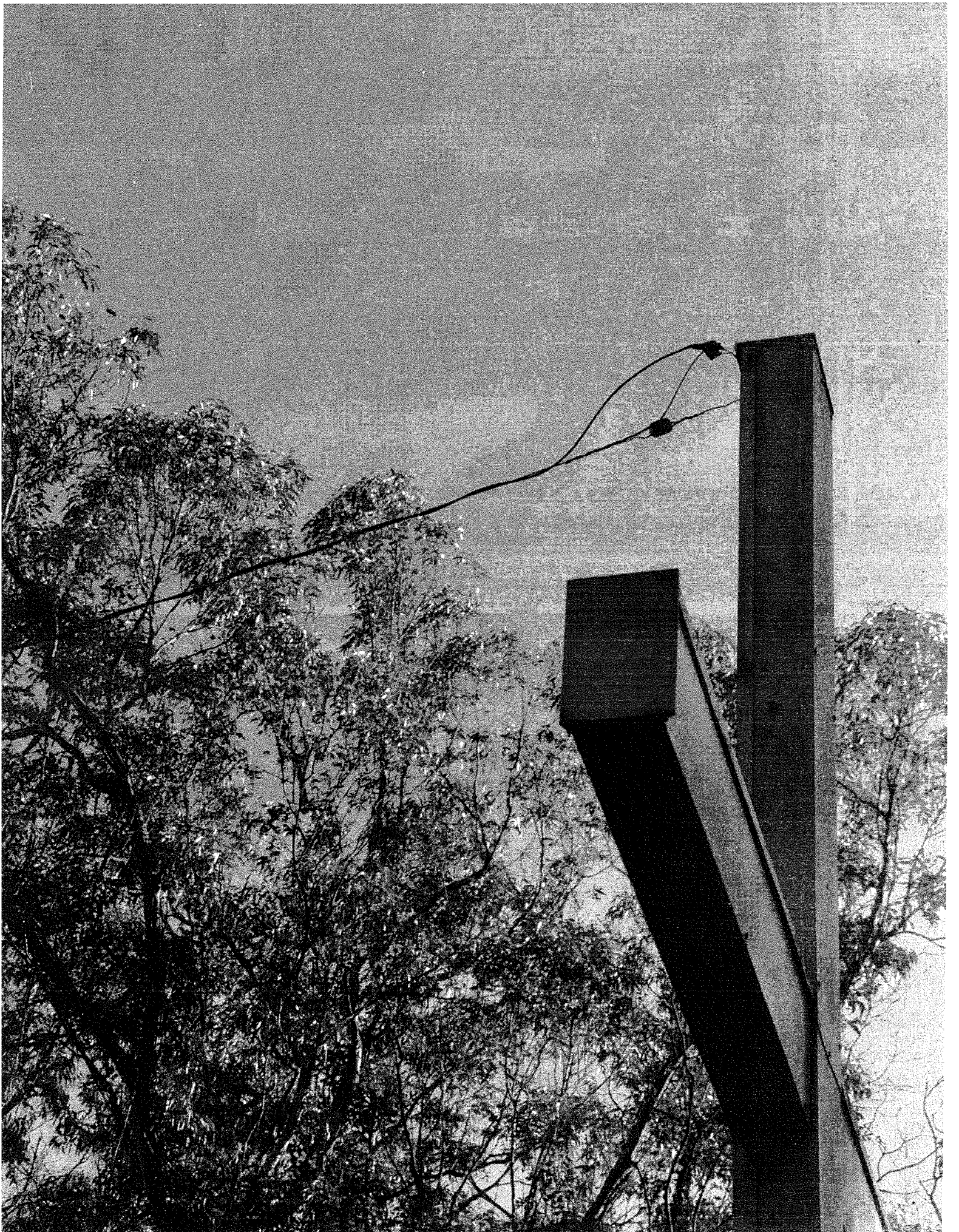
auf dem...  
aus dem...  
...

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Eileen Harrington

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**From:** Jeffrey Bartlett <jmbartlett@lmi.net>  
**Sent:** Monday, December 19, 2016 9:28 AM  
**To:** citycouncil  
**Cc:** 'David Nicely'  
**Subject:** Lions member opposes Albany Lions action re cross on Albany Hill

**Importance:** High

Dear City Council:

I am a longtime Albany resident and also a member of the Berkeley Lions Club. As a person affected in two ways by the controversy regarding the cross on Albany Hill, I wish to express my wholehearted support for the Council's position on this issue and my complete opposition to that of the Albany Lions. This is a divisive issue that harks back to an unpleasant time in our history when efforts to force one religious group's beliefs on others were common. The time is long past that we should allow such overt symbols, especially so grandiose and unavoidable. I would like to see the cross removed from Albany Hill so we can end this controversy that threatens the separation of state and church on which our society is based.

I am proud to be a member of the Lions for more than 10 years and a past president of the Berkeley Club. Although I speak for myself here, other members of the Berkeley Club have expressed sentiments in agreement with mine. The Lions are a global service organization that seeks to help people in need regardless of their ethnic or religious nature. I find it unseemly that a local Lions chapter should involve itself in such a reactionary cause, which can only bring disrepute on the greater Lions organization. I urge the Albany Lions to stop this ill-considered action and allow the Council to go ahead with its efforts to remove the cross. There are many worthwhile activities in which the Albany Club can involve itself, and often does. Let's return to such service that brings people together rather than dividing us.

Sincerely,

Jeffrey Bartlett

Past President, Berkeley Lions  
office 510-528-7055  
mobile 510-333-1948  
[jmbartlett@lmi.net](mailto:jmbartlett@lmi.net)

832 Cerrito St.  
Albany, CA 94706

Eileen Harrington

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**From:** sarah watts <sarahellenwatts@gmail.com>  
**Sent:** Friday, December 23, 2016 4:53 PM  
**To:** citycouncil  
**Subject:** Albany Hill Cross thank you

Dear Albany City Council

I am a citizen of Berkeley, but i'm frequently mistaken for one of Albany (due to my 94706 zip code) - so I received your mailing about the Albany Hill cross. I just want to thank you for your thoughtful response and forthright statement of the value that Albany places on all of it's citizens. I wish you luck in resolving this without litigation.

Just wanted you to know that you have appreciation from someone (just) outside your borders.

Sarah Watts

Eileen Harrington

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**From:** Cityhall@albanyca.org  
**Sent:** Friday, December 23, 2016 3:22 PM  
**To:** City General Mailbox Account  
**Subject:** Contact the City of Albany

Submission information

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Submitter DB ID : 16190  
Submitter's language : Default language  
IP address : 70.228.74.222  
Time to take the survey : 1 min. , 37 sec.  
Submission recorded on : 12/23/2016 3:22:28 PM

Survey answers

-----  
Your Information:

Name            Nic KoneffKlatt  
Email           koneffklatt@gmail.com  
Subject         Cross Stays up

What can we do for you? I will not vote for a City Council that tears down historic pieces of the city. If that cross goes down so will my votes for any of you on City Council. Stop being such a PC society it is a cross on a hill, get over it.

Eileen Harrington

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**From:** Cityhall@albanyca.org  
**Sent:** Monday, December 26, 2016 1:26 PM  
**To:** City General Mailbox Account  
**Subject:** Contact the City of Albany

Submission information

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Submitter DB ID : 16195  
Submitter's language : Default language  
IP address : 107.204.212.37  
Time to take the survey : 3 min. , 14 sec.  
Submission recorded on : 12/26/2016 1:26:00 PM

Survey answers

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Your Information:

Name ralf langenheim  
Email langenheim3@gmail.com  
Subject albany hill cross

What can we do for you? I would like as a private citizen of no religious affiliation, and a resident of Albany for more than 10 years, to state that I believe it's OK for the Lions Club to light their cross in the spirit of freedom of religion and for recognition of that land being public. It's overly politically correct and possibly politically wrong to ignore how that land was acquired and the traditions of this city, county, state, and country. Please respond if the concerns of a CITIZEN actually matter, thanks.

Eileen Harrington

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**From:** Cityhall@albanyca.org  
**Sent:** Saturday, December 24, 2016 9:46 PM  
**To:** City General Mailbox Account  
**Subject:** Let Us Know

Submission information

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Submitter DB ID : 16191  
Submitter's language : Default language  
IP address : 99.47.68.35  
Time to take the survey : 20 min. , 50 sec.  
Submission recorded on : 12/24/2016 9:46:10 PM

Survey answers

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Thank you for contacting the City of Albany and doing your part to make our 1.5 square miles a little bit better!

What is the nature of your request?

Service False  
Question False  
Solution/Idea False  
Compliment False  
Complaint True

Your request most closely relates to:

Construction Issues   
Website   
Storm Drain   
Landscaping   
Park Maintenance   
Recreation & Community Services   
Sidewalk Repair   
City Clerk   
City Council   
Street Maintenance   
Street Sweeping   
Urban Forestry   
Special Events   
Police & Fire   
General   
Other Albany cross



Please fill out the following fields so that we may contact you in the event we have a question about the information you've provided. This is optional.

Name: Armin Karcher  
Address: Not answered  
City: Albany  
State: CA  
Zip: 94706  
Phone Number: 5106723410  
Email Address: akarcher@lbl.gov  
I would like to be contacted by someone from the City Albany. <br /><br /> [x]  
I would NOT like to be contacted by the City of Albany []

Please tell us why you are contacting us today:

I am very concerned about the city's handling of the dispute regarding the cross on Albany hill. I am a Christian citizen of Albany with no strong feelings about the cross itself, but I feel that the way the city is handling this is to the detriment of all the citizens. By claiming the cross needs to be removed in the name of tolerance is in itself an act of intolerance. Claiming the religiously diverse citizenry is not an excuse. Having talked to muslim and Buddhist friends of mine no-one feels threatened by the cross, no-one feels their religious freedom is hampered. Indeed when looking at the complaints it is only the Atheists, exactly the people who claim no religion who feel unhappy about the existence of the cross. I am very concerned when I look at the current political events in the US where a strong backlash against actions claimed to be motivated by tolerance towards minorities but feel like intolerance towards the majority have brought truly intolerant people into power. By acting in exactly the same way you risk alienating many of the people who have quietly enjoyed the cross over the decades, while there may only be a handful of atheist activists who actually feel strongly about removing the cross. If you feel that the non-christian Religions need an opportunity for worship I would be very surprised if the Lions club (or anyone else) would object to use of public lands for worship that does not involve removing the cross. From reading the correspondence from both parties (not having been at all the relevant city council meetings) I can only conclude that the safety concerns have been pushed forward was a pretense to remove power, without asking PG&E about their opinion or giving the Lions Club a specific list of issues they need to fix. If this was truly a safety concern, would you have shut down power to a residence under the same circumstances?  
I really hope this fight does not go any further.  
I am deeply dismayed about the time, effort and money this has already wasted.

Yours sincerely  
Armin Karcher

Eileen Harrington

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**From:** Jesse Ragent <jesseragent@berkeley.net>  
**Sent:** Tuesday, December 27, 2016 8:58 PM  
**To:** citycouncil  
**Subject:** Thank you and keep up the good work

Dear Council Members,

My wife Alison Moore and I live at 1085 Curtis Street and have lived in Albany for the last 36 years.

We are proud of the substance and tone of your recent letter to the community regarding the cross on Albany Hill. Seeing that there could be a "purported" easement complicates how to resolve this issue, but the principle underlying it could not be simpler— any religious expression on public land that is exclusive to one religion is unacceptable. We thought the presence of the cross was strange when we moved into town in 1980 and still feel very uncomfortable with it.

We applaud your efforts to find a solution that is acceptable to both sides, but please know that you have our strong support for remedying this situation by whatever means are at your disposal.

Jesse Ragent and Alison Moore

Eileen Harrington

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**From:** Cityhall@albanyca.org  
**Sent:** Friday, December 30, 2016 8:13 AM  
**To:** City General Mailbox Account  
**Subject:** Contact the City of Albany

Submission information

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Submitter DB ID : 16205  
Submitter's language : Default language  
IP address : 73.158.11.84  
Time to take the survey : 0 min. , 40 sec.  
Submission recorded on : 12/30/2016 8:12:42 AM

Survey answers

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Your Information:

Name Lorrie Gray  
Email lorriegrays28@gmail.com  
Subject hillcross

What can we do for you? Hello City of Albany. I just wanted to thank the City for having the courage to stand up for inclusion in connection with addressing the Lions Club refusal to honor other faiths during holiday seasons. Nothing is more important than putting the value of diversity and respect for others first, particularly now. My father, who is no longer living, was an active member and supporter of the Lions Club in San Carlos for many years. He would have been saddened and dismayed that the Lions Club anywhere, would be resisting inclusion much less actively fighting against it through litigation. I must sadly say that despite my father's commitment to the Lions Club , I have lost respect for the organization. Shame on them. Please feel free to publish. Lorrie Gray

Eileen Harrington

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**From:** Cityhall@albanyca.org  
**Sent:** Friday, December 30, 2016 8:49 AM  
**To:** City General Mailbox Account  
**Subject:** Contact the City of Albany

Submission information

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Submitter DB ID : 16206  
Submitter's language : Default language  
IP address : 71.198.185.15  
Time to take the survey : 2 min. , 29 sec.  
Submission recorded on : 12/30/2016 8:49:27 AM

Survey answers

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Your Information:

Name Rosemary Mullarkey  
Email mullarkeylcsw@aol.com  
Subject Albany Hill Cross

What can we do for you? I would like to say that I feel that the city's letter and proposal to the Lions Club both appear even handed and fair. I acknowledge the great benefit the Lions Club has had on Albany- support for the Senior Center etc..., but feel that it is time to show more support for inclusiveness.

Thank you.

Eileen Harrington

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**From:** Stephen Shaver <stephenshaver@gmail.com>  
**Sent:** Friday, December 30, 2016 11:45 AM  
**To:** citycouncil  
**Subject:** comments on the Albany Hill cross

Dear city council,

I posted a message on NextDoor.com a few weeks back in a discussion thread about the cross on Albany Hill. Here's what I said then:

*I live at the base of the hill, and I'm a Christian pastor. I'd love to see the cross go: it bothers me every time I walk through the park. I treasure our pluralistic society and I don't want symbols of my faith imposed on all of us. Not only is it unfair to non-Christians, it harms Christians as well by associating our faith with a kind of triumphalism that at best seeks to dominate the public space and at worst is associated with horrific violence (see Rochelle's other post). I can pray before a cross any time at church: I don't need or want one in a public park. Following Jesus is about living out the good news of God's love, not sticking Christian symbols in other people's faces.*

I recently got a note from Bryan Marten, another Albany resident, encouraging me to get in touch with you, and it seemed like a good idea--so I'm reaching out to ask whether I can be helpful to you in any way as you continue to consider how to proceed. I hope you'll maintain your position seeking to find an amicable resolution that replaces the cross with something more appropriate to a public park.

I'm an Episcopal priest, working on a Ph.D. at the Graduate Theological Union in Berkeley and living at 943 Jackson Street in Albany. I know a number of other progressive Christians in the area, including several other Albany residents, who I think would share a similar perspective.

Thanks for all the work you do on behalf of our community.

Best,  
Stephen Shaver  
(943 Jackson Street, Albany)

--  
The Rev. Stephen R. Shaver  
Ph.D. Candidate in Liturgical Studies, Graduate Theological Union, Berkeley, CA

Eileen Harrington

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**From:** Cityhall@albanyca.org  
**Sent:** Monday, January 02, 2017 10:47 AM  
**To:** City General Mailbox Account  
**Subject:** Let Us Know

Submission information

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Submitter DB ID : 16212  
Submitter's language : Default language  
IP address : 66.87.69.45  
Time to take the survey : 6 min. , 29 sec.  
Submission recorded on : 1/2/2017 10:46:39 AM

Survey answers

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Thank you for contacting the City of Albany and doing your part to make our 1.5 square miles a little bit better!

What is the nature of your request?

Service False  
Question False  
Solution/Idea True  
Compliment False  
Complaint False

Your request most closely relates to:

Construction Issues   
Website   
Storm Drain   
Landscaping   
Park Maintenance   
Recreation & Community Services   
Sidewalk Repair   
City Clerk   
City Council   
Street Maintenance   
Street Sweeping   
Urban Forestry   
Special Events   
Police & Fire   
General   
Other  Cross

Please fill out the following fields so that we may contact you in the event we have a question about the information you've provided. This is optional.

Name: Dyana Vukovich  
Address: 720 Madison St.  
City: Albany  
State: CA  
Zip: 94706  
Phone Number: 510-525-7560  
Email Address: dyanahv@earthlink.net  
I would like to be contacted by someone from the City Albany.<br /><br /> []  
I would NOT like to be contacted by the City of Albany []

Please tell us why you are contacting us today:

Just wanted to thank you for the stand you have taken regarding the cross on our hill. I was raised in a Christian home and have lived below that cross for close to 25 years. It has always disturbed me, especially in regards to my Muslim and Jewish neighbors, who also live on the hill. I would either like the cross removed or that its location be explicitly dedicated to nonsectarian gatherings.

Thank you for continuing to represent my voice in your proceedings. May the Force be with us in 2017.

Dyana Vukovich

Eileen Harrington

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**From:** M S <muey.saechao@gmail.com>  
**Sent:** Sunday, January 15, 2017 9:27 AM  
**To:** citycouncil  
**Subject:** Thank you! Albany Hill Cross

Dear Council Members,

I wanted to say thank you to each of you that have supported the removal of the big cross on Albany hill. My first thoughts when I saw this religious symbol was that I was not welcome unless I was maybe Christian or a specific Christian & that perhaps I'm trespassing on private property. Your fairness in looking into alternatives so that a public, shared area can be just that, has given me shared hope for a better future. This is an important step for the city to be inclusive. I hope the Lions Club will see this & work with the community so that we can all be respected, and not just one belief is up on display. Again, thank you. You're representing my views along with many people I know and we appreciate that. All the best for a more compassionate, transparent, progressive and hopeful 2017.

Warm regards,

Muey Saechao



Hugh Caley  
535 Pierce St. Apt. 2314  
Albany, CA 94706

Albany City Council  
Attn: City Clerk  
1000 San Pablo Avenue  
Albany CA, 94706

December 29, 2016

To the Albany City Council:

My name is Hugh Caley and My wife Eleanore and I have been residents and homeowners in Albany for nearly 20 years. We love it here.

I'm a night owl, and most nights I walk around the area, usually around Albany Hill. I'm getting really annoyed by the automated flood lights that are so common around here; they're startling and some are quite painful on my dark-adapted eyes.

I have no problem with people who want to light their own walk ups, stoops and driveways, but why do I have to put up with them when I'm walking on public sidewalks?

I'd like to see a city ordinance that limits automated flood lights to the property owner's property only. That's fair, isn't it? Maybe a warning the first time, and after that a small fine for each violation.

I took a walk around and up Catherine's Walk, and I triggered at least seven of the things on Pierce, Hillside, and Washington, all while just walking by on the sidewalk. 873 Hillside has a huge, painful pair of floods that trigger even if I walk by on the sidewalk on the other side of the street! And several of the houses on Pierce run large floodlights that illuminate the sidewalk all night long, which I can't imagine their neighbors enjoy very much, let alone pedestrians.

Isn't it about time to enforce a little sanity in local illumination?

Thank you for your time.

Hugh

A handwritten signature in black ink, appearing to read "Hugh Caley". The signature is written in a cursive, flowing style with a long horizontal stroke extending to the right.

# Memo from

M. A. ZAVALA

12/29/16

To Albany's City Council:

As a former immigrant to this country I feel the Council has disappointed me by in herently siding with the anti-cross few who want darkness instead of the light of belief.

The cross on the Albany hill — public place or not — reflects the spiritual animus that gave birth to the U.S. It was founded by Christians.

If you come to this country you must defer to its founding spirit. Otherwise you should go where christianity is not its spiritual foundation.

It takes conviction & courage to preserve your beliefs. You have melted before political pressure.

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P.S. Can you read this before you ignore it? 