



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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**Sent:**

**Wednesday, October 15, 2025  
2:08 PM**

**Subject:**

**Re: PII on AHA website....Re:  
Error in released Board of  
Commissioners Agenda**

## Vanessa Cooper

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**From:** Jhaila R. Brown [REDACTED]  
**Sent:** Wednesday, October 15, 2025 2:08 PM  
**To:** Jay Faustini  
**Cc:** Vanessa Cooper; atorbitt@nixonpeabody.com; Jasmine Polar; Robert Shaye  
**Subject:** Re: PII on AHA website....Re: Error in released Board of Commissioners Agenda

[External Email]

Mr. Faustini,

This message shall serve as acknowledgement of receipt of your email below.

I'll be in meetings for the remainder of the day, so my responses to any emails will be delayed.

Thank you,

**Jhaila R. Brown**  
she | her | hers  
[REDACTED]

**Goldfarb & Lipman LLP**  
550 South Hope Street | Suite 2685 | Los Angeles CA 90071  
[510.836.6336](tel:510.836.6336) | [goldfarblipman.com](http://goldfarblipman.com)  
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**From:** Jay Faustini [REDACTED]  
**Sent:** Wednesday, October 15, 2025 1:40 PM  
**To:** Jhaila R. Brown [REDACTED]  
**Cc:** Vanessa Cooper <[vcooper@alamedahsg.org](mailto:vcooper@alamedahsg.org)>; atorbitt@nixonpeabody.com <[atorbitt@nixonpeabody.com](mailto:atorbitt@nixonpeabody.com)>; Jasmine Polar <[jpolar@alamedahsg.org](mailto:jpolar@alamedahsg.org)>; Robert Shaye [REDACTED]  
**Subject:** Re: PII on AHA website....Re: Error in released Board of Commissioners Agenda

Ms. Brown,

Thank you for taking the time to address all my inquiries. And thank you for preparing the Agenda supplement.

I trust that the supplement will correct the one remaining issue of the inaccurate characterization of my email of September 18 that appears on page 5 of the Agenda, as previously requested:

The fifth line from the bottom states: *"The email also provides that the April 16, 2025*

*meeting minutes did not reflect such miscategorization.*" The email provided no such thing. Nor is it true that the minutes did not reflect "such miscategorization".

This erroneous sentence makes it appear that a correction was made in the minutes when, in fact, the minutes continued to show the original, intentionally false disclosure. My email of September 18 only referenced that no correction announcement was made. (The email was directly quoted correctly in the unconditional commitment letter to me, appearing on pages 10 and 18 of the Agenda.) Perhaps the sentence was meant to read "*meeting minutes did not **correct** such miscategorization*" instead of "*reflect*"?

Please correct this due to the inaccurate impression of my email and the approved minutes the error creates.

Best Regards,

F. Jay Faustini Jr.

On 10/15/2025 1:04 PM, Jhaila R. Brown wrote:

Mr. Faustini,

Let me clarify if my prior email response to you regarding the public comment speaking time was not clear. Any extension of the 3-minute public comment period can only be made at the discretion of the Board Chair (or the Vice-Chair if the Board Chair is absent) during the meeting. I cannot make that determination. Additionally, any member of the public has a right to make public comment, (i) in accordance with the parameters set out by the Brown Act, (ii) during the appropriate segments of the meeting, and (iii) within the applicable time limits. I am not a pass through, nor do you need my approval, to exercise that right. You can make the request to speak via email or in-person at the meeting, similar to any other member of the public.

As to your request regarding deletion of your name from the unconditional commitment letter included in the agenda packet for today's meeting, my response will mirror what I sent to Mr. Shaye today on the same topic.

All correspondence sent to AHA is a public record subject to disclosure under the Public Records Act, unless an exemption applies. Here, all of your emails to me and AHA are subject to disclosure by any other member of the public. There is no applicable exemption as the correspondence only includes your name and email addresses, which do not constitute personally identifiable information (i.e., social security numbers, medical information, subsidy related information).

As to the unconditional commitment letters, the legislative body needs to know who they are making the unconditional commitment to as part of the approval process in open session. Had you complied with the statutory requirements for a cease-and-desist letter, your cease-and-desist letter in its entirety would have been attached to the agenda item as an exhibit, including your name. As such, your name will not be redacted from the unconditional commitment letter included in the agenda packet.

For purposes of transparency, and to ensure the Board and public knows what AHA is responding to, AHA will supplement the current meeting agenda to include your email correspondence, relating to the Brown Act agenda items, sent to AHA after the agenda was published. The aforementioned correspondence is considered public comment relating to the Brown Act agenda items, and hard copies will also be made available for the public at the meeting.

The supplement will be available on AHA's website once published.

Thank you,

**Jhaila R. Brown**

she | her | hers

[jbrown@goldfarbblipman.com](mailto:jbrown@goldfarbblipman.com)

510.433.6619

**Goldfarb & Lipman LLP**

550 South Hope Street | Suite 2685 | Los Angeles CA 90071

[510.836.6336](tel:510.836.6336) | [goldfarbblipman.com](http://goldfarbblipman.com)

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**From:** Jay Faustini [REDACTED]

**Sent:** Wednesday, October 15, 2025 9:51 AM

**To:** Robert Shaye [REDACTED]

**Cc:** Jhaila R. Brown <[jbrown@goldfarbblipman.com](mailto:jbrown@goldfarbblipman.com)>; Vanessa Cooper <[vcooper@alamedahsg.org](mailto:vcooper@alamedahsg.org)>;

atorbitt@nixonpeabody.com <[atorbitt@nixonpeabody.com](mailto:atorbitt@nixonpeabody.com)>; Jasmine Polar <[jpolar@alamedahsg.org](mailto:jpolar@alamedahsg.org)>;

Gregory Kats <[gkats@alamedahsg.org](mailto:gkats@alamedahsg.org)>

**Subject:** Re: PII on AHA website....Re: Error in released Board of Commissioners Agenda

Ms. Brown,

Yes, PLEASE promptly redact our names from AHA's public Agenda. This should not be of any concern to AHA and further delay, given are multiple requests, is not warranted. Kindly inform us when this issue has been addressed.

Also, I requested to speak at tonight's meeting on Monday morning. Now, 48 hours later I still have not received confirmation of whether I will be allowed to. Please provide a response to this request this morning. Also let me know if you will be enforcing the typical 3 minute time limit.

And, of course, I still await your response to my emails from earlier this week.

Regards,

**F. Jay Faustini Jr.**

[REDACTED]  
[REDACTED]  
On 10/15/2025 9:06 AM, Robert Shaye wrote:

Ms. Brown

Our first and last names remain posted as of this morning. Kindly acknowledge if you will meet our request to redact our personally identifiable information, or not.

Please reply before 11am PT today.

Regards  
Mr. Shaye

On Tue, Oct 14, 2025 at 3:51 PM Jay Faustini [REDACTED] wrote:

Ms. Brown,

I have just consulted with Mr. Shaye regarding the appearance of our names in AHA's publicly posted agenda materials.

Thank you for not also including our email addresses in a publicly posted document.

Please remove the currently posted Agenda and replace it with a version that redacts the appearances of our names. We did not agree to allow our names to appear publicly in AHA's Brown Act safe harbor documents.

Since it is not appropriate to leave them unredacted, especially after a removal request, kindly respond to this request promptly.

Thank you

**F. Jay Faustini Jr.**  
[REDACTED]  
[REDACTED]  
[REDACTED]

On 10/10/2025 4:45 PM, Jhaila R. Brown wrote:

Messrs. Faustini and Shaye,

Attached please find a copy of the agenda and packet for the regular Board of Commissioners meeting scheduled to take place on Wednesday, October 15, 2025.

The document can also be found here:

<https://link.edgepilot.com/s/5a703fc5/B4EwXLHWWkyfs8ddz2THnw?u=https://www.alamedahsg.org/wp->

[content/uploads/2025/10/10.-Board-of-Commissioners-October-15-2025-Agenda-and-Packet.pdf](#)

Thank you,

**Jhaila R. Brown**

she | her | hers

[jbrown@goldfarbblipman.com](mailto:jbrown@goldfarbblipman.com)

510.433.6619

**Goldfarb & Lipman LLP**

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510.836.6336 | [goldfarbblipman.com](http://goldfarbblipman.com)

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**From:** Jay Faustini [REDACTED]

**Sent:** Friday, October 10, 2025 3:31 PM

**To:** Jhaila R. Brown <[jbrown@goldfarbblipman.com](mailto:jbrown@goldfarbblipman.com)>

**Cc:** Robert Shaye [REDACTED] /anessa Cooper  
<[vcooper@alamedahsg.org](mailto:vcooper@alamedahsg.org)>; atorbitt@nixonpeabody.com; Jasmine  
Polar <[jpolar@alamedahsg.org](mailto:jpolar@alamedahsg.org)>

**Subject:** Re: Error in released Board of Commissioners Agenda

Ms. Brown.

Ms. Polar seems to be out of the office today.

Both you and your client have represented that the closed session corrections would be made today.

It is nearing the end of the day and I still have not received a response to my email from first thing this morning.

Kindly provide an update on the status of the corrections.

Thank you.

**F. Jay Faustini Jr.**

[REDACTED]

On 10/10/2025 9:29 AM, Jay Faustini wrote:

Ms Polar,

At what time today can we expect the Agenda to be posted?

Thank you.

Regards,

**F. Jay Faustini Jr.**

[REDACTED]

[REDACTED]  
On 10/2/2025 2:03 PM, Jasmine Polar wrote:

Good afternoon, Mr. Faustine:

AHA expects to provide you with a response by Friday, October 10, 2025.

Thank you again for your patience on this matter.

Best regards,  
Jasmine Polar  
Senior Executive Assistant  
Housing Authority of the City of Alameda  
701 Atlantic Avenue  
Alameda, CA 94501  
Phone: 510-747-4325  
Email: [jpolar@alamedahsg.org](mailto:jpolar@alamedahsg.org)  
Pronouns I use: she, her, hers



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**From:** Jay Faustini  
[REDACTED]

**Sent:** Wednesday, October 1, 2025

7:01 PM

**To:** Jasmine Polar

[<jpolar@alamedahsg.org>](mailto:jpolar@alamedahsg.org)

**Cc:** Robert Shaye

[REDACTED] Vanessa  
Cooper [<vcooper@alamedahsg.org>](mailto:vcooper@alamedahsg.org);  
[atorbitt@nixonpeabody.com](mailto:atorbitt@nixonpeabody.com); Jhaila R.  
Brown [<jbrown@goldfarbblipman.com>](mailto:jbrown@goldfarbblipman.com)

**Subject:** Re: Error in released Board of  
Commissioners Agenda

[External Email]

**Dear Ms. Cooper,  
Ms. Torbitt, Ms. Brown  
and Ms. Polar,**

I've also requested additional  
information regarding the  
**Section 54656.8** authorized  
closed sessions referenced in  
your response of September  
22, 2025

(below). Specifically, the  
request was for information  
about the site's  
completed real estate  
transaction agreements  
for which the price and  
payment terms were  
negotiated in the closed  
sessions, including the March  
2022 and April 2025 closed  
sessions.

I could be wrong, but I don't  
think that such post-closed  
session requests for  
information are typically  
responded to via agenda  
materials.

If the responses to the  
information requests will be

included in the agenda materials you reference, please let us know. Or, if they will be provided separately, when can we expect the responses?

Regards,

**F. Jay Faustini Jr.**

On 10/1/2025 3:49 PM, Jasmine Polar wrote:

Good afternoon,  
Mr. Faustini:

Thank you for your below email.

AHA is working on this issue expects to publish the Board Agenda and Packet by Friday, October 10, 2025, with corrections.

We appreciate your patience on this matter.

Best regards,  
Jasmine Polar  
Senior Executive Assistant  
Housing Authority  
of the City of  
Alameda  
701 Atlantic Avenue  
Alameda, CA 94501  
Phone: 510-747-4325  
Email: [jpolar@alamedahsg.org](mailto:jpolar@alamedahsg.org)  
Pronouns I  
use: she, her, hers



**PLEASE NOTE:**

Our main offices  
are open Monday  
through Thursday  
8:30 a.m. to 3:00  
p.m.

AHA will provide  
reasonable  
accommodations  
upon request.

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intended recipient  
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electronic mail  
transmission in  
error, please notify  
the sender at (510)  
747-4325 and  
delete it.

**From:** Jay Faustini  
[REDACTED]

**Sent:** Wednesday,  
October 1, 2025 10:43  
AM

**To:** Jasmine Polar  
<[jpolar@alamedahsg.org](mailto:jpolar@alamedahsg.org)>; Vanessa Cooper  
<[vcooper@alamedahsg.org](mailto:vcooper@alamedahsg.org)>;  
[atorbitt@nixonpeabody.com](mailto:atorbitt@nixonpeabody.com)

**Cc:** Robert Shaye  
[REDACTED]

**Subject:** Re: Error in  
released Board of  
Commissioners  
Agenda

[External Email]

**Dear Ms.  
Cooper,  
Ms. Torbitt  
and Ms.  
Polar,**

I sincerely wish  
that members of  
the community  
and I could be  
assured that one  
of these errors  
was "an  
unintentional and  
inadvertent  
error" and  
another was an  
"accidental mis-  
classification". But the series of  
these errors,  
after being seen,  
verified and left  
uncorrected by  
many sets of

eyes, indicates otherwise. Although the series of errors, in and of itself, does not indicate intentional Brown Act violations, they certainly do indicate, at a minimum, carelessness and negligence in providing required disclosures to the public. And AHA's failure to be forthcoming and promptly make all the necessary corrections to these disclosure errors further indicates intentional concealment of required disclosures. Especially since full corrections require little more than drafting few lines of text and possibly releasing some documents. If these were, in fact, "unintentional and inadvertent errors", then

please provide the complete disclosure that was actually intended to be made in the April/September agenda drafting and in May, during the minute approval process.

If these errors were, in fact, "accidental mis-classifications," kindly explain what accident was made during the classification process in the April/September agenda drafting and in May, during the minute approval process.

The Board provided very quick responses for the prior incomplete corrections. The Board has been aware of these errors for two weeks now and have still not offered a viable explanation of the errors made nor compliant corrections. Ther

e is no reason,  
other than  
intentional  
obfuscation, for  
further delay in  
answering the  
obvious issue  
which arises from  
the  
disclosures: Was  
"Potential  
Litigation"  
discussed? And  
if so, the  
required Section  
54656.9  
disclosures must  
be provided.  
Additionally, the  
general  
corrections  
offered to date  
are  
incomplete. The  
y do not fully  
correct the  
errors, nor  
provide all the  
required  
disclosures for  
the discussion  
topics claimed to  
be authorized  
under Section 5  
4656.8. Please  
provide the  
actual  
disclosures  
language that  
was intended to  
be included in  
the agenda for  
the Section 546  
56.8

authorizations.  
Also please  
provide the exact  
language that  
should have  
been approved  
in May, in place  
of the inaccurate  
information that  
was verified by  
the board  
inadvertently.  
The Board prior  
partial  
corrections list  
future lease(s)  
and AHA's 2022  
purchase of the  
property as the  
real estate  
transactions  
which were  
topics under  
negotiation. The  
price and  
payment terms  
of the 2022 sale  
were negotiated  
and completed  
with a final  
agreement  
reached three  
years ago. Any  
discussion of the  
sale's price and  
payment terms  
in 2025 would  
not fall under  
a Section 54656  
.8 authorization,  
as the terms are  
no longer under  
negotiation. Thu  
s any 2025  
closed session

authorized  
by Section 5465  
6.8 is not  
authorized  
to discuss the  
sale  
without additiona  
l required disclos  
ures. So, if  
the the sale's  
price and  
payment terms  
were, in fact,  
discussed in  
closed session,  
despite the  
agreement no  
longer being  
under  
negotiation,  
kindly also  
provide the  
additional  
disclosures  
which are  
obviously  
necessary for a  
closed session  
discussion of a  
real estate  
transaction that  
is NOT under  
negotiation.  
If the  
claimed Section  
54656.8  
authorization  
were, in fact,  
based upon  
discussions  
regarding the  
negotiation of a  
lease, I assume  
that negotiations  
have concluded

by now, five months later. Please provide the substance of the agreement reached, if any. And please allow this message to serve as a standing request for disclosure of the substance of all of the site's real estate transaction agreements which are discussed in closed session, once the agreements are finalized. Continued refusal by the Board to promptly disclose the truth about a series of erroneous closed session disclosures indicates continued intentional reluctance to make required disclosures. Disclosures, I remind you, that the public should have seen over five months ago. Further

delay does not  
foster a  
constructive  
partnership with  
the community.

Thank you for  
your time and  
consideration.

Regards,

**F. Jay Faustini Jr.**

[REDACTED]

On 9/29/2025 9:36  
AM, Jasmine Polar  
wrote:

Dear  
Mr.  
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Any  
errors  
will  
also  
be  
corrected  
publicly  
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meeting.

Please be assured that any mislisting was an unintentional and inadvertent error.

Best regards,  
Jasmine  
Polar  
Senior  
Executive  
Assistant

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**From:**

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**Cc:**  
Robert  
Shaye

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Thank you for the prompt response regarding the additional mis- classification errors that occurred in the agenda an

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were not. Other community members and I believe that correction of the accidental misclassification requires a

complete and full correction of the multiple disclosure errors that have been made. The provided response clearly

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provided. And for some errors, the offered corrections offer only general information about closed sessions, not specific

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references in the approved minutes/s/agendas were in error and that

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**Subject:**Re: Error in released Board of Commi

**Date:**Thu, 18 Sep 2025 12:12:53 -0700

**From:**Jay Faustini [redacted]

Jasmine Polar <[jpolar@alamedahsg.org](mailto:jpolar@alamedahsg.org)>

[atorbitt@nixonpeabody.com](mailto:atorbitt@nixonpeabody.com) <[atorbitt@nixonpeabody.com](mailto:atorbitt@nixonpeabody.com)>

**To:**

**CC:**Robert Shaye [redacted]

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