

## Remarks to City Council on 10/21/2025

Good evening, council members,

I'm a resident of Fernside and I'm here tonight to speak about a pattern of misrepresentations and untruths made by the Alameda Housing Authority. A few months ago I began engaging with the AHA regarding a proposed affordable housing project in my neighborhood. As a resident of Alameda who is pro-affordable housing, I was enthusiastic to engage with the AHA to learn more about their project and I was excited to learn how the project will help meet our city's much needed housing goals. What I have been met with over the past two months, has unfortunately, been nothing short of obfuscation, dishonesty, and an unwillingness to engage with our community.

In front of you are clear examples that our community has faced in the past few months:

1. **The use of False Disclosures by the AHA Board when speaking in closed session during their meetings, resulting in several Brown Act violations. More alarmingly, community members pointed out their disclosure errors on the agendas, AHA wouldn't correct their false disclosures until we insisted they do so. They had made false disclosures on every board agenda this year, calling them a series of "accidental mis-caterogizations". Finally, the AHA admitted their errors and their attorneys issued corrections and apologies to the community at the last board meeting. The Brown Act exists to protect the public and intentional violations are a criminal offense; it was alarming to see the AHA Board intentionally mislead the public.**
2. **From the onset of AHA's Community Meetings, AHA made it clear to the public they plan to pursue SB35 entitlement for this housing project. SB35 entitlement is a fast-track approval process for affordable housing, bypassing CEQA and allowing only a ministerial review at the City level. A qualification to use SB35 is that the project site not be a hazardous waste site. At two separate community meetings, AHA showed slides to the community stating that the site qualifies for SB35. Meanwhile, the AHA knew that the site currently is listed on the CA Dept of Toxic Substances Control (DTSC) Cortese List. This was evidenced by the site's listing in two separate environmental reports commissioned and reviewed by AHA. Privately to the Board,**

Submitted by Robert Shaze  
Under Oral Communications  
10/21/25

AHA staff mentioned that the site is not ready for SB35 and their consultants are working to prepare the site for SB35 eligibility. There is obviously a disconnect between what the AHA is telling the community and what they are discussing internally, which has led to a loss of trust in our community. I'd like to remind the Council that it is illegal to process a Planning Department application under SB35, while the site is listed as hazardous and before it is remediated to Residential Standards.

3. There are four other examples I have of how the AHA has misled the community, but unfortunately I do not have time in my comments to describe all of them. I have outlined them in the handouts before you.
4. Just this afternoon, AHA released an update regarding the project. They admit that now that the public has challenged their use of SB35, they are going to try to get permission from the State regulator (Water Boards) to bypass SB35 and be granted an exception via conditional clearance. This path is in direct contradiction to the SB35 regulations. AHA also is trying to downplay the existence of a portion of the property that they forget to conduct environmental testing on, only after the community raised this issue with them at the last meeting.
5. The AHA has been suppressing community engagement, shifting meeting times and locations, disabling our means of communicating during the meetings, and making disrespectful remarks to members of the community who speak up to voice their concerns. Needless to say, it is clear to the community that these meetings are performative in nature and not an earnest attempt to foster dialogue.

I could believe these were accidents if there were one or two mistakes, but after this many repeated mistakes, it is a pattern of obfuscation and untruths. The AHA Director, Ms. Vanessa Cooper, was paid \$442,000 last year. That is a significant amount of taxpayer dollars and for that level of compensation, we deserve more transparency, more professionalism, and fewer "mistakes" from her and her staff.

I'll close by saying that I agree our city needs affordable housing and our community wants to see it built, even in our backyard. However, we cannot skirt environmental laws, mislead the public, and falsify public records to build it. Doing so would be immoral, a disservice to our community, and would undermine the very mission of creating affordable housing. The AHA serves the public and residents of Alameda. Our community will not tolerate this kind of misleading and immoral behavior from a public entity.

Sincerely,  
An Alamedan Resident in Fernside

# Evidence of AHA misleading the community

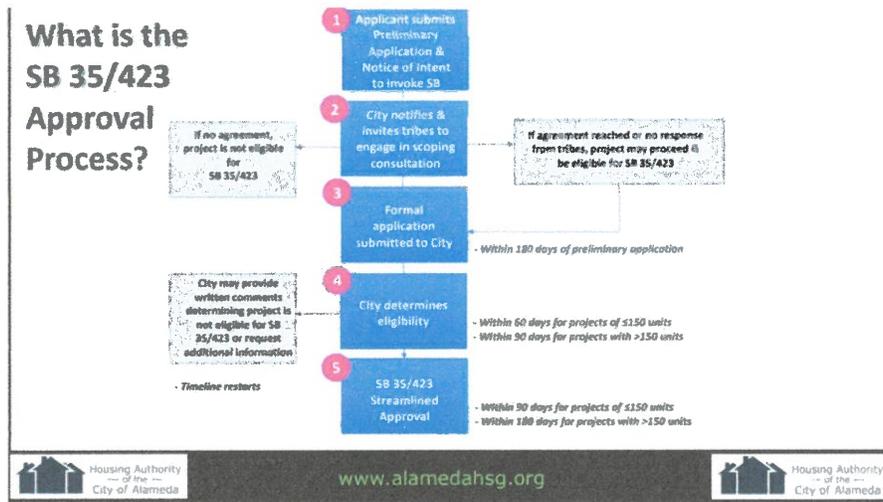
Oct 2025

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- From the onset of AHA's Community Meetings, AHA made it clear to the public they plan to pursue SB35 entitlement for this housing project. SB35 entitlement is a fast-track approval process for affordable housing, bypassing CEQA and allowing only a ministerial review at the City level. A qualification to use SB35 is that the project site not be a hazardous waste site. At two separate community meetings, AHA showed slides to the community stating that the site qualifies for SB35. Meanwhile, the AHA knew that the site currently is listed on the CA Dept of Toxic Substances Control (DTSC) Cortese List. This was evidenced by the site's listing in two separate environmental reports commissioned and reviewed by AHA. Privately to the Board, AHA staff mentioned that the site is not ready for SB35 and their consultants are working to prepare the site for SB35 eligibility. There is obviously a disconnect between what the AHA is telling the community and what they are discussing internally, which has led to a loss of trust in our community. I'd like to remind the Council that it is illegal to process a Planning Department application under SB35, while the site is listed as hazardous and before it is remediated to Residential Standards.

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# AHA clearly intended to use SB35



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# AHA slides shown to public on 8/19/2025

### When does SB 35/423 apply?

Projects must meet certain criteria to be eligible for streamlining, including:

- Urban infill site
- Designated for residential development
- Consistent with objective standards of Zoning Code (may be modified by State Density Bonus Law)
- At least 50% of housing units as affordable to households earning less than 80% of area median income
- Not located within a sensitive resource area (e.g. coastal zone, prime farmland, wetlands, high fire hazard severity zone, hazardous waste site, delineated earthquake fault zone, etc.)**
- No demolition of residential units or historic buildings on a national, state, or local historic register

### Is The Poplar project eligible for SB 35/423 processing?

- ✓ 0.93 acre, infill site on transit corridor
- ✓ Designated for Medium Density Residential
- ✓ Meets objective standards of City's R-4 development standards, modified by State Density Bonus Law
- ✓ Provides 100% of housing units as affordable to households earning less than 80% of area median income
- ✓ No residential units will be demolished
- ✓ Not located within a sensitive resource area
- ✓ No historic buildings on a national, state, or local historic register will be demolished

Housing Authority of the City of Alameda | www.alamedahsg.org | Housing Authority of the City of Alameda

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Meanwhile the AHA knew the site is currently on the Cortese list and has not been remediated for Residential Use

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## From EA Phase 1

*"Site Name: Alameda Unified School District/AUSD Maintenance/Corp Yard*

*Site Address: 2615 Eagle Avenue*

*Discussion: The Subject Property is listed on the RGA LUST, FINDS, Haznet, HWTS, LUST,*

*Alameda County CS Cortese, Hist Cortese, CERS, RCRA NonGen/NLR, Hist UST, ECHO, CERS HazWaste, Sweeps UST, and CA Fid UST databases. According to the listings, the Subject Property generated hazardous waste from at least 2001 to 2017. Violations of hazardous waste storage and disposal were noted in inspection records. According to the LUST listing and online Geotracker database, an unauthorized release of gasoline impacting soil was discovered in December 1991. For additional information regarding the release, refer to Section 4.4.3."*

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# From AHA 9/17/2025 Agenda Packet

## SB35/423 Entitlements

Senate Bill 423 (SB 423) is a California law that amends and expands Senate Bill 35 (SB 35), an earlier law designed to streamline the approval process for projects like The Poplar. A requirement for the SB35/423 package is confirmation that the Site is not located within a sensitive resource area (e.g. coastal zone, prime farmland, wetlands, high fire hazard severity zone, hazardous waste site, delineated earthquake fault zone, etc.). Staff is working with its consultants to prepare the site for SB 423.

## Community Outreach

Staff is hosting community meetings to ensure that members of the Alameda community are made aware of The Poplar redevelopment project, including the environmental cleanup and demolition activities onsite, and to give the community an opportunity to get involved with the process and/or comment on the Development Plan for the site as it takes shape. The first community meeting was on August 19, 2025, with four subsequent meetings scheduled. The updated community meeting schedule is attached. Meeting materials are posted on the ICD website. <https://www.islandcitydevelopment.org/project/the-poplar/>

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**City of Alameda** **PLANNING PERMIT APPLICATION**  
 Planning Division  
 2261 Santa Clara Ave., Rm. 199 Alameda, CA 94501-4477  
 510.747.6805 • TDD: 510.522.7538 • alameda.ca.gov

Project Address: \_\_\_\_\_ APN: \_\_\_\_\_  
 Property on the Alameda Historical Buildings Study List? No / Yes - Designation: \_\_\_\_\_  
 Property subject to a Business/Homeowners Association? No / Yes - Association Name: \_\_\_\_\_

Check all applicable permits: (\* indicates supplemental forms/statements required)

<input type="checkbox"/> Accessory Dwelling Unit*	<input type="checkbox"/> General Plan Amendment*	<input type="checkbox"/> Subdivision*
<input type="checkbox"/> Certificate of Approval*	<input type="checkbox"/> Planned Development/Amendment*	<input type="checkbox"/> Use Permit*
<input type="checkbox"/> Density Bonus Application*	<input type="checkbox"/> Preliminary Review Application	<input type="checkbox"/> Variance*
<input type="checkbox"/> Design Review*	<input type="checkbox"/> Rezoning*	<input type="checkbox"/> Zoning Letter/Compliance Determination
<input type="checkbox"/> Development Plan/Amendment*	<input type="checkbox"/> Sign Permit *	<input type="checkbox"/> Other _____

Project Description: (attach additional sheets if necessary)  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Property Owner(s):  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Email \_\_\_\_\_ Phone \_\_\_\_\_ (mobile)

Applicant(s): (if different from owner)  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Email \_\_\_\_\_ Phone \_\_\_\_\_ (mobile)

**Hazardous Materials:** Pursuant to CA Gov't Code Section 65962.5 regarding notifying the City of hazardous waste and/or hazardous substance sites, the project site:  IS /  IS NOT (check one) included on any of the hazardous waste or substances lists consolidated by the State of California. If on a list, provide the following information:  
 Reg. ID # \_\_\_\_\_ Problem \_\_\_\_\_ Date of List \_\_\_\_\_

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## Brown Act Violations – False Disclosures

- The use of False Disclosures by the AHA Board when speaking in closed session during their meetings, resulting in several Brown Act violations. More alarmingly, community members pointed out their disclosure errors on the agendas, AHA wouldn't correct their false disclosures until we insisted they do so. They had made false disclosures on every board agenda this year, calling them a series of "accidental mis-caterogizations". Finally, the AHA admitted their errors and their attorneys issued corrections and apologies to the community at the last board meeting. The Brown Act exists to protect the public and intentional violations are a criminal offense; it was alarming to see the AHA Board intentionally mislead the public.

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## Notice to AHA Board to stop using false disclosures – email sent to AHA on 9/30/2025

Dear Ms. Polar, Chairperson Grob, and AHA Board Members -

Ahead of the upcoming AHA Board Meeting in October, I would like to address the importance of providing the proper disclosures in the agenda, as required by the Brown Act. Specifically, if the AHA Board is going to discuss the sale and transfer or pending litigation of an AHA property, the proper disclosures must be made in the agenda prior to the meeting.

The Alameda City Council has been following the proper disclosure regulations reading sections 54956.8 and .9, and a proper example of correct disclosures can be found here and below: [https://legistar1.granicus.com/alameda/meetings/2025/10/6218\\_A\\_City\\_Council\\_25-10-07\\_Meeting\\_Agenda.pdf?d=fc24af0f-a2a1-4071-a79d-4877ebff21cb](https://legistar1.granicus.com/alameda/meetings/2025/10/6218_A_City_Council_25-10-07_Meeting_Agenda.pdf?d=fc24af0f-a2a1-4071-a79d-4877ebff21cb)  
If you are unsure how to properly disclose information required by the Brown Act ahead of the AHA October meeting, I encourage you to reference the City's above agenda and confer with legal counsel.

Since this has been an ongoing problem for AHA in the past, including at least in April and Sep 2025, I want to bring this to your attention ahead of the upcoming October board meeting. If you continue to discuss Potential Litigation in closed session, while improperly citing Section 8 (Sale and Transfer), do not provide the required disclosures, and do not make complete corrections for past disclosure errors, we will assume this is an intentional act. In this case, your actions would not be in compliance with the Brown Act.

Stakeholders understand the AHA Board is allowed to discuss Potential Litigation, and other matters, in closed session. We are not asking for any information about closed session discussions. However, if discussions happen in closed session, the proper disclosures must be made. The AHA Board approved minutes from the April 2025 meeting, confirming Litigation was discussed in closed session, without the proper disclosures being made. We expect these related disclosures to be provided in writing before 08 Oct 2025.

In the past on multiple occasions, AHA has not followed proper procedure, hence our raising of the concern ahead of the October meeting. We eagerly await the release of the October agenda and expect you to include the proper legal disclosures for all items being discussed as well as correct past errors in writing before the next board meeting.

Kindly,  
(Resident)

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Housing Authority  
of the City of Alameda  
701 Atlantic Avenue • Alameda, California 94501-2161

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

Concerns regarding the citation for closed session agenda and minutes including "Was Potential Litigator 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 54955.9?"

October 15, 2025

Sent via email.

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

Dear I

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.

1. Email of September 28, 2025 and subsequent emails of September 30, 2025 and October 1, 2025 re April 18 2025 agenda item 5C.

Incorrect Caption Identified

5 C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956 & Property Location: 2615 Eagle, Alameda, CA 94501 Assessor's Parcel Numbers 70-181-56-2  
Agency Negotiators: Vanessa Cooper, Executive Director, Sylvia Martinez, Director of Housing Development, Alcoa Southern, Director of Human Resources, Aixon Torbett (Wison Peabody - Counsel)  
Negotiating Parties: Housing Authority of the City of Alameda Under Negotiation Potential litigation

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 54956.0  
One potential case

No action was taken in the closed session item on April 18, 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  
Board of Commissioners  
Jhase Brown, Goldfarb & Lipman, General Counsel

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## Email from Ms. Martinez of AHA dated 10/7/2025, when asked about a planning doc.

In response to your question on Record PLN25-0219: AHA did not request or prepare the Record PLN25-0219 from your email, or have control over the inputs referenced. AHA notes that while it can see the following document in the City's system, it appears that this document and/or check boxes may have been created by City Staff. The Record Status of the permit is "Withdrawn" and it is clear from the dates that it was created and withdrawn on the same day. This permit is not active and is likely a remnant draft.

The screenshot shows the City of Alameda Permit Portal interface. The record number is PLN25-0219, and the status is "Withdrawn". The "Processing Status" section shows "Application Entered" on 10/15/2025, assigned to TBD, and marked as Withdrawn on 04/15/2025 by TD. The "Staff Action" section lists "Staff Action: Public Hearing" and "Application: Cancel Per Permit".

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Ms. Martinez  
conspicuously left out her  
name when showing the  
application

**HAZARDOUS MATERIALS**

Pursuant to CA Gov't Code Section 65962.5 regarding Is not on the list notifying the City of hazardous waste and/or hazardous substance sites (select one answer) included on any of the hazardous waste or substances lists consolidated by the State of California. :

**Parcel Information**

Parcel Number:070-0161-055-02 \*



Search...

Home Building Planning Fire Public Works Enforcement

more ▾

Record PLN25-0219:  
Entitlement (Includes Design Review, Use Permit, Certificate of Approval, etc.)  
Record Status: Withdrawn

Record Info Payments Custom Component

**Work Location**

2615 EAGLE AVE \*

**Record Details**

<b>Applicant:</b> Sylvia Martinez 701 Atlantic Ave ALAMEDA, CA, 94501	<b>Project Description:</b> FEE ESTIMATE FOR MINISTERIAL REVIEW OF POPLAR AFFORDABLE HOUSING FACILITY
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# Townhall Meeting

## Esperanza

Hello Residents,

The Housing Authority of the City of Alameda and FPI Management will be hosting a Townhall Meeting on **Wednesday, October 22nd at 6pm.**

**The Townhall Meeting will be held in courtyard outside FPI Offices.**

At this Townhall Meeting, the following items will be discussed:

- Services to Residents
- AHA Updates
- General Lease Information
- FPI Updates
- LifeSTEPS Presentation - Services to Residents
- Family Self Sufficiency Program Presentation
- Questions from the Residents

**Light Refreshments will be served**



Housing Authority  
— of the —  
City of Alameda

**FPI** MANAGEMENT  
CULTURE GROUNDED IN **H.E.A.R.T.** 

① turn over

## 24 Hour Notice of Entry

**TO ALL: Esperanza Apartment Residents**

**ADDRESS: Brush st/ Maple way Alameda, California 94501**

Dear, Resident

Please be advised that the Owner/ Agent or Owner's/ Agent's employee(s) will enter the above listed premises on or about **Tuesday 10/21/25**

**9:00 am to 4:00 pm**

During normal business hours for the reason listed below:

X Other: **Building drain cleanout inspection.**

NEVER Happen

**Maintenance and plumber will enter your unit's backyard if needed. Please put all pets away during time of entry. Your presence is not required. All denied entry will be noted and may result in a lease violation.**

If you have any questions, please don't hesitate to call.

Owner/Agent: Management office 9:00 am to 4:30 pm Monday-Friday

Phone: 510-995-5681

The notice is given in accordance with the provisions of

Section 1954 of the California Civil Code.

Sewage PIPES  
WERE NEVER  
change OR REPlace

NOW THE  
PIPES IN  
APTS ON  
BRUSH ST

There Hasn't Been Clean Water  
IN 4 Months NOW, Poopy E.coli Water



MORE LIES The TWO Maintenance Worker  
Whom have stolen Keys to People Apts  
With UNAUTHORIZED ENTRY TO Not only  
My Apt CONTINUE Working Here At This  
Complex AND the Break in's CONTINUE  
Both of them are on Drugs AND The Connection  
With The Maintenance Supervisor STEVE AND  
His Co Worker Pedipules, Troubled tenants  
CONTINUES Plus Steve is Active on Having Sexual  
Relationship With These Children of Sex Trafficking  
Ring he has Broke in To My Apt Numerous  
Times AND Had Sex With Them. While on The  
clock, The other Worker Thinks it cool to  
Let other children Be harm But Not his  
children.

Lic Plates Steve The Supervisor

8EGY244

CoWorker 9CRT481