



Housing Authority
of the
City of Alameda

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701 Atlantic Avenue • Alameda, California 94501-2161

October 15, 2025

Sent via email: **TO BE ADDED**

Re: Unconditional Commitment Pursuant to Govt. Code Section 54960.2(c)

Dear Mr. Shaye:

The Board of Commissioners of the Housing Authority of the City of Alameda has received your emails including but not limited to those dated September 26, 2025, September 30, 2025, ~~October 7, 2025, and October 10, 2025,~~ and allegations that the following described past action of the legislative body violates the Ralph M. Brown Act: Please note, the emails submitted to the Housing Authority referenced above did not comply with the Brown Act requirements for a cease and desist letter pursuant to Government Code section 54960.2.:

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1. Email of September 26, 2025 and subsequent emails of September 30, 2025 and October 1, 2025 re April 16 2025 agenda item 5C.

Incorrect Caption Identified:

5.C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8.
Property Location: 2615 Eagle, Alameda, CA 94501 Assessor's Parcel Numbers: 70-161-55-2
Agency Negotiators: Vanessa Cooper, Executive Director, Sylvia Martinez, Director of Housing Development, Alicia Southern, Director of Human Resources, Alison Torbett (Nixon Peabody - Counsel)
Negotiating Parties: Housing Authority of the City of Alameda Under Negotiation:
Potential litigation

Concerns regarding the citation for closed session agenda and minutes including " Was Potential Litigation discussed in the closed session in the April board meeting? The meeting minutes indicate yes. If so, is it not a Brown Act violation to not disclose what's required under subsection 5465.9?"



Action taken: Minutes and agenda citations for Closed Session Item no. 5.C. will be corrected to read as follows:

Conference with Legal Counsel -Anticipated Litigation: Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code Section 54956.9:
One potential case

No action was taken in this closed session item on April 16, 2025.

The emails submitted to the Housing Authority referenced above did not comply with the Brown Act requirements for a cease and desist letter pursuant to Government Code section 54960.2., however, in order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the Board of Commissioners hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action as described above.

The Board of Commissioners may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as "Rescission of Brown Act Commitment." You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address or addresses you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, you will have the right to commence legal action pursuant to subdivision (a) of Section 54960 of the Government Code. That notice will be delivered to you by the same means as this commitment or may be mailed to an address that you have designated in writing.

Very truly yours,

Vanessa Cooper
Executive Director

Cc: Jay Faustini
Board of Commissioners
Jhaila Brown, Goldfarb & Lipman, General Counsel