



Housing Authority  
of the  
City of Alameda

**PHONE:** (510) 747-4300  
**FAX:** (510) 522-7848  
**TTY/TRS:** 711

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701 Atlantic Avenue • Alameda, California 94501-2161

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**AGENDA**  
**DATE & TIME**

**REGULAR MEETING OF THE BOARD OF COMMISSIONERS**  
**Wednesday, October 19, 2022 - 7:00 PM**  
**Closed Session - 6:00 pm**

**LOCATION**

Independence Plaza, 703 Atlantic Avenue, Alameda, CA

**PUBLIC PARTICIPATION**

Public access to this meeting is available as follows:

Join Zoom Meeting:

<https://us06web.zoom.us/j/81499349988?pwd=aE5KbzN6WThWa3ZGdDk0TmF4NnpuUT09>

Meeting ID: 814 9934 9988

Passcode: 931660

Persons wishing to address the Board of Commissioners are asked to submit comments for the public speaking portion of the Agenda as follows:

- Send an email with your comment(s) to [jpolar@alamedahsg.org](mailto:jpolar@alamedahsg.org) and [vcooper@alamedahsg.org](mailto:vcooper@alamedahsg.org) prior to or during the Board of Commissioners meeting
- Call and leave a message at (510) 871-7435.

When addressing the Board, on agenda items or business introduced by Commissioners, members of the public may speak for a maximum of three minutes per agenda item when the subject is before the Board.

Persons in need of special assistance to participate in the meetings of the Housing Authority of the City of Alameda Board of Commissioners, please contact (510) 747-4325 (voice), TTY/TRS: 711, or [jpolar@alamedahsg.org](mailto:jpolar@alamedahsg.org). Notification 48 hours prior to the meeting will enable the Housing Authority of the City of Alameda Board of Commissioners to make reasonable arrangements to ensure accessibility or language assistance.

**PLEDGE OF ALLEGIANCE**

1. **ROLL CALL**
2. **BOARD COMMISSIONER RECUSALS**



3. Public Comment (Non-Agenda)
4. Closed Session - 6:00 p.m. - Adjournment to Closed Session to Consider:
  - 4.A. Closed Session: Purpose: Executive Director Evaluation for 2021-22.
  - 4.B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8.  
Property Location: 401 Willie Stargell Avenue, Alameda, CA 94501  
Assessor's Parcel Numbers: 074-0905-042-03  
Agency Negotiators: Vanessa Cooper, Executive Director, Stephanie Shipe, Director of Portfolio Management, and Cheley Quiambao, Asset Manager  
Negotiating Parties: Housing Authority of the City of Alameda and Shinsei Gardens Apartments, L.P.  
Property Owner: Shinsei Gardens Apartments, L.P.  
Under Negotiation: Exercise of purchase option and right of first refusal.
  - 4.C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8.  
Property Location: 1825 Poggi Street Alameda, CA 94501  
Assessor's Parcel Numbers: 74-451-1-8  
Agency Negotiation: Vanessa Cooper, Executive Director and Sylvia Martinez, Director of Housing Development  
Negotiating Parties: Housing Authority of the City of Alameda and Vue Alameda Owner L.P.  
Property Owner: Vue Alameda Owner L.P.  
Under Negotiation: Investment in Real Property, Price and Terms of Payment
5. Adjournment of Closed Session
6. RECONVENE REGULAR MEETING - 7:00 p.m.
7. Announcement of Action Taken in Closed Session, if any.
8. Public Comment (Non-Agenda)
9. CONSENT CALENDER  
Consent Calendar items are considered routine and will be approved or accepted by one motion unless a request for removal for discussion or explanation is received from the Board of Commissioners or a member of the public.
  - 9.A. Approve Minutes of the Regular Board of Commissioner Meeting held June 15, 2022 and the Special Board of Commissioners Meeting held September 29, 2022. **Page 4**
  - 9.B. Elect a Chair and Vice Chair of the Board of Commissioners. **Page 20**
  - 9.C. Authorize the Executive Director or designee to negotiate and execute a 3 year contract with a third party property manager in the amount not to exceed \$2,000,000 for third party management for the following properties: All AHA owned properties. **Page 22**
  - 9.D. Accept the Monthly Development Report for Rosefield Village. **Page 26**



- 9.E. Accept the report on the 2022 Landlord Outreach Survey. **Page 31**
10. AGENDA
- 10.A. LifeSTEPS Presentation. **Page 41**
- 10.B. Review the Compensation Study and adopt the corresponding resolution to adopt a revised pay schedule and adopt a change to the vacation accrual cap in the Employee Handbook. **Page 43**
- 10.C. Adopt Resolution of the Board of Commissioners of the Housing Authority of the City of Alameda Ratifying the Proclamation of a State of Emergency by the Governor of the State of California on March 4, 2021, and Making Findings Authorizing Continued Remote Teleconference Meetings of the Board of Commissioners Pursuant to Brown Act Provisions, as amended by Assembly Bill No. 361. **Page 52**
11. ORAL COMMUNICATIONS, Non-Agenda (Public Comment)
12. EXECUTIVE DIRECTOR'S COMMUNICATIONS
13. COMMISSIONER COMMUNICATIONS, (Communications from the Commissioners)
14. CONTINUATION OF CLOSED SESSION OF HOUSING AUTHORITY BOARD OF COMMISSIONERS – IF NEEDED
15. Announcement of Action Taken in Closed Session, if any.
16. ADJOURNMENT

\* \* \* Note \* \* \*

- Documents related to this agenda are available on-line at:  
<https://www.alamedahsg.org/meetings/>
- Know Your RIGHTS Under The Ralph M. Brown Act: Government's duty is to serve the public, reaching its decisions in full view of the public. The Board of Commissioners exists to conduct the business of its constituents. Deliberations are conducted before the people and are open for the people's review. In order to assist the Housing Authority's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the Housing Authority accommodate these individuals.





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**DRAFT MINUTES  
REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
WEDNESDAY, JUNE 15, 2022**

**PLEDGE OF ALLEGIANCE**

**1. ROLL CALL**

Present: Chair Tamaoki, Commissioner Hadid  
Commissioner Rickard, and Commissioner Sidelnikov

Absent: Commissioner Grob & Commissioner Mun

**2. BOARD COMMISSIONER RECUSALS**

None.

**3. Public Comment (Non-Agenda)**

None.

**4. Closed Session - 6:00 p.m. - Adjournment to Closed Session to Consider:**

Chair Tamaoki called the meeting to order at 6:00 p.m. and announced that the Board would adjourn to Closed Session.

**4.A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8.**

Property Location: 1845 Bay Street, Alameda, CA 94501, 1825 Paru Street, Alameda, CA 94501, 1416 Sherman Street, Alameda, CA 94501, 745 Lincoln Avenue, Alameda, CA 94501, 2102 Clement Avenue, Alameda, CA 94501, 2116 Clement Avenue, Alameda, CA 94501, 1911 Mulberry Street, Alameda, CA 94501, 2101 Eagle Avenue, Alameda, CA 94501, 2137 Otis Drive, Alameda, CA 94501, 2209 Otis Drive, Alameda, CA 94501, 1825 Shoreline Drive, Alameda, CA 94501, 955 Shorepoint Court, Alameda, CA 94501, 955



Shorepoint Court, Alameda, CA 94501, 955 Shorepoint Court, Alameda, CA 94501, 965 Shorepoint Court, Alameda, CA 94501  
Assessor's Parcel Numbers: 73-425-1, 72-384-68, 72-345-25-1, 73-414-14, 71-228-3, 71-228-10, 71-228-24, 71-228-46, 71-228-46, 74-1230-104, 74-1230-129, 74-1250-17, 74-1285-300, 74-1285-275, 74-1285-272, 74-1285-220  
Agency Negotiation: Vanessa Cooper, Executive Director, Stephanie Shipe, Director of Portfolio Management, Sylvia Martinez, Director of Housing Development and Cheley Quiambao, Asset Manager  
Negotiating Parties: Housing Authority of the City of Alameda and Alameda Affordable Housing Corporation  
Property Owner: Housing Authority of the City of Alameda  
Under Negotiation: Investment in Real Property, Price and Terms of Payment

- 4.B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8.  
Property Location: 1825 Poggi Street Alameda, CA 94501  
Assessor's Parcel Numbers: 74-451-1-8  
Agency Negotiation: Vanessa Cooper, Executive Director and Sylvia Martinez, Director of Housing Development  
Negotiating Parties: Housing Authority of the City of Alameda and Vue Alameda Owner L.P.  
Property Owner: Vue Alameda Owner L.P.  
Under Negotiation: Investment in Real Property, Price and Terms of Payment
- 4.C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR Pursuant to Government Code Section 54956.8.  
Property Location: 1628 Webster Street, Alameda CA 94501  
Assessor's Parcel Number 73-418-4-1  
Agency Negotiators: Vanessa Cooper, Executive Director, and Sylvia Martinez, Director of Housing Development, Negotiating Parties: Alameda Hospitality, LLC; Under Negotiation: Price and Terms of Payment.
- 4.D. Pursuant to Government Code Section 54956.9(a)  
Conference with Legal counsel re existing litigation: Housing Authority of the City of Alameda v. Johnson, Alameda County Superior Court No. RG18-933615
- 4.E. Pursuant to Government Code Section 54956.9(a)  
Conference with Legal counsel re existing litigation: Housing Authority of the City of Alameda v. Camanag, Alameda County Superior Court No. RG21109420
5. Adjournment of Closed Session

Chair Tamaoki adjourned Closed Session at approximately 7:35 p.m.

6. RECONVENE REGULAR MEETING - 7:00 p.m.

Chair Tamaoki reconvened the Regular Meeting at approximately 7:36 p.m.



## 7. Announcement of Action Taken in Closed Session, if any.

Chair Tamaoki announced that the Board provided direction to staff on items 4.A through 4.E.

## 8. Public Comment (Non-Agenda)

No Public Comments.

The Housing Authority of the City of Alameda (AHA) Summer Interns introduced themselves and provided a brief overview of their areas of study(ies) and the AHA projects on which they are working.

9. CONSENT CALENDER

Consent Calendar items are considered routine and will be approved or accepted by one motion unless a request for removal for discussion or explanation is received from the Board of Commissioners or a member of the public.

- \*9.A. Approve Minutes of the Board of Commissioners Meeting held May 18, 2022.
- \*9.B. Accept the Communications and Outreach Plan Update.
- \*9.C. Accept the Monthly Overview Report for Housing Development.
- \*9.D. Accept the Monthly Development Report for Rosefield Village.
- \*9.E. Accept Revised Procurement Policy.
- \*9.F. Accept the Monthly Overview Report for the Alameda Rent Program and Authorize the Executive Director or Designee to take all actions necessary to transfer the Program to the City, by the target date of October 1, 2022, including, if necessary, issuing a 180-day notice to the City.

**Items accepted or adopted are indicated by an asterisk.**

Commissioner Sidelnikov moved to accept the Consent Calendar items, and Commissioner Rickard seconded the motion. This meeting took place via Zoom, so a roll call vote was taken, and the motion passed unanimously.

Yes	4	Chair Tamaoki, Commissioner Hadid, Commissioner Rickard, and Commissioner Sidelnikov
Absent	2	Commissioner Grob and Commissioner Mun

10. AGENDA

## 10.A. Moving To Work Presentation.



Tonya Schuler-Cummins, Principal Management Analyst provided a presentation that summarized the activities included in AHA's MTW Application, other activities to implement in year 1, and other activities to implement after year 1, noting that none of these include activities that were prohibited by Landlord Incentive Cohort PIH Notice, and the tentative MTW Implementation Timeline.

Vanessa Cooper, Executive Director clarified that within the parameters of this cohort, AHA is not limited to offering the proposed items as incentives, but can choose other items to waive as incentives.

The Board expressed gratitude for the detailed presentation.

- 10.B. Establish a Nominating Ad Hoc Committee for the Appointment of the Chair and Vice Chair of the Board of Commissioners for the Period of July 1, 2022 - June 30, 2023.

Ms. Cooper stated that per the bylaws, prior to the next regular meeting, the Board will need to nominate a Chair and Vice-Chair. In keeping with practice, Ms. Cooper requested two volunteers to serve on the Ad Hoc Committee which will receive and/or provide nominations for these positions.

Chair Tamaoki volunteered to serve on the Ad-Hoc Committee.

In response to Chair Tamaoki, Jhaila R. Brown, General Counsel clarified that the only action that can take place during this meeting is the establishment of a nominating Ad-Hoc Committee.

Commissioner Sidelnikov volunteered to serve on the Ad-Hoc Committee.

Chair Tamaoki moved to establish a nominating Ad Hoc Committee for the appointment of the Chair and Vice Chair of the Board of Commissioners for the Period of July 1, 2022 - June 30, 2023, and Commissioner Sidelnikov seconded the motion. This meeting took place via Zoom, so a roll call vote was taken, and the motion passed unanimously.

Yes	4	Chair Tamaoki, Commissioner Hadid, Commissioner Rickard, and Commissioner Sidelnikov
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Absent	2	Commissioner Grob and Commissioner Mun
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- 10.C. Approve Amended and Restated Island City Development (ICD) Bylaws and Accept Names for Appointee to the ICD Board.



Sylvia Martinez, Director of Housing Development provided a presentation that summarized the proposed amendments to be made to the ICD Bylaws.

In response to Chair Tamaoki, Ms. Cooper stated that, in an effort to keep the Board informed of ICD actions, the staff is looking to temporarily assign a Board member to fill Commissioner Grob's seat during her absence. This position is not needed to constitute a quorum, but is preferred in order to keep the Board informed of ICD business.

Following discussion, Ms. Brown confirmed that, as there are no current vacancies on the ICD Board, the Board would first need to remove Commissioner Grob from her ICD Board position in order to appoint an alternative to serve in her absence. Ms. Martinez confirmed that the Board of Commissioners nominate all ICD Board Members.

Commissioner Rickard moved to appoint Commissioner Sidelnikov, to fill the seat held by Commissioner Grob, upon expiration, if needed, and Commissioner Hadid seconded the motion. This meeting took place via Zoom, so a roll call vote was taken, and the motion passed unanimously.

Yes	4	Chair Tamaoki, Commissioner Hadid, Commissioner Rickard, and Commissioner Sidelnikov
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Absent	2	Commissioner Grob and Commissioner Mun
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Commissioner Rickard moved to approve the amended and restated Island City Development (ICD) Bylaws, and Commissioner Sidelnikov seconded the motion. This meeting took place via Zoom, so a roll call vote was taken, and the motion passed unanimously.

Yes	4	Chair Tamaoki, Commissioner Hadid, Commissioner Rickard, and Commissioner Sidelnikov
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Absent	2	Commissioner Grob and Commissioner Mun
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10.D. Authorize the Executive Director to Negotiate and Execute a Purchase and Sale Agreement for 1628 Webster Street.

Ms. Martinez provided a presentation that summarized the Purchase and Sale agreement for 1628 Webster Street, and the staff request made as Agenda item 10.E.

In responses to Chair Tamaoki, Ms. Martinez stated that affordable housing developments operated by ICD are typically done so as nonprofits and file for the welfare tax exemption every year; so, they do not get the automatic





governmental exemption. As this property is expected to be 100 percent affordable, it is not expected that there will be challenges getting the governmental exemption. While at this time it is planned that ICD will take ownership of this property under an LLC, as the sole member and manager, the purchase agreement provides the right for AHA to assign the contract to a different ownership structure. As this transaction is scheduled for 2023, the new ownership structure that is being contemplated for some of the other properties may be considered for this property.

Commissioner Hadid moved to authorize the Executive Director to Negotiate and Execute a Purchase and Sale Agreement for 1628 Webster Street, and Commissioner Sidelnikov seconded the motion. This meeting took place via Zoom, so a roll call vote was taken, and the motion passed unanimously.

Yes            4    Chair Tamaoki, Commissioner Hadid,  
Commissioner Rickard, and Commissioner Sidelnikov

Absent        2    Commissioner Grob and Commissioner Mun

- 10.E. Authorize the Executive Director, or her designee, to Execute an Option for Island City Development, or its affiliate, to purchase the Improvements at 1628 Webster Street.

Discussed with item 10.D.

Commissioner Hadid moved to authorize the Executive Director, or her designee, to Execute an Option for Island City Development, or its affiliate, to purchase the Improvements at 1628 Webster Street, and Commissioner Sidelnikov seconded the motion.

Yes            4    Chair Tamaoki, Commissioner Hadid,  
Commissioner Rickard, and Commissioner Sidelnikov

Absent        2    Commissioner Grob and Commissioner Mun

- 10.F. Adopt Resolution of the Board of Commissioners of the Housing Authority of the City of Alameda Ratifying the Proclamation of a State of Emergency by the Governor of the State of California on March 4, 2021, and Making Findings Authorizing Continued Remote Teleconference Meetings of the Board of Commissioners Pursuant to Brown Act Provisions, as amended by Assembly Bill No. 361.

Ms. Cooper stated that this Resolution must be adopted by the Board every 30 days in order to continue hosting meetings online, if adopted during this meeting, a meeting will need to be held during the week of July 11<sup>th</sup> in order to readopt



the Resolution and consider the Chair and Vice-Chair nominations from the Ad Hoc Committee.

Commissioner Sidelnikov moved to adopt the Resolution of the Board of Commissioners of the Housing Authority of the City of Alameda Ratifying the Proclamation of a State of Emergency by the Governor of the State of California on March 4, 2021, and Making Findings Authorizing Continued Remote Teleconference Meetings of the Board of Commissioners Pursuant to Brown Act Provisions, as amended by Assembly Bill No. 361, and Commissioner Hadid seconded the motion.

Yes	4	Chair Tamaoki, Commissioner Hadid, Commissioner Rickard, and Commissioner Sidelnikov
Absent	2	Commissioner Grob and Commissioner Mun

11. ORAL COMMUNICATIONS, Non-Agenda (Public Comment)

None.

12. EXECUTIVE DIRECTOR'S COMMUNICATIONS

Ms. Cooper expressed gratitude to the Board for all the real estate action taken to prepare for this submission, congratulated Ms. Martinez for being awarded just over \$1M in funds from the City to allocate to the North Housing Project, expressed gratitude to the staff for all of the work being performed, and expressed gratitude to the Board for recognizing Juneteenth as an important marker of American history and approving it as an additional holiday; which will be observed on Monday, June 20, 2022.

The Board and Staff expressed gratitude for Commissioner Rickard's service, commitment, insight, and support of AHA's staff.

13. COMMISSIONER COMMUNICATIONS, (Communications from the Commissioners)

None.

14. CONTINUATION OF CLOSED SESSION OF HOUSING AUTHORITY BOARD OF COMMISSIONERS – IF NEEDED

N/A



15. Announcement of Action Taken in Closed Session, if any.

Chair Tamaoki adjourned the meeting at 8:40 p.m.

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Vanessa M. Cooper  
Secretary and Executive Director

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Kenji Tamaoki, Acting Chair  
Board of Commissioners





**DRAFT MINUTES  
SPECIAL MEETING OF THE BOARD OF COMMISSIONERS  
THURSDAY, SEPTEMBER 29, 2022**

**PLEDGE OF ALLEGIANCE**

**1. ROLL CALL**

Chair Tamaoki called the meeting to order at 7:00 p.m.

Present: Chair Tamaoki, Commissioner Hadid,  
Commissioner Husby, Commissioner Joseph-Brown  
Commissioner Kaufman, and Commissioner Sidelnikov

Absent: Commissioner Grob

The Board recognized and welcomed the three newly appointed Commissioners; Commissioner Husby, Commissioner Joseph-Brown, and Commissioner Kaufman. Each of the Commissioners introduced themselves and provided a brief overview of their educational, professional, and personal backgrounds.

**2. BOARD COMMISSIONER RECUSALS**

None.

**3. Public Comment (Non-Agenda)**

None.

**4. CONSENT CALENDER**

Consent Calendar items are considered routine and will be approved or accepted by one motion unless a request for removal for discussion or explanation is received from the Board of Commissioners or a member of the public.

4.A. Approve Minutes of the Board of Commissioners Meeting held June 15, 2022.

\*4.B. Approve New Payment Standards for the Section 8 Housing Choice Voucher



(HCV) , Project Based Voucher (PBV), and Emergency Housing Voucher (EHV) Programs.

- \*4.C. Approve Updates and Revisions to Strategic Plan.
- \*4.D. Accept the Annual Police Activity Report for FY2021-2022.
- \*4.E. Provide Input on a Development Naming Policy.
- \*4.F. Accept the Quarterly Development Report for Tilden Commons.
- \*4.G. Accept the Quarterly Development Report for Alameda Hotel Conversion.
- \*4.H. Accept the Quarterly Development Report for North Housing PSH I.
- \*4.I. Accept the Quarterly Development Report for North Housing PSH II.
- \*4.J. Accept the Quarterly Development Report for North Housing Senior Apartments.
- \*4.K. Accept the Monthly Development Report for Rosefield Village.
- \*4.L. Accept the Quarterly Financial Report through the Month of June 2022.
- \*4.M. Accept the Quarterly Investment Report for Period Ending June 30, 2022.
- \*4.N. Adopt a Fee Schedule for Third Party Real Estate Transactions.
- \*4.O. Accept a report on the revised Board of Commissioners Application Form.
- \*4.P. Accept a Report on the Pilot Program for a Training Allowance for Staff.
- \*4.Q. Accept an update on the draft Moving to Work (MTW) Supplement to the Agency's Annual Plan.
- \*4.R. Accept Report on Wait List Applicants
- \*4.S. Accept the Executive Summary of the Annual Customer Survey.
- \*4.T. Authorize the Executive Director to negotiate and approve an increase in the contract amount between the Alameda Housing Authority and Goldfarb & Lipman LLP in the amount of Two Hundred Thousand Dollars and Zero cents (\$200,000.00) for a total not to exceed amount of Nine Hundred Thousand dollars and Zero cents (\$900,000.00) and extend the contract for an additional year through October 23, 2023.
- \*4.U. Accept the Update on the Portfolio Capital Needs Assessment.
- \*4.V. Adopt a Backfill Policy for Development Project Applications.
- \*4.W. Accept Quarterly Report on Construction in Progress.
- \*4.X. Approve and authorize the Executive Director or Designee to take all necessary actions to recast the existing North Housing predevelopment loan and other loan commitments between the Housing Authority and Island City Development as a grant from the Housing Authority to Alameda Affordable Housing Corporation for business needs.

**Items accepted or adopted are indicated by an asterisk.**

Due to his absence of the June 15, 2022 Regular Board of Commissioners



Meeting, Commissioner Hadid abstained from voting on item 4.A. Due to the lack of a quorum, Vanessa Cooper, Executive Director pulled item 4.A. Ms. Cooper will request Legal Counsel's guidance on establishing a quorum for the approval of this item.

At the request of Commissioner Sidelnikov, Chair Tamaoki pulled item 4.D to be discussed.

Commissioner Sidelnikov requested that future reports include a breakdown on the types of activities taking place on Housing Authority (AHA) property. Having insight to these activities will allow the Board and AHA to have better informed discussions about how to address such situations.

Commissioner Tamaoki moved to accept Consent Calendar items 4.B through 4.X. The motion passed unanimously.

Yes	6	Chair Tamaoki, Commissioner Hadid, Commissioner Husby, Commissioner Joseph-Brown Commissioner Kaufman, and Commissioner Sidelnikov
Absent	1	Commissioner Grob

## 5. AGENDA

### 5.A. Elect a Chair and Vice Chair of the Board of Commissioners.

Ms. Cooper informed the Board that as a result of the June 2022 solicitation for nominations, staff received recommendations for the following Board positions, for FY 2022-2023:

Chair: Carly Grob  
Vice-Chair: Kenji Tamaoki

Commissioner Sidelnikov moved to accept the recommendations and Commissioner Hadid seconded the motion. The motion passed unanimously.

Yes	6	Chair Tamaoki, Commissioner Hadid, Commissioner Husby, Commissioner Joseph-Brown Commissioner Kaufman, and Commissioner Sidelnikov
Absent	1	Commissioner Grob

### 5.B. Adopt the Resolution to Revise the Employer's Contributions for Eligible Employees' Health and Dental/Vision Care, to Provide a Cost of Living Wage Increase for All Eligible Regular and Contract Resident Employees, Adopt the



Corresponding Pay Schedule and Salary Schedule, and to Adopt the Revised Schedule of Authorized Positions.

Ms. Basta explained that each August staff comes before the Board with a request to grant a COLA increase to AHA Staff, as well as review health and dental insurance contributions for the upcoming year. As in previous years, AHA referred to the Bay Area Consumer Price Index (CPI) when determining the recommended COLA. During the period of June 2021 through June 2022, the CPI increased to 6.8% which was higher than the increase last year, primarily due to increases in gas and food. The FY 2022-23 budget approved by the Board, in May 2022, included a COLA increase of 4.2%. Therefore, funds are available to provide up to a 4.2% COLA increase if approved by the Board. While in past years staff has provided two recommendations for the COLA increase, one based on the actual COLA and the other based on the budget, this year staff has only one recommendation for a COLA of 4.2%. If the Board grants the proposed COLA, staff proposes that it be retroactive back to August 28, 2022, which is the pay date following the originally scheduled August Board Meeting.

Exhibits 1 and 2, included with the memo, provide the Salary Schedule which reflects the available pay ranges for use by AHA. The Pay Schedule reflects the monthly pay ranges, including the proposed COLA, of the positions currently held within the agency. The Executive Director is assigned only two pay ranges. One at the current level and one that includes a 5% increase, should the Board elect to grant the increase at the time of her review.

Staff is also requesting changes to the Schedule of Authorized Positions, which will impact the Pay Schedule. While the Schedule of Authorized Positions was presented to the Board back in May 2022, along with the Budget, since then there has been some turnover. As a result of this turnover staff is proposing changes in staffing, including not filling the currently vacant positions of Maintenance Technician and two Housing Specialist positions in the Housing Programs Dept. Staff is requesting to add an additional Housing Specialist III position, for a total of two - one will help to provide additional capacity in the Family Self Sufficiency (FSS) Program and as AHA implements the MTW activities. The second position will provide additional support in the leasing activities which are expected to increase in the upcoming years. Considering the increase in the number of units owned and the specialized nature of Asset Management, staff is also proposing the addition of a Director of Asset Management position. As it has been challenging to hire at the Management Analyst level, staff requesting that Management Analyst positions be hired at either the Standard or Senior Management Analyst level. Doing so will allow the agency the flexibility to hire according to the experience and skill set of applicants and be able to compensate the applicants according to their education, experience, and skill set. The presented Schedule of Authorize Positions reflects the elimination of the Rent Program positions which were



scheduled to end by September 30, 2022 and are all now held by the City of Alameda. This schedule also reflects two pay levels for Resident Manager and Resident Manager II positions. Staff is proposing two pay levels for these positions to allow for compensation when the respective staff are assigned additional duties temporarily (i.e., leasing up). Implementation of the higher wage levels will require written authorization by the Executive Director and/or Director of HR and Operations. The Schedule of Authorized positions also includes an update on the recruitment status of the Deputy Executive Director position. This position is fully budgeted to begin January 1, 2023. AHA expects to begin the recruitment for this position within the next month.

Chair Tamaoki called for public comment at approximately 7:23 p.m.

Mariel Rivera, Resident Manager at Independence Plaza addressed the Board to request an increase of the Sick Leave time for Resident Managers (RMs). Ms. Rivera provided details of her concerns.

Ms. Cooper stated that AHA is currently conducting a compensation study of all regular positions and plans to return to the Board next month to propose additional changes to the Salary Schedule. While the property management staff positions can be included in this study, the changes for these positions will be considered differently because of the housing benefit afforded to the RMs and results may not be available for the October Board Meeting.

In response to Commissioner Kaufman, Ms. Cooper stated that requests for unpaid/unapproved leave can be made through a request for a Reasonable Accommodation. Responding to Commissioner Joseph-Brown, Ms. Rivera clarified that RMs are currently granted three sick leave days per year. Ms. Cooper clarified that up to an additional 10 days are provided for COVID. In response to the recommendation made by legal counsel, Chair Tamaoki requested that Ms. Cooper include in a future Board agenda a discussion of AHA's leave policies, and if available, include any feedback from the compensation experts on what leave policies are common in the industry.

Chair Tamaoki expressed his gratitude for AHA adding a Director of Asset Management position. Recognizing the complexities that are faced as our properties get older and as properties end year 15 of the tax ready compliance period, having a more senior staff member to address these matters will be beneficial.

Ms. Basta stated that in terms of health care benefits, in keeping with tradition, staff is requesting approval of an employer contribution equivalent to the level of coverage for employee plus two or more dependents of the HMO program available through Kaiser. While health care was budgeted at a 10% increase, Kaiser premiums only increased by 6.61%, so there are adequate funds available to cover the full increase, which will go into effect January 2023. Staff





is also requesting approval of an up to 7% increase in dental insurance premiums, which employees can use towards dental and/or vision. While a 5% increase was budgeted for and it is not anticipated that dental premiums will increase by 7%, should that be the case, the difference in premium between a 5% increase and a 7% increase, approximately \$60 per staff member, would be absorbed by the savings in health care. If the increase in dental premium comes in at less than 7%, the increase will be benchmarked to the actual premium. Staff is not recommending any change to the cash back alternative which is currently set at \$230 per month. The total cost of the recommended COLA, including CALPERS contributions, is approximately \$321k per year and has been budgeted. The budget also included \$100k for the compensation study. The possible savings accrued through the proposed elimination of the Maintenance Technician position and two Housing Specialist positions, will be adequate for the hiring of the proposed Housing Specialist III and Director of Asset Manager positions.

In response to Commissioner Hadid, Ms. Basta confirmed that the Salary and Pay Schedules reflect the implementation of the proposed 4.2% COLA. While the June 2021 – June 2022 CPI increased 6.8%, which was more than anticipated, the August figures reflected a decrease to 5.7%. Ms. Basta also stated staff expects to present of the results of the compensation study, at the next Board Meeting, and expects that the Board will also be presented with proposals to increase salaries of some positions as a result of the study.

Commissioner Sidelnikov stated that he is eager to receive the results of the compensation study in order to identify ways in which staff can be better compensated. While the organization as a whole works well, an underlying factor in staff retention is competitive benefits and compensation packages. Commissioner Sidelnikov expressed gratitude for staff's patience in having this matter heard and the proposal to instate the proposed COLA retroactively.

Commissioner Hadid moved to adopt the Resolution to Revise the Employer's Contributions for Eligible Employees' Health and Dental/Vision Care, to Provide a Cost of Living Wage Increase for All Eligible Regular and Contract Resident Employees, Adopt the Corresponding Pay Schedule and Salary Schedule, and to Adopt the Revised Schedule of Authorized Positions and Commissioner Kaufman seconded the motion. A roll call vote was taken, and the motion passed unanimously.

Yes	6	Chair Tamaoki, Commissioner Hadid, Commissioner Husby, Commissioner Joseph-Brown Commissioner Kaufman, and Commissioner Sidelnikov
Absent	1	Commissioner Grob



5.C. Adopt the Resolution to Revise the Housing Authority's Conflict of Interest Code.

Alicia Southern, HR Manager stated that as required, every two years, on even years, staff is required to update the Conflict of Interest Code. This year the updates being presented are the additions and eliminations of positions as reflected in Appendix A.

Commissioner Sidelnikov moved to adopt the Resolution to Revise the Housing Authority's Conflict of Interest Code and Commissioner Hadid seconded the motion. A roll call vote was taken, and the motion passed unanimously.

Yes	6	Chair Tamaoki, Commissioner Hadid, Commissioner Husby, Commissioner Joseph-Brown Commissioner Kaufman, and Commissioner Sidelnikov
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Absent	1	Commissioner Grob
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5.D. Adopt Resolution of the Board of Commissioners of the Housing Authority of the City of Alameda Ratifying the Proclamation of a State of Emergency by the Governor of the State of California on March 4, 2021, and Making Findings Authorizing Continued Remote Teleconference Meetings of the Board of Commissioners Pursuant to Brown Act Provisions, as amended by Assembly Bill No. 361.

Ms. Cooper expressed gratitude for the in-person attendance of the Board and staff members and stated that this Resolution must be adopted by the Board every 30 days in order to continue hosting meetings online. The adoption of this Resolution will allow for the next Board Meeting to be hosted as a hybrid (in-person/on-line) meeting.

Following discussion surrounding the pros and cons of continuing with the online format of Board meetings, Chair Tamaoki recommended that the next meeting be held in person to allow for the matter to be discussed further.

Commissioner Husby moved to adopt the Resolution of the Board of Commissioners of the Housing Authority of the City of Alameda Ratifying the Proclamation of a State of Emergency by the Governor of the State of California on March 4, 2021, and Making Findings Authorizing Continued Remote Teleconference Meetings of the Board of Commissioners Pursuant to Brown Act Provisions, as amended by Assembly Bill No. 361 and Commissioner Kaufman seconded the motion. A roll call vote was taken, and the motion passed unanimously.

Yes	6	Chair Tamaoki, Commissioner Hadid,
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Commissioner Husby, Commissioner Joseph-Brown  
Commissioner Kaufman, and Commissioner Sidelnikov

Absent      1      Commissioner Grob

6.      ORAL COMMUNICATIONS, Non-Agenda (Public Comment)

None.

7.      EXECUTIVE DIRECTOR'S COMMUNICATIONS

Ms. Cooper welcomed the new Board Commissioners, offered to provide them with a tour of the Rosefield Village property, and announced that AHA is in the process of setting up multi-factor authentication for all Commissioner email accounts. Ms. Cooper also recognized and expressed gratitude for Adrian Maestas's, Sr. Management Analyst work to set up the audio/visual equipment and staff for their attendance.

8.      COMMISSIONER COMMUNICATIONS, (Communications from the Commissioners)

Commissioner Hadid expressed gratitude for staff's work and attendance of the in-person meeting.

Chair Tamaoki expressed gratitude for the work that went in to setting up the Rosefield Village Grand Opening and launching of the new website.

9.      ADJOURNMENT

Chair Tamaoki adjourned the meeting at 7:54 p.m.

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Vanessa M. Cooper  
Secretary and Executive Director

---

Kenji Tamaoki, Acting Chair  
Board of Commissioners



To: Honorable Chair and Members of the Board of Commissioners

From: Vanessa Cooper, Executive Director

Date: October 19, 2022

Re: Elect a Chair and Vice Chair of the Board of Commissioners.

---

### **BACKGROUND**

Section 4 of the Rules and Procedures of the Housing Authority states: "The Chair and Vice Chair shall be elected by the Board of Commissioners from its membership at the first meeting after July 1st of each year when the Commission is fully constituted."

### **DISCUSSION**

Nominations for Board Chair and Board Vice Chair were solicited in June 2022 and an Ad-Hoc Committee was created. Staff received recommendations for the following positions for FY 2022 – 2023:

- Chair: Carly Grob
- Vice Chair: Kenji Tamaoki

The nomination and election process must be open according to provisions of the Brown Act; secret ballot voting is not permitted.

### **FISCAL IMPACT**

N/A

### **CEQA**

N/A

### **RECOMMENDATION**

Elect a Chair and Vice Chair of the Board of Commissioners.

### **ATTACHMENTS**

None



Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Vanessa Cooper". The signature is fluid and cursive, with a small flourish at the end.

Vanessa Cooper, Executive Director



**PHONE:** (510) 747-4300  
**FAX:** (510) 522-7848  
**TTY/TRS:** 711

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701 Atlantic Avenue • Alameda, California 94501-2161

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To: Honorable Chair and Members of the Board of Commissioners

From: Stephanie Shipe, Director of Portfolio Management

Date: October 19, 2022

Re: Authorize the Executive Director or designee to negotiate and execute a 3 year contract with a third party property manager in the amount not to exceed \$2,000,000 for third party management for the following properties: All AHA owned properties.

---

## **BACKGROUND**

The Housing Authority of the City of Alameda (AHA) has contracted for third party management for some of their properties since 2018. This includes all properties owned and managed by Island City Development and additional AHA/AAHC properties were added over time. In 2020, AHA signed a three-year contract with the John Stewart Company (JSCo) to manage most of our existing portfolio of properties totaling 242 units. The remaining 2 properties, Anne B Diamant and Independence Plaza are expected to transition to third party management on July 1, 2023 to align with the agency's fiscal year start and transfer will occur no later than December 31, 2023. The selected provider will also provide services for the upcoming new projects in the development pipeline.

JSCO will not be continuing third party property management services beyond December 31, 2022. In response, AHA posted a Request for Qualifications (RFQ) for third-party property management services with the assistance of Jack Geary, an independent consultant, in August 2022 and solicited a response from a wide range of qualified parties. Staff conducted a bidders' conference, interviews, and a review of submissions and AHA is conducting final discussion with two finalists. The two finalists are FPI Management ([www.fpimgt.com](http://www.fpimgt.com)) and WSH ([www.wshmgmt.com](http://www.wshmgmt.com)).

FPI is a national property management company with headquarters in Folsom, CA. FPI has over 50 years of experience and is currently operating in 17 states with a significant presence in California, including in Alameda and the East Bay. FPI manages 1,080 properties totaling 132,000 units and has 3,500 employees. FPI currently manages only one property in Alameda (Playa Del Alameda) but 13 more (totaling over 1,200 units) in Oakland, including affordable properties (Miley Gardens and Mark Twain). FPI also manages properties in Berkeley, San Francisco and the broader Bay Area. FPI's



management portfolio includes considerable affordable housing, including Low Income Housing Tax Credits (LIHTC) and subsidized housing, along with a large market-rate portfolio.

WSH (formerly Western Seniors Housing) is a Southern California-based company with headquarters in Irvine. WSH has been in business for 22 years and has 68 properties under management, totaling 5,084 units. WSH manages 35 low-income properties, including 3,100 LIHTC units and 1,500 HUD units, as well as market rate units and 21 properties owned by the City of Los Angeles Housing Authority. WSH manages 5 properties (445 units) in the broader Bay Area, including tax credit properties in Hayward, Oakland (2 properties), Milpitas, and Gilroy.

Both parties have experience with permanent supportive housing as needed for the upcoming North Housing I and II properties.

This decision is coming to the Board now as a transition period will be needed for staffing up and for coordinating the transition with JSCO. Staff is requesting authorization to negotiate with either party in the case that agreement cannot be found with the first ranked party.

## **DISCUSSION**

AHA is requesting Board authorization to contract with the chosen finalist to provide third-party property management services for the following properties according to the timeline listed below:

<b>Project Name</b>	<b>Address</b>	<b># units</b>	<b>Owner</b>	<b>Type</b>	<b>Estimated lease up start or take over date</b>
<u>Anne B Diamant Plaza</u>	920 Park Street	65	AAHC	Existing	On or before 01/01/24
<u>China Clipper Plaza</u>	460 Buena Vista Avenue	26	AAHC	Existing	On or before 01/01/23
<u>Eagle Village</u>	721 Eagle Avenue	36	AAHC	Existing	On or before 01/01/23
<u>Esperanza</u>	1903 Third Street	120	AAHC	Existing	On or before 01/01/23
<u>Independence Plaza</u>	703 Atlantic Avenue	186	AAHC	Existing	On or before 01/01/24
<u>Parrot Gardens</u>	1845 Bay Street	7	AHA	Existing	On or before 01/01/23
<u>Parrot Village</u>	1850 Wood Street	50	AAHC	Existing	On or before

					01/01/23
<u>Littlejohn Commons</u>	1301 Buena Vista Avenue	31	ICD	Existing	On or before 01/01/23
<u>Everett Commons</u>	2437 Eagle Avenue	20	ICD	Existing	On or before 01/01/23
<u>Scattered Sites</u>	<i>Various sites in Alameda</i>	52	AHA/AAHC	Existing	On or before 01/01/23
<u>Rosefield Village</u>	727 Buena Vista Avenue	92	ICD	Existing	On or before 01/01/23
<b><u>PIPELINE PROJECTS</u></b>					
Hawthorn Hotel Conversion	1628 Webster Street	50	TBD	Adaptive Reuse	6/1/2023
North Housing PSH 1	501 Mosley Avenue	45	TBD	New Construction	3/1/2025
North Housing PSH 2	501 Mosley Avenue	46	ICD	New Construction	12/1/2025
North Housing Senior	501 Mosley Avenue	64	ICD	New Construction	9/1/2025
Tilden Commons	2615 Eagle Avenue	40-50	ICD	New Construction	9/1/2025

The total contract amount for all properties (AHA, AAHC, and ICD) is not expected to exceed \$2,000,000 for the initial 3-year term. The Executive Director will execute separate contracts, where necessary for certain properties, but still within this total \$2,000,000 limit. The agreement will begin January 1, 2023 and run to December 31, 2025. This initial three (3) year term is renewable for up to two (2) years in one (1) year terms.

The price structure is expected to be no higher than as follows:

	2023	2024	2025	2026	2027
<b>Total Annual Estimated Cost</b>	\$ 580,310	\$ 609,326	\$ 639,792	\$ 671,781	\$ 705,370
		<b>3 YEAR</b>	<b>\$1,826,427</b>	<b>5 YEAR</b>	<b>\$3,206,579</b>

## **FISCAL IMPACT**



The fee structure is within budget and funds for these services will come from rental income from the properties they serve. It is important to note that although AHA is approving this master agreement, some of the services will be paid for by property budgets owned by AHHC and ICD. A similar memo is included in the budget for each legal entity.

**CEQA**

N/A

**RECOMMENDATION**

Authorize the Executive Director or designee to negotiate and execute a total 3 year contract with a third party property manager in the amount not to exceed \$2,000,000 for third party management for the following properties: All AHA owned properties.

**ATTACHMENTS**

None

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Stephanie Shipe', with a stylized flourish at the end.

Stephanie Shipe, Director of Portfolio Management

To: Honorable Chair and Members of the Board of Commissioners

From: Sylvia Martinez, Director of Housing Development

Date: October 19, 2022

Re: Accept the Monthly Development Report for Rosefield Village.

---

### **BACKGROUND**

The Housing and Community Development Department provides monthly reports on projects under construction where either the Housing Authority of the City of Alameda (AHA) or Island City Development (ICD) is acting as developer and provides performance guarantees.

The Rosefield Village project includes new construction of 78 units and renovation of 14 units, totaling 92 units, located on the 700 block of Buena Vista Avenue. ICD is the developer. The overall project scope includes both the rehabilitation of existing structures and the construction of a new building in the middle of the site. In addition to the 78 units, the new central building includes onsite laundry facilities, property management offices, social service coordination offices, a community room, and central courtyard with recreation areas. Twelve existing units, in five buildings, on the east and west sides of the new building will be renovated, and one house will be converted into a duplex. Please see previous monthly Board Reports for project details prior to this month's update.

### **DISCUSSION**

The new construction, rehab buildings, and landscaping are all complete. One non-tax credit unit is offline due to water connection issues, which is anticipated to be resolved by the end of first quarter 2023. This unit is not a tax-credit unit and thus does not substantially hold up the lease up of the property. Staff is tracking the obligations to the investor and is working diligently with the utility company to resolve the issue as soon as possible. The project has fulfilled relocation needs and all households that remained on-site through construction are in their permanent homes. The Grand Opening for this development was held on September 15, 2022 with attendance from the Executive Director of the California Tax Credit Allocation Committee, Assistant Deputy Director at the CA Housing & Community Development Department, Mayor and Council members of the City of Alameda, the County Supervisor, Enterprise, and many other lenders and supporters. Many staff members from throughout AHA contributed to the success of this



day, which was the first major public event held since the pandemic began. Our partners, John Stewart Company and Lifesteps were also involved in the planning, setup, and participation in the event.

### *Leasing*

Project staff is working with the Portfolio Management and Housing Programs Departments and the John Stewart Company (JSCo) to lease-up the site. The project received over 8,700 applications. The team has set-up leasing goals and is working diligently to get the project leased up to meet its underwriting targets. There are 68 tax credit units and 23 PBV units. All tenant files are being audited by both AHA and the investor for compliance with tax credit regulations. The AHA HPD and PM departments have provided exceptional support to this lease up. Staff have processed back up files for some units in order to ensure that the goals have been met.

Status	PBV Units	Tax Credit Units	Total
Moved In as of <a href="#">9/30/22</a>	23	65	88
To Move in	0	1	1
Held units	0	2	2
Total	23	68	91

### Future milestones:

Once the leasing is complete, the project will demonstrate stabilized occupancy (at least 95% occupancy for three months, with debt service coverage at 1:15 percent). The project will need to complete the cost certification process with the auditors, with the help of AHA Finance. Staff will begin to hold conversion calls in November, to bring all the funding parties back to the conversation to arrange for the payoff of the construction loan, final equity contributions, and conversion to the permanent loan. It is currently anticipated that conversion will occur in February 2023.

### **FISCAL IMPACT**

The final retention draw has been paid. There was a memo in the September Island City Development Board packet that discusses potential uses of cost savings from the development of this project. The cost certification process for tax credits has been initiated.

### **CEQA**

This item is not applicable.

### **RECOMMENDATION**

Accept the Monthly Development Report for Rosefield Village.

**ATTACHMENTS**

1. Rosefield Village Grand Opening Sept 2022

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Sylvia Martinez', with a stylized, cursive script.

Sylvia Martinez, Director of Housing Development

# ISLAND CITY DEVELOPMENT AND AFFILIATES CELEBRATE GRAND OPENING OF ROSEFIELD VILLAGE



1. Ribbon Cutting at Rosefield Village with Executive Director Vanessa Cooper, AHA Board members and funders.



2. Alameda County Supervisor Dave Brown presenting Vanessa Cooper (AHA) with a Commendation from the Alameda County Board of Supervisors.



3. Debbie Koppman stands in front of her work for the Rosefield Village private mural installation.

Island City Development along with the Housing Authority of the City of Alameda (AHA) celebrated the Grand Opening of the new affordable housing complex Rosefield Village. Residents, project development team members, AHA staff, AHA Board members, and funders came together to commemorate the event! Food and music were provided by local vendors while unit tours were offered, and attendees mingled in the charming outdoor courtyards. The event was an opportunity to have all involved with Rosefield Village project come together and meet the citizens they support through affordable housing development.

The amenity rich neighborhood now has an additional ninety-two units of affordable apartment homes with twice the required amount of ADA accessible apartments. Property amenities were highlighted during the event including: the nearly all electric new construction and rehabilitation of existing units, one, two, & three bedroom apartments and town homes, community room with kitchen, long-term and short-term bike parking, onsite laundry and elevator, outdoor courtyards with BBQ and children's play area, a hand painted mural by a local artist, and convenient access to transit stops, groceries, pharmacies, and the Webster commercial district. Through partnerships with LifeSTEPS and JSCO, residents will have access to on-site social services and property management.

Thank you to everyone who joined us in this celebration including, Executive Director Nancee Robles TCAC, Alameda County Supervisor Dave Brown, City of Alameda Mayor Marilyn Ezzy Ashcraft, Alameda City Councilmembers, HUD Regional Administrator Jason Pu, HCD Assistant Deputy Director Sasha Hauswald, Lokelani Nevin of Bank of America NA, Zohreh Khodabandelu of Enterprise Housing Credit Investments, LLC, County Housing and Community Development Staff and City of Alameda Community Development Staff.







Housing Authority  
of the  
City of Alameda

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**FAX:** (510) 522-7848  
**TTY/TRS:** 711

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To: Honorable Chair and Members of the Board of Commissioners

From: Sean Prevette, Administrative Manager

Date: October 19, 2022

Re: Accept the report on the 2022 Landlord Outreach Survey.

---

### **BACKGROUND**

Consultant Candace Capogrossi was asked by the Executive Director to conduct a survey focused on all owners renting properties to Housing Choice Voucher recipients. This Landlord Survey and introduction letter were distributed on June 22, 2022. Administration worked with the Consultant to collect the survey responses and analyze the results.

### **DISCUSSION**

See the attached report and support documents of the results from the 2022 Landlord Outreach Survey.

### **FISCAL IMPACT**

For information only and there is no financial impact.

### **CEQA**

N/A

### **RECOMMENDATION**

Accept the report on the 2022 Landlord Outreach Survey.

### **ATTACHMENTS**

1. Landlord Outreach Survey 2022 - Results Report
2. Landlord Outreach Survey 2022 - Survey Template

Respectfully submitted,

Sean Prevette, Administrative Manager







## LANDLORD SURVEY JUNE 2022

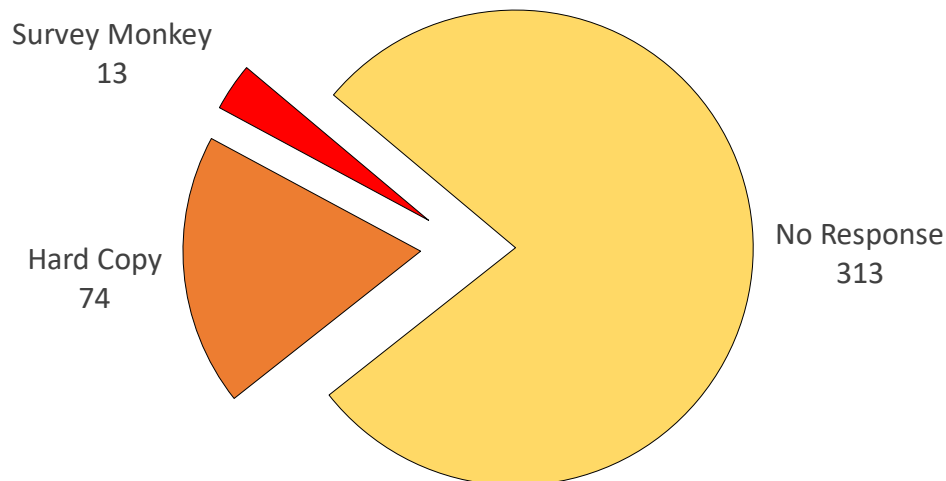
The Landlord Survey and introduction letter were distributed on June 22, 2022, via printed mailing, to all owners renting properties to Housing Choice Voucher recipients. Respondents had the option to complete the survey on the Survey Monkey platform, return the form by mail, or drop the form off directly at the Housing Authority. An incentive to complete the survey was offered to owners in the form of a Starbucks gift card.

The purpose of the survey was to assess owner satisfaction in the following programmatic categories: Customer Service, Program Information (which includes the Landlord Portal), Inspections, Rent Increases Education Programs, and Other. Respondents were also provided an opportunity to submit additional concerns and comments as part of the survey.

There were 400 surveys sent out, with 84 responses received, equating to a 21.75% response rate.

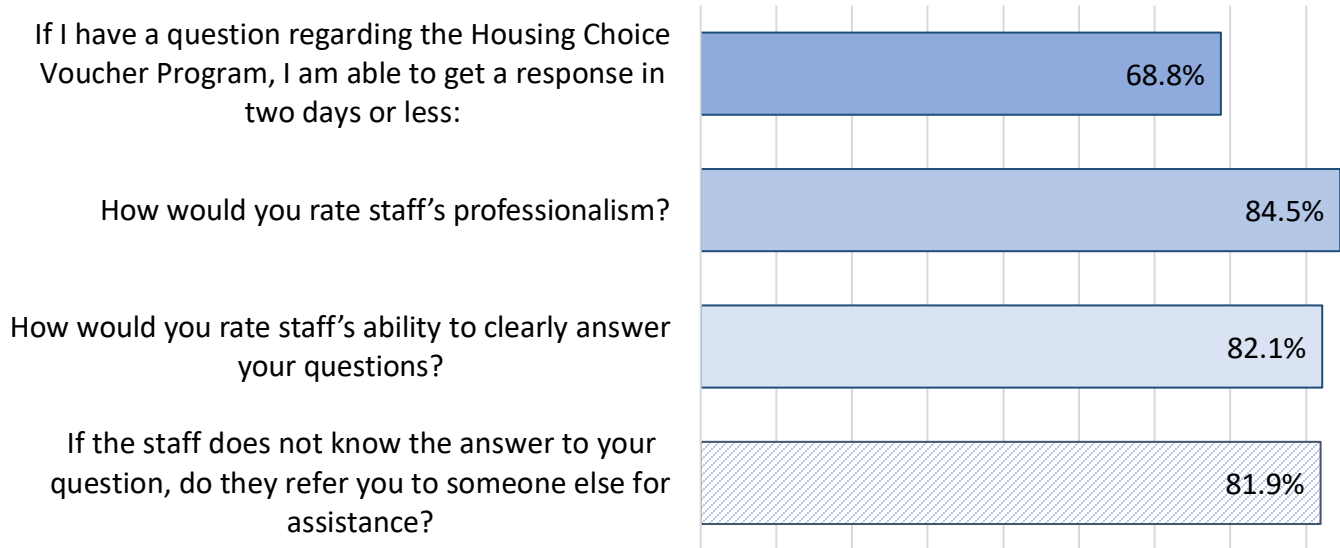
Here is a summary of the findings:

### Response Channels



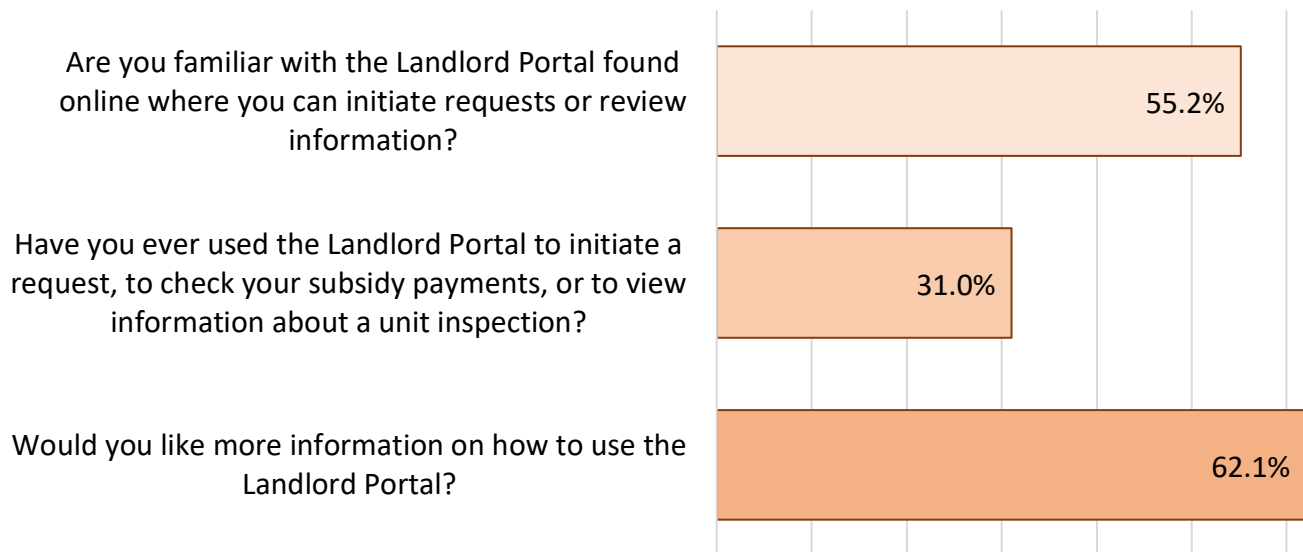
## Customer Service

### Answered "YES" or "Meets/Exceeds"



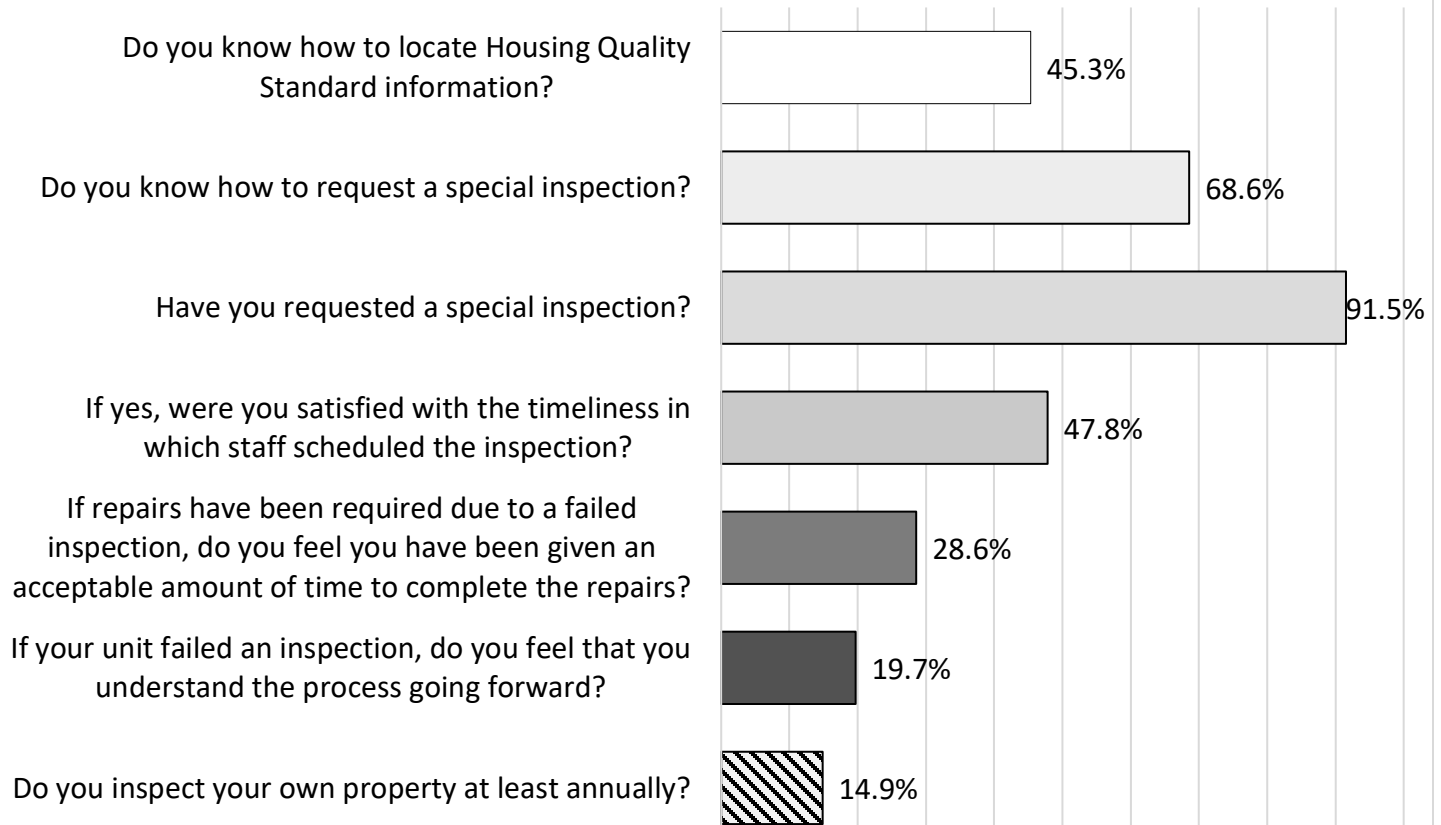
## Program Information: Landlord Portal

### Answered "YES"



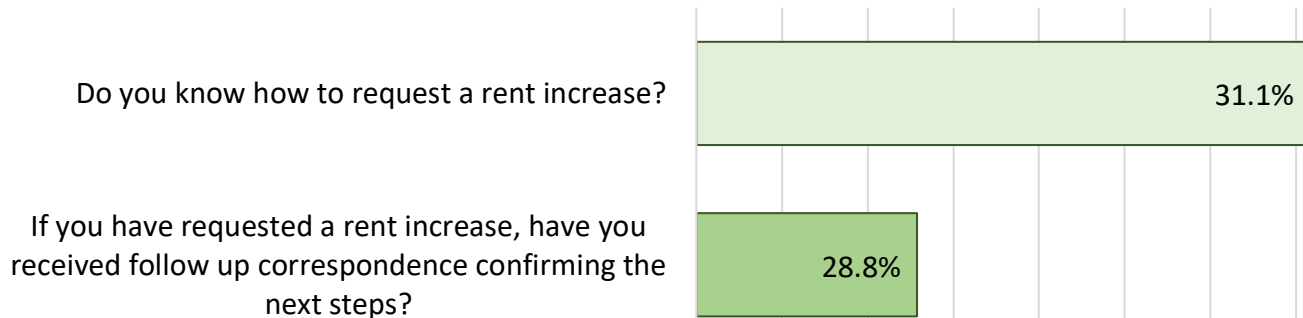
## Program Information: Inspections

### Answered "NO"



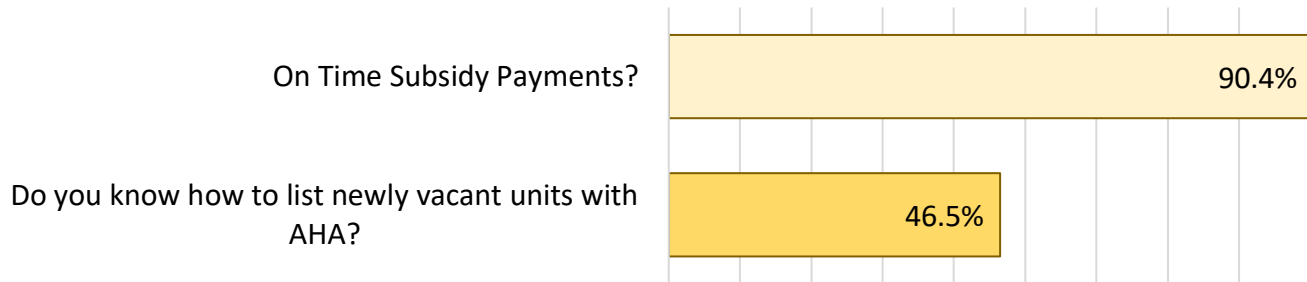
## Program Information: Rent Increases

### Answered "NO"



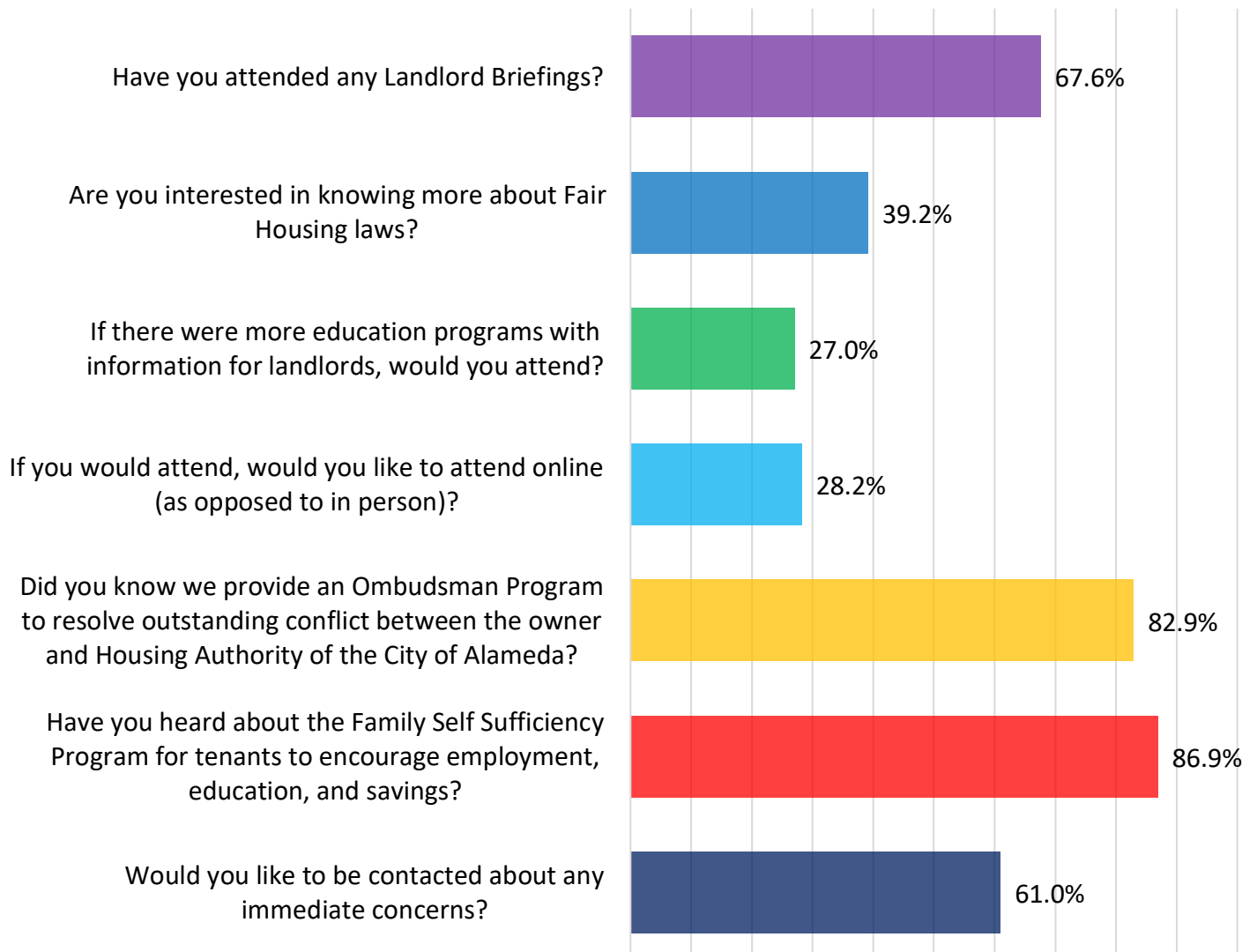
## Program Information: Other

### Answered "YES"



## Education Programs

### Answered "NO"



## Summary Findings

The survey in general reflects well on the Housing Authority. Owners were overwhelmingly pleased with the speed of their subsidy payments (90%). Customer service also received high marks (84%). Owners were also given the opportunity to express their comments or concerns. The feedback provided to AHA by the owners included the following input:

- The need to better understand rent changes
- Questions regarding rent payment levels and how they are set “too low” in some cases
- More information regarding the rent abatement process
- Sufficient notice should be provided regarding changes in HAP rent payments
- More information regarding FSS and the Ombudsperson Program

**OWNER SURVEY HOUSING AUTHORITY of THE CITY OF ALAMEDA**

Thank you for participating in our owner survey. Your opinion on customer service is valuable and will be carefully reviewed to determine if we are meeting your needs concerning your Section 8 (Housing Choice Voucher Program) units.

**Customer Service**

1. If I have a question regarding the Housing Choice Voucher Program, I am able to get a response in two days or less?

Yes                      No

2. How would you rate staff's professionalism?

Greatly exceeds                      Exceeds                      Meet standards                      Does not meet standards

3. How would you rate staff's ability to clearly answer your questions?

Greatly exceeds                      Exceeds                      Meet standards                      Does not meet standards

4. If the staff does not know the answer to your question, do they refer me to someone else for assistance?

Yes                      No

**Program Information****Landlord Portal**

1. Are you familiar with the Landlord Portal found online where you can initiate requests or review information?

Yes                      No

2. Have you ever used the Landlord Portal to initiate a request, to check your subsidy payments, or to view information about a unit inspection?

Yes                      No

3. Would you like more information on how to use the Landlord Portal?

Yes                      No

**Inspections**

4. HUD requires that all properties under contract meet certain standards called Housing Quality Standards. Do you know how to locate what the requirements are?

Yes                      No

5. Do you know how to request a special inspection?

Yes              No

6. Have you requested a special inspection?

Yes              No

6.b. If yes, were you satisfied with the timeliness in which staff scheduled the inspection?

Yes              No

7. If repairs have been required due to a failed inspection, do you feel you have been given an acceptable amount of time to complete the repairs?

Yes              No

8. If your unit failed an inspection, do you feel that you understand the process going forward?

Yes              No

9. Do you inspect your own property at least annually?

Yes              No

### **Rent Increases**

1. Do you know how to request a rent increase?

Yes              No

2. If you have requested a rent increase, have you received follow up correspondence confirming the next steps?

Yes              No

### **Other**

1. Do you receive your subsidy payment by the Housing Authority of the City of Alameda on time?

Yes              No

2. Do you know how to list newly vacant units with AHA?

Yes              No

### **Education Programs**

1. Have you attended any Landlord Briefings?

Yes              No

2. Are you interested in knowing more about Fair Housing laws?

Yes              No

3. If there were more education programs with information for landlords, would you attend?

Yes              No

3.b. If you would attend, would you like to attend online (as opposed to in person)?

Yes              No

4. Did you know we provide an Ombudsman Program to resolve outstanding conflict between the owner and Housing Authority of the City of Alameda?

Yes              No

5. Have you heard about the Family Self Sufficiency Program for tenants to encourage employment, education and savings?

Yes              No

6. Would like to be contacted about any immediate concerns?

Yes              No

Please describe your concerns

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Other comments as needed

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Please add your name and contact information (optional).

Name:

Email:

Address:

Phone:

**Landlords who return the questionnaire will be provided a \$10 Starbucks card.** (One per landlord).

Please remember to include your contact information if you would like to get the gift card.

**Please mail this form BY JULY 1 to 701 Atlantic Ave, Alameda, 94501 or email to [ccapogrossi@alamedahsg.org](mailto:ccapogrossi@alamedahsg.org).**

If you prefer to do the survey at an in-person meeting, over Zoom, or by telephone, please contact Candy Capogrossi at 510-747-4361 or [ccapogrossi@alamedahsg.org](mailto:ccapogrossi@alamedahsg.org). We look forward to receiving your valuable input. Candy can also answer any questions you may have about the survey.

*Thank you for your participation!*





Housing Authority  
of the  
City of Alameda

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**TTY/TRS:** 711

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To: Honorable Chair and Members of the Board of Commissioners

From: Joshua Altieri, Community Relations Manager

Date: October 19, 2022

Re: LifeSTEPS Presentation.

---

### **BACKGROUND**

Presentation from LifeSTEPS.

### **DISCUSSION**

AHA's social services partner, LifeSTEPS, connects AHA tenants and program participants to important social services and resources, including Alameda Food Bank, medical services, rental assistance, transportation, hoarding resources, trade school scholarships, just to name a few. Candice Williams, Regional Supervisor of Social Services, will highlight LifeSTEPS 2021 services provided that impact many AHA households.

### **FISCAL IMPACT**

Not applicable.

### **CEQA**

Not applicable.

### **RECOMMENDATION**

Not applicable.

### **ATTACHMENTS**

None

Respectfully submitted,

*Joshua Altieri*



Joshua Altieri, Community Relations Manager



Housing Authority  
of the  
City of Alameda

**PHONE:** (510) 747-4300  
**FAX:** (510) 522-7848  
**TTY/TRS:** 711

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To: Honorable Chair and Members of the Board of Commissioners

From: Janet Basta, Director of Human Resources and Operations

Date: October 19, 2022

Re: Review the Compensation Study and adopt the corresponding resolution to adopt a revised pay schedule and adopt a change to the vacation accrual cap in the Employee Handbook.

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### **BACKGROUND**

The Housing Authority (AHA) periodically completes compensation studies to ensure it remains competitive in the marketplace. Following separation from the City of Alameda in 2012, Koff and Associates, a human resources consulting firm, was engaged to perform an initial classification and compensation study of all current and proposed positions, resulting in new job descriptions, and a salary schedule and schedule of authorized positions that were approved retroactive to January 1, 2013. A second compensation study was completed of all positions in 2016, also by Koff and Associates; that study resulted in a wage change for one position, which was subsequently incorporated into the schedule of authorized positions in January 2017. Additionally, limited scope studies have been completed periodically as new positions have been developed or there is indication from the market that certain positions need to be re-benchmarked to remain competitive for recruitment and/or retention purposes.

In late 2018, Ralph Andersen & Associates, a human resources consulting firm with expertise in conducting public sector compensation studies, was engaged to complete a compensation (salary and benefits) study for the Director level positions. The results of that study were presented to the Board of Commissioners in February, and a revised pay schedule was subsequently approved and implemented. A subsequent study of remaining exempt positions was presented to the Board in November, and again for non-exempt positions in March of 2020, and the revised pay schedules were also subsequently approved and implemented.

An update to these studies was completed in 2022, including all exempt and non-exempt positions with the exception of Resident Manager staff; those positions will be addressed separately. Ralph Andersen & Associates was also engaged to complete this study.



## **DISCUSSION**

It is prudent to review compensation levels every three to four years, dependent on market conditions. Exempt level and management positions are particularly impacted at the present time, due to the increasing number of public employees that are nearing retirement, which increases competition with other public sector agencies for knowledgeable, experienced staff when retirements occur. Additionally, high housing costs, lengthy commutes, and a generally tight, competitive job market all add to the challenge of attracting and retaining management staff.

Compensation plans should ensure that salaries/benefits remain competitive in the marketplace and support the Agency in attracting and retaining well-qualified employees, as well as providing a defensible and rational basis for compensating employees that is consistent with public practices. Similar to the prior studies, this compensation study included a review and analysis of both salary and benefits data. Past studies found that while AHA salaries were generally at market levels, benefits lag behind, primarily due to other agencies offering more robust retirement formulas, contributions, or post-employment health benefits. Additionally, the majority of public agencies participate in social security, while AHA does not.

The same methodology used for the prior studies was employed for the current study. Twelve public agencies were identified to participate in the survey. Comparable positions at each agency were identified using criteria such as core functional duties, education/skills requirements, level of duties, and the scope of supervisory and management duties. All identified agencies participated, though it is noted that not all positions had positions of comparable class in all agencies. Data was collected from the comparator agencies on monthly base salaries as well as other cash supplements and the full range of benefits provided to employees. For this study, data was adjusted to a 40 hour equivalent to adjust for variation in monthly pay levels based on various schedules (i.e., 37.5 hour vs 40 hour workweeks).

The same agencies were used in the compensation survey that were used in the exempt surveys, as follows:

Oakland Housing Authority	City of Alameda
City of San Mateo	City of Oakland
San Francisco Housing Authority	City of San Francisco
Santa Clara Housing Authority	City of San Jose
Contra Costa Housing Authority	San Mateo County
Alameda County	Alameda County Housing Authority

Total compensation (salaries and benefits) data was gathered from the comparator agencies and analyzed by the consultant against various percentile levels, rather than against mean (average) levels which is not recommended for data sets of less than thirty agencies. Three levels of percentiles were reviewed and presented in the report:

1. Median (50<sup>th</sup> percentile), which reflects a ranking of the data at the middle of the data set; half of the data is above the median and half is below
2. 60<sup>th</sup> percentile, which reflects a ranking level where 60% of the data set is below the data point, and 40% is above the data point
3. 75<sup>th</sup> percentile, which reflects a ranking level where 75% of the data set is below the data point, and 25% is above the data point

The 50<sup>th</sup> percentile level was the level of comparison adopted by the Board in approving the wage range placement and corresponding Pay Schedule in the prior study. That level was utilized in the current study as well. Staff recommends that future placements be made utilizing the 60th percentile level for retention and recruitment purposes.

Exhibit 1 contains the recommended placement for each position at the 50<sup>th</sup> percentile level in AHA's salary schedule, which shows all ranges currently available, whether or not any positions are currently assigned to a specific level. Recommended salary ranges for individual positions are based on a combination of market data for that position (or comparable positions within the Agency where data was not gathered or new positions were created) and an analysis of internal relationships, including ensuring a minimum of a 10-15% differential between supervisor and subordinate classes.

Management further recommends that the salary levels of individual existing staff be adjusted to the new wage range at the beginning of the next pay period (October 23, 2022), but that those adjustments be made to a step in the new range that ensures a maximum of a 5% increase to current salary. No positions will be reduced in level of compensation, though some may not receive an increase at this time, depending on the recommended salary range placement. This approach allows for more moderate increases at the present time, while allowing for salary growth within the wage range over the next several years for staff not yet at the top step in their assigned range who perform satisfactorily.

The consultant is currently reviewing the salary and benefit package for the Resident Manager and CFO positions. Staff will return to the Board at a later meeting with any recommendations for changes.

In addition to the compensation study, AHA Management is recommending a change to the Vacation Policy in the Employee Handbook. Currently, regular employees have a vacation cap of 350 hours; this will be lowered to 300 hours on January 1, 2023, and to 250 hours on January 1, 2024. Management is recommending that the vacation accrual cap for regular employees hired before January 1, 2019 and for all Director positions be set permanently at a level of 300 hours (rather than the standard 250 hours) effective January 1, 2023. This will allow for flexibility in vacation scheduling while still limiting the total hours able to be accrued by staff in positions with higher accrual rates.

### **FISCAL IMPACT**

The cost to grant the recommended changes to existing non-exempt salaries is approximately \$120,000 for the balance of the current fiscal year, including AHA's pension contributions. Additionally, any positions currently open will be hired at a step in the assigned wage range identified in the study.

During the budget process, \$100,000 was included in the current budget to implement the compensation study. Additionally, due to unfilled positions during the FY 2022-2023, increases are expected to be met within the overall salary budget for AHA for this fiscal year. If adopted, the new wage ranges assigned to the impacted positions will be incorporated into the next fiscal year's budget.

There is no fiscal impact to the proposed change in the vacation accrual cap through December 31, 2023 as the accrual cap is set at the proposed level of 300 hours for calendar year 2023. Beginning in January, 2024, there could be some increase in expenditures for payment of vacation balances at the time an employee leaves AHA's employment due to the higher accrual cap.

### **CEQA**

Not applicable to this item.

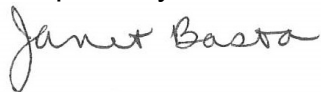
### **RECOMMENDATION**

That the Board review the Compensation Study and adopt the corresponding resolution to adopt a revised pay schedule and adopt a change to the vacation accrual cap in the Employee Handbook.

### **ATTACHMENTS**

1. Exhibit 1 Salary Range Recommendations
2. Exhibit 2 Pay Schedule 2022-2023 Eff 10.23.2022
3. Exhibit 3 Resolution

Respectfully submitted,



Janet Basta, Director of Human Resources and Operations

**Alameda City Housing Authority**  
**Salary Recommendations; Market Benchmarking**  
**Benchmark Classes set to Market Median (50th Percentile)**  
**Total Compensation Market Deviation**

Line	Classification Job Title	Range	Current Range Max	Market Deviation	Recomm. Range	Recomm. Max.	Percent Change	Internal Alignment/Salary Setting Rationale
1	Executive Director		\$ 26,148	+10.6%		\$26,148	0.0%	Benchmark; set to market; minimum 15% above highest subordinate, SCS*
2	Deputy Executive Director	60	\$ 20,242	-4.8%	62	\$21,267	5.1%	Benchmark; set to market
3	Director of Finance	56	\$ 18,360		57	\$18,820	2.5%	Approx. 8% above Director of HR and Operations
4	Director of Housing and Development	54	\$ 17,486		57	\$18,820	7.6%	Approx. 8% above Director of HR and Operations
5	Director of HR and Operations	54	\$ 17,486	+3.1%	54	\$17,486	0.0%	Benchmark; set to market; SCS*
6	Director of Administrative Services	50	\$ 15,860		51	\$16,257	2.5%	Same as Director of Portfolio Management
7	Director of Housing Programs	50	\$ 15,860		51	\$16,257	2.5%	Same as Director of Portfolio Management
8	Director of Portfolio Management	50	\$ 15,860	-1.8%	51	\$16,257	2.5%	Benchmark; set to market
9	Director of Rent Programs	50	\$ 15,860		51	\$16,257	2.5%	Same as Director of Housing Programs

SCS\* - Same as Current Salary

**Alameda City Housing Authority**  
**Salary Recommendations; Market Benchmarking**  
**Benchmark Classes set to Market Median (50th Percentile)**  
**Total Compensation Market Deviation**

Line	Classification Job Title	Range	Current Range Max	Market Deviation	Recomm. Range	Recomm. Max.	Percent Change	Internal Alignment/Salary Setting Rationale
1	Principal Management Analyst	47	\$ 14,745		49	\$15,483	5.0%	Approx. 10% above Senior Management Analyst
2	Senior Management Analyst	42	\$ 13,049		45	\$14,043	7.6%	Same as Senior Project Manager
3	Senior Project Manager	42	\$ 13,049	-7.9%	45	\$14,043	7.6%	Benchmark; set to market
4	Controller	42	\$ 13,049		45	\$14,043	7.6%	Same as Senior Project Manager
5								
6	Administrative Manager	42	\$ 13,049		45	\$14,043	7.6%	Same as Controller
7	Human Resources Manager	42	\$ 13,049		45	\$14,043	7.6%	Same as Controller
8	Risk Manager	42	\$ 13,049		45	\$14,043	7.6%	Same as Controller
9	Community Relations Manager	42	\$ 13,049		45	\$14,043	7.6%	Same as Controller
10								
11	Project Manager	35	\$ 11,004	-2.3%	36	\$11,272	2.4%	Benchmark; set to market
12	Asset Manager	35	\$ 11,004	+1.1%	35	\$11,004	0.0%	Benchmark; set to market; SCS*
13	Construction Project Manager	35	\$ 11,004		36	\$11,272	2.4%	Same as Project Manager
14								
15	Management Analyst	33	\$ 10,480	+0.3%	33	\$10,480	0.0%	Benchmark; set to market
16	Housing Programs Supervisor	33	\$ 10,480		33	\$10,480	0.0%	Same as Management Analyst
17	Property Management Supervisor	33	\$ 10,480		33	\$10,480	0.0%	Same as Housing Programs Supervisor

SCS\* - Same as Current Salary



**Alameda City Housing Authority**

Salary Recommendations; Market Benchmarking

Benchmark Classes set to Market Median (50th Percentile)

Total Compensation Market Deviation; Data Adjusted to 40 Hour Equivalent

Line	Classification Job Title	Range	Current Range Max	Market Deviation	Recomm. Range	Recomm. Max.	Percent Change	Internal Alignment/Salary Setting Rationale
1	Accounting Officer	28	\$ 9,273	-1.0%	28	\$9,273	0.0%	Benchmark; set to market
2	Accounting Specialist	18	\$ 7,266		19	\$7,448	2.5%	Same as Housing Specialist I
3	Executive Assistant	25	\$ 8,621	-1.7%	26	\$8,832	2.4%	Benchmark; set to market
4	Assistant Project Manager	30	\$ 9,737		31	\$9,980	2.5%	Approx. 12.5% below Project Manager
5	Housing Specialist III	26	\$ 8,832		27	\$9,052	2.5%	Approx. 2.5% above Executive Assistant
6	Housing Specialist II	22	\$ 8,012		23	\$8,210	2.5%	Approx. 10% below Housing Specialist III
7	Housing Specialist I	18	\$ 7,266		19	\$7,448	2.5%	Approx. 10% below Housing Specialist II
8	Rent Program Specialist	22	\$ 8,012		23	\$8,210	2.5%	Same as Housing Specialist II
9	Maintenance Technician II	22	\$ 8,012	+7.2%	22	\$8,012	0.0%	Benchmark; set to market; SCS*
10	Maintenance Technician I	16	\$ 6,919		16	\$6,919	0.0%	Approx. 15% below Maintenance Technician II
11	Program Assistant	14	\$ 6,590		15	\$6,755	2.5%	Approx. 10% below Housing Specialist I

SCS\* - Same as Current Salary

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA**  
**PAY SCHEDULE FY 2022-2023 eff. 10/23/2022 (with 4.2% COLA)**

PositionTitle	Salary Range	Effective Date	MONTHLY SALARY				
			Step 1	Step 2	Step 3	Step 4	Step 5
Housing Assistant	10	8/28/2022	\$ 5,125	\$ 5,381	\$ 5,650	\$ 5,932	\$ 6,229
Program Assistant	15	10/23/2022	\$ 5,791	\$ 6,080	\$ 6,384	\$ 6,704	\$ 7,038
Maintenance Technician I****	16	8/28/2022	\$ 5,932	\$ 6,229	\$ 6,540	\$ 6,867	\$ 7,210
Housing Specialist I	19	10/23/2022	\$ 6,384	\$ 6,704	\$ 7,038	\$ 7,391	\$ 7,761
Accounting Specialist I	19	10/23/2022	\$ 6,384	\$ 6,704	\$ 7,038	\$ 7,391	\$ 7,761
Maintenance Technician II****	22	8/28/2022	\$ 6,867	\$ 7,210	\$ 7,572	\$ 7,950	\$ 8,348
Housing Specialist II	23	10/23/2022	\$ 7,038	\$ 7,391	\$ 7,761	\$ 8,148	\$ 8,556
Accounting Specialist II	23	10/23/2022	\$ 7,038	\$ 7,391	\$ 7,761	\$ 8,148	\$ 8,556
Executive Assistant	26	10/23/2022	\$ 7,572	\$ 7,950	\$ 8,348	\$ 8,765	\$ 9,203
Housing Specialist III	27	10/23/2022	\$ 7,761	\$ 8,148	\$ 8,556	\$ 8,983	\$ 9,433
Accounting Officer	28	8/28/2022	\$ 7,950	\$ 8,348	\$ 8,765	\$ 9,203	\$ 9,662
Assistant Project Manager	31	10/23/2022	\$ 8,556	\$ 8,983	\$ 9,433	\$ 9,904	\$ 10,399
Assistant Asset Manager	31	10/23/2022	\$ 8,556	\$ 8,983	\$ 9,433	\$ 9,904	\$ 10,399
Property Management Supervisor	33	8/28/2022	\$ 8,983	\$ 9,433	\$ 9,904	\$ 10,399	\$ 10,920
Housing Programs Supervisor	33	8/28/2022	\$ 8,983	\$ 9,433	\$ 9,904	\$ 10,399	\$ 10,920
Management Analyst	33	8/28/2022	\$ 8,983	\$ 9,433	\$ 9,904	\$ 10,399	\$ 10,920
Asset Manager	35	8/28/2022	\$ 9,433	\$ 9,904	\$ 10,399	\$ 10,920	\$ 11,465
Project Manager	36	10/23/2022	\$ 9,662	\$ 10,145	\$ 10,653	\$ 11,186	\$ 11,745
Construction Project Manager	36	10/23/2022	\$ 9,662	\$ 10,145	\$ 10,653	\$ 11,186	\$ 11,745
Administrative Manager	45	10/23/2022	\$ 12,039	\$ 12,641	\$ 13,273	\$ 13,937	\$ 14,633
Assistant Director of Housing Programs	45	10/23/2022	\$ 12,039	\$ 12,641	\$ 13,273	\$ 13,937	\$ 14,633
Assistant Director of Finance/Controller	45	10/23/2022	\$ 12,039	\$ 12,641	\$ 13,273	\$ 13,937	\$ 14,633
Community Relations Manager	45	10/23/2022	\$ 12,039	\$ 12,641	\$ 13,273	\$ 13,937	\$ 14,633
Human Resources Manager	45	10/23/2022	\$ 12,039	\$ 12,641	\$ 13,273	\$ 13,937	\$ 14,633
Risk Manager*	45	10/23/2022	\$ 12,039	\$ 12,641	\$ 13,273	\$ 13,937	\$ 14,633
Senior Project Manager	45	10/23/2022	\$ 12,039	\$ 12,641	\$ 13,273	\$ 13,937	\$ 14,633
Senior Management Analyst	45	10/23/2022	\$ 12,039	\$ 12,641	\$ 13,273	\$ 13,937	\$ 14,633
Principal Management Analyst	49	10/23/2022	\$ 13,273	\$ 13,937	\$ 14,633	\$ 15,365	\$ 16,134
Director of Housing Programs	51	10/23/2022	\$ 13,937	\$ 14,633	\$ 15,365	\$ 16,134	\$ 16,940
Director of Portfolio Management (aka Property Operations)	51	10/23/2022	\$ 13,937	\$ 14,633	\$ 15,365	\$ 16,134	\$ 16,940
Director of Asset Management	51	10/23/2022	\$ 13,937	\$ 14,633	\$ 15,365	\$ 16,134	\$ 16,940
Director of Administrative Services	51	10/23/2022	\$ 13,937	\$ 14,633	\$ 15,365	\$ 16,134	\$ 16,940
Director of HR and Operations	54	8/28/2022	\$ 14,991	\$ 15,740	\$ 16,527	\$ 17,353	\$ 18,220
Director of Housing Development	57	10/23/2022	\$ 16,134	\$ 16,940	\$ 17,787	\$ 18,677	\$ 19,611
Director of Finance/Chief Financial Officer	57	10/23/2022	\$ 16,134	\$ 16,940	\$ 17,787	\$ 18,677	\$ 19,611
Deputy Executive Director	62	10/23/2022	\$ 18,220	\$ 19,131	\$ 20,088	\$ 21,092	\$ 22,147
Executive Director**	N/A	8/28/2022	\$ 27,246	\$ 28,608			
Resident Manager II***, ****	N/A	8/28/2022	\$ 35.04/hour	\$36.79/hour			
Resident Manager ***, ****	N/A	8/28/2022	\$ 25.36/hour	\$26.63/hour			
Assistant Resident Manager***	N/A	8/28/2022	\$ 21.51/hour				

\*May be hired with a different title

\*\*Salary authorized by Board of Commissioners per Employment Agreement

\*\*\*Resident and Resident Custodian staff are paid a flat hourly rate; no range is applied

\*\*\*\*Indicates classification with 40 hour work week; other positions are based on 37-1/2 hour work week

HOUSING AUTHORITY OF THE CITY OF ALAMEDA

*Resolution No. \_\_\_\_\_*

ADOPT THE REVISED PAY SCHEDULE FOR FISCAL YEAR 2022-2023 and  
ADOPT A CHANGE TO THE VACATION ACCRUAL CAP IN THE EMPLOYEE  
HANDBOOK

**WHEREAS**, the Housing Authority of the City of Alameda conducts periodic compensation studies to ensure a competitive compensation (salary and benefits) package; and

**WHEREAS**, the Housing Authority of the City of Alameda conducted a 2022 compensation study of exempt and non-exempt positions which resulted in recommended revisions to wage ranges assigned to positions;

**NOW, THEREFORE, BE IT RESOLVED**, that effective October 23, 2022, the Housing Authority will adopt the revised Pay Schedule for Fiscal Year 2022-2023 and establish a permanent vacation accrual cap of 300 hours for employees hired on or before January 1, 2019 and all Director positions.

ATTEST:

\_\_\_\_\_  
Vanessa M. Cooper  
Secretary

\_\_\_\_\_  
Kenji Tamaoki, Acting Chair  
Board of Commissioners

Adopted: \_\_\_\_\_



Housing Authority  
of the  
City of Alameda

**PHONE:** (510) 747-4300  
**FAX:** (510) 522-7848  
**TTY/TRS:** 711

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701 Atlantic Avenue • Alameda, California 94501-2161

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To: Honorable Chair and Members of the Board of Commissioners

From: Vanessa Cooper, Executive Director

Date: October 19, 2022

Re: Adopt Resolution of the Board of Commissioners of the Housing Authority of the City of Alameda Ratifying the Proclamation of a State of Emergency by the Governor of the State of California on March 4, 2021, and Making Findings Authorizing Continued Remote Teleconference Meetings of the Board of Commissioners Pursuant to Brown Act Provisions, as amended by Assembly Bill No. 361.

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## **BACKGROUND**

On March 17, 2020, Governor Newsom issued Executive Order N-29-20 which allowed for relaxed provisions of the Ralph M. Brown Act (Brown Act) that allowed legislative bodies to conduct meetings through teleconferencing without having to meet the strict compliance of the Brown Act. All provisions of Executive Order N-29-20 concerning the conduct of public meetings via teleconferencing expired on September 30, 2021.

## **DISCUSSION**

Assembly Bill 361(Chapter 165,Statutes of 2021) (AB 361) was signed into law by the Governor on September 16, 2021, and went into effect immediately. It amends the Brown Act to allow local legislative bodies to continue using teleconferencing and virtual meeting technology after the September 30, 2021 expiration of the current Brown Act exemptions as long as there is a "proclaimed state of emergency" by the Governor. This allowance also depends on state or local officials imposing or recommending measures that promote social distancing or a legislative body finding that meeting in person would present an imminent safety risk to attendees. Though adopted in the context of the pandemic, AB 361 will allow for virtual meetings during other proclaimed emergencies, such as earthquakes or wildfires, where physical attendance may present a risk. AB 361 will sunset on January 1, 2024.

AB 361 requires the following to continue to conduct teleconferenced meetings:

1. Notice of the meeting must still be given in compliance with the Brown Act, and the notice must include the means by which the public may access the meeting



- and provide public comment remotely.
2. The public must be provided access to the meeting via a call-in option or internet-based service option and allowed to “address the legislative body directly.” The Alameda Affordable Housing Corporation does not have to provide an in-person option for the public to attend the meeting.
  3. The meeting must be conducted “in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body.”
  4. If there is a disruption to the meeting broadcast or in the ability to take call-in or internet-based public comment, no further action can be taken on agenda items until the issue is resolved, even if this means stopping the meeting at that point and continuing all remaining items.
  5. The Board of Directors cannot require comments to be submitted before the start of the meeting. The public must be allowed to make “real time” public comment.
  6. Reasonable time for public comment must be provided. If the Board provides a timed public comment period, the public comment period must be left open until the time expires.
  7. All votes must be taken by roll call.
  8. The Board of Directors must approve a resolution making findings by majority vote within 30 days of the first teleconferenced meeting under AB 361 and every 30 days thereafter to continue to conduct teleconference meetings under AB 361. The body must find it has reconsidered the circumstances of the state of emergency and either 1) the emergency continues to impact the ability to meet safely in person, or 2) State or local officials continue to impose or recommend social distancing.

In light of AB 361, the continuing COVID-19 State of Emergency declared by the Governor, the continuing Local Emergency declared by the City of Alameda, the continuing recommendations by the County of Alameda Health Officer of social distancing as a mechanism for preventing the spread of COVID-19, and the continued threats to health and safety posed by indoor public meetings, staff recommends the Board of Directors adopt the proposed Resolution making the findings required to initially invoke AB 361.

The procedures currently set up for Board of Directors' meetings, which provide public attendance and comment through a call-in or internet-based service option, satisfy the requirements of AB 361. The Executive Director, or designee, will work with the Board to ensure that meeting procedures for all teleconferenced meetings comply with AB 361. Continued reliance will require the Board of Directors to adopt a new resolution making required findings every 30 days.

#### **FISCAL IMPACT**

None.

#### **CEQA**

N/A

**RECOMMENDATION**

Adopt Resolution of the Board of Directors of the Alameda Affordable Housing Corporation Ratifying the Proclamation of a State of Emergency by the Governor of the State of California on March 4, 2021, and Making Findings Authorizing Continued Remote Teleconference Meetings of the Board of Directors Pursuant to Brown Act Provisions, as amended by Assembly Bill No. 361.

**ATTACHMENTS**

1. DRAFT RESOLUTION No. 1040 - AB 361 Resolution (10.19.22)
2. AB 361.pdf 2021\_danprint

Respectfully submitted,



Vanessa Cooper, Executive Director

HOUSING AUTHORITY OF THE CITY OF ALAMEDA

*Resolution No. 1040*

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF ALAMEDA RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY THE GOVERNOR OF THE STATE OF CALIFORNIA ON MARCH 4, 2021, AND MAKING FINDINGS AUTHORIZING CONTINUED REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF COMMISSIONERS PURSUANT TO BROWN ACT PROVISIONS, AS AMENDED BY ASSEMBLY BILL NO.

361

WHEREAS, the Housing Authority of the City of Alameda ("Housing Authority") is committed to preserving and nurturing public access and participation in meetings of the Board of Commissioners; and

WHEREAS, all meetings of the Housing Authority's Board of Commissioners are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the Housing Authority's Board of Commissioners conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist within the jurisdiction of the Housing Authority which includes the City of Alameda, specifically, on March 17, 2020 the Governor of the State of California proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS, as a result of the COVID-19 pandemic the California Department of Health and the Health Officer of the County of Alameda continue to recommend measures to promote social distancing. Additionally, On March 17, 2020, in response to the COVID-19 pandemic, the City Council of the City of Alameda, declared a local emergency as set forth in Ordinance No. 3267; and

WHEREAS, the Board of Commissioners does hereby find that the COVID-19 pandemic has caused, and will continue to cause, imminent risk to the health and safety of attendees meeting in person for a Board of Commissioners' meeting, and the COVID-19 pandemic has caused conditions of peril to the safety of persons within the jurisdiction of the Housing Authority that are likely to be beyond the control of services, personnel, equipment, and facilities of the Housing Authority, and desires to ratify the proclamation of a local emergency by the City of Alameda, ratify the proclamation of a state of emergency by the Governor of the State of California and ratify the California Department of Health and the Health Officer of the County of Alameda's recommended measures to promote social distancing; and

WHEREAS, as a consequence of the local emergency and state of emergency the Board of Commissioners does hereby find that the Board of Commissioners of the Housing Authority shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that the Board of Commissioners shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of Government Code section 54953; and

WHEREAS, when holding teleconferenced meetings under abbreviated teleconferencing procedures permitted under the Brown Act, the Housing Authority will ensure access for the public by complying with all requirements set forth in Government Code section 54953(e), including, but not limited to, giving notice of the meeting and posting agendas, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF ALAMEDA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Reconsideration. The Board hereby reconsiders the circumstances of the state of emergency.

Section 3. Ratification of the City of Alameda's Proclamation of a Local Emergency. The Board hereby ratifies the City of Alameda's proclamation of a Local Emergency as set forth in Ordinance No. 3267 adopted on March 17, 2020.

Section 4. Ratification of the California Department of Health and the Health Officer of the County of Alameda's recommended measures to promote social distancing. The Board hereby finds that state and local officials continue to recommend measures to



promote social distancing. The Board further hereby ratifies the California Department of Health and the Health Officer of the County of Alameda's recommended measures to promote social distancing and finds that, as a result of the state of emergency, meeting in person would present imminent risk to the health or safety of attendees.

Section 5. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020, and hereby finds that the state of emergency continues to directly impact the ability of the Board of Commissioners and members of the public to meet safely in person.

Section 6. Remote Teleconference Meetings. The Housing Authority's Executive Director, and designee, and the Board of Commissioners are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continued teleconferencing and conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 7. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) 30 days from the adoption of this Resolution, or, (ii) such time as the Board of Commissioners adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board of Commissioners of the Housing Authority may continue to teleconference without compliance with Government Code section 54953(b)(3).

PASSED AND ADOPTED by the Board of Commissioners of the Housing Authority of the City of Alameda this 19th day of October, 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST:

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Vanessa M. Cooper  
Secretary Board of Commissioners

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Carly Grob, Chair  
Board of Commissioners

Adopted: October 19, 2022

## Assembly Bill No. 361

### CHAPTER 165

An act to add and repeal Section 89305.6 of the Education Code, and to amend, repeal, and add Section 54953 of, and to add and repeal Section 11133 of, the Government Code, relating to open meetings, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 16, 2021. Filed with  
Secretary of State September 16, 2021.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 361, Robert Rivas. Open meetings: state and local agencies: teleconferences.

(1) Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to directly address the legislative body on any item of interest to the public. The act generally requires all regular and special meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. The act authorizes the district attorney or any interested person, subject to certain provisions, to commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that specified actions taken by a legislative body are null and void.

Existing law, the California Emergency Services Act, authorizes the Governor, or the Director of Emergency Services when the governor is inaccessible, to proclaim a state of emergency under specified circumstances.

Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that notice and accessibility requirements are met, the public members are allowed to observe and address the legislative body at the meeting, and that a legislative body of a local agency has a procedure for receiving and swiftly

resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

This bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. The bill would require the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored. The bill would specify that actions taken during the disruption are subject to challenge proceedings, as specified.

This bill would prohibit the legislative body from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. The bill would prohibit the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified. When there is a continuing state of emergency, or when state or local officials have imposed or recommended measures to promote social distancing, the bill would require a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures.

Existing law prohibits a legislative body from requiring, as a condition to attend a meeting, a person to register the person's name, or to provide other information, or to fulfill any condition precedent to the person's attendance.

This bill would exclude from that prohibition, a registration requirement imposed by a third-party internet website or other online platform not under the control of the legislative body.

(2) Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act requires at least one member of the state body to be physically present at the location specified in the notice of the meeting.

The Governor's Executive Order No. N-29-20 suspends the requirements of the Bagley-Keene Open Meeting Act for teleconferencing during the COVID-19 pandemic, provided that notice and accessibility requirements are met, the public members are allowed to observe and address the state body at the meeting, and that a state body has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body. With respect to a state body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the state body at each teleconference location. Under the bill, a state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the state body allow members of the public to attend the meeting and offer public comment. The bill would require that each state body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge state bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(3) Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University, and authorizes the establishment of student body organizations in connection with the operations of California State University campuses.

The Gloria Romero Open Meetings Act of 2000 generally requires a legislative body, as defined, of a student body organization to conduct its business in a meeting that is open and public. The act authorizes the legislative body to use teleconferencing, as defined, for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a legislative body, as defined for purposes of the act, to hold public meetings through teleconferencing and

to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body. With respect to a legislative body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the legislative body at each teleconference location. Under the bill, a legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. The bill would require that each legislative body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge legislative bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(4) This bill would declare the Legislature's intent, consistent with the Governor's Executive Order No. N-29-20, to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future emergencies by allowing broader access through teleconferencing options.

(5) This bill would incorporate additional changes to Section 54953 of the Government Code proposed by AB 339 to be operative only if this bill and AB 339 are enacted and this bill is enacted last.

(6) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(7) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(8) This bill would declare that it is to take effect immediately as an urgency statute.

*The people of the State of California do enact as follows:*

SECTION 1. Section 89305.6 is added to the Education Code, to read:

89305.6. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a legislative body may hold public meetings through teleconferencing

and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body.

(b) (1) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the legislative body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the legislative body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the legislative body be physically present at the location specified in the notice of the meeting.

(c) A legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. A legislative body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a legislative body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the legislative body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each legislative body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a legislative body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the legislative body's internet website.

(f) All legislative bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to legislative body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 2. Section 11133 is added to the Government Code, to read:

11133. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a state body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body.

(b) (1) For a state body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the state body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a state body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the state body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the state body be physically present at the location specified in the notice of the meeting.

(c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically



or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the state body allow members of the public to attend the meeting and offer public comment. A state body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a state body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the state body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each state body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a state body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the state body's internet website.

(f) All state bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to state body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 3. Section 54953 of the Government Code is amended to read:



54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, “state of emergency” means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 3.1. Section 54953 of the Government Code is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency in person, except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body

shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter

2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for



the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, “state of emergency” means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 4. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting

of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting,



members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 4.1. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, in person except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the

legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint

powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 5. Sections 3.1 and 4.1 of this bill incorporate amendments to Section 54953 of the Government Code proposed by both this bill and Assembly Bill 339. Those sections of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2022, but this bill becomes operative first, (2) each bill amends Section 54953 of the Government Code, and (3) this bill is enacted after Assembly Bill 339, in which case Section 54953 of the Government Code, as amended by Sections 3 and 4 of this bill, shall remain operative only until the operative date of Assembly Bill 339, at which time Sections 3.1 and 4.1 of this bill shall become operative.

SEC. 6. It is the intent of the Legislature in enacting this act to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future applicable emergencies, by allowing broader access through teleconferencing options consistent with the Governor's Executive Order No. N-29-20 dated March 17, 2020, permitting expanded use of teleconferencing during the COVID-19 pandemic.

SEC. 7. The Legislature finds and declares that Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in teleconference meetings during applicable emergencies.

SEC. 8. (a) The Legislature finds and declares that during the COVID-19 public health emergency, certain requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) were suspended by Executive Order N-29-20. Audio and video teleconference were widely used to conduct public meetings in lieu of physical location meetings, and public meetings conducted by teleconference during the COVID-19 public health emergency have been productive, have increased public participation by all members of the public regardless of their location in the state and ability to travel to physical meeting locations, have protected the health and safety of civil servants and the public, and have reduced travel costs incurred by members of state bodies and reduced work hours spent traveling to and from meetings.

(b) The Legislature finds and declares that Section 1 of this act, which adds and repeals Section 89305.6 of the Education Code, Section 2 of this act, which adds and repeals Section 11133 of the Government Code, and Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, all increase and potentially limit the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

(1) By removing the requirement that public meetings be conducted at a primary physical location with a quorum of members present, this act protects the health and safety of civil servants and the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location.

(2) By removing the requirement for agendas to be placed at the location of each public official participating in a public meeting remotely, including from the member's private home or hotel room, this act protects the personal, private information of public officials and their families while preserving the public's right to access information concerning the conduct of the people's business.

SEC. 9. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that state and local agencies can continue holding public meetings while providing essential services like water, power, and fire protection to their constituents during public health, wildfire, or other states of emergencies, it is necessary that this act take effect immediately.

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