

From: ps4man@comcast.net
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); ["Tony Daysog"](#); [Jim Oddie](#); [Malia Vella](#)
Cc: [Eric Levitt](#); [Yibin Shen](#); [Andrew Thomas](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Agenda Item 9-A Nov. 17 Council Meeting-Caveat to My Citizens Advisory Committee Suggestion
Date: Tuesday, November 17, 2020 4:05:22 PM

Dear Mayor Ashcraft and Council Members, Knox-White, Daysog, Vella and Oddie:

I am already getting some positive feedback for my suggestion. However I am also getting resistance from folks who fear that a pro-Z majority on Council will stack the committee with Z supporters.

I wish to make clear what should not have to be said. It will be your burden to appoint members who represent the full spectrum of opinions on this issue. If the committee is seen as biased in either direction it will have no credibility. If you really want a solution and not a rerun of Z, this is essential.

Sincerely,

Paul S Foreman

From: ps4man@comcast.net
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); ["Tony Daysog"](#); [Jim Oddie](#); [Malia Vella](#)
Cc: [Eric Levitt](#); [Yibin Shen](#); [Andrew Thomas](#); [Lara Weisiger](#)
Subject: [EXTERNAL] FW: Agenda Item 9-A Nov. 17 Council Meeting
Date: Monday, November 16, 2020 5:07:04 PM

Dear Mayor Ashcraft and Council Members Knox-White, Daysog, Oddie and Vella:

I wrote the letter below to Council Member Knox-White on Nov. 12. No response has been received, so I have no choice but to read his referral literally, combined with the statements he made at the Nov. 4 meeting claiming that the rejection of Measure Z indicated the voters do not approve of our multi-family overlay and do not want us to comply with State law. Consistent with his Nov. 4 statement, three of the four bullet points in the referral speak of complying with the will of the voters as expressed by their rejection of Measure Z.

Measure Z did not ask voters to determine if they wanted our zoning ordinances or general plan to be compliant with Article 26, notwithstanding our obligations under State law. There are a multitude of reasons why voters might have chosen to vote against Z. See the latest Alameda Merry-go-round at: <https://alamedamgr.wordpress.com/2020/11/15/a-post-mortem-on-measure-z/> I was intimately involved in the No on Z campaign, communicating with a large number citizens. Not one of them suggested we should abandon our multi-family overlay and defy state law.

Our zoning and general plan are aligned with the City Charter except in the instance where pre-empted by the State law requirement that we up zone sufficient land to meet the our low income dwelling allocation assigned to us by ABAG. In our current 2015-2022 Housing Element we accomplished this by placing a multi-family zoning overlay on enough land to meet that requirement. There is no impediment to placing the same overlay on enough additional land to meet our 2023-2031 obligation. The overlay strategy developed by the City in 2012 was wise and legally correct. The proof of the pudding is that in over eight years it has not been challenged.

The referral has been marked as urgent with no statement justifying the same. Therefore, I urge Council to either take no action or defer action on this until at least a December meeting, so that we can hear Mr. Knox-White's presentation on Nov. 17 and give Council Members and the public time to fully understand it. Our staff is overburdened enough without being assigned new tasks before Council and the public has a full opportunity to determine the necessity thereof.

The rejection of Z does not mean that we should abandon attempts to improve Article 26. On the contrary, we should consider appropriate modifications. However, the fact that our Planning Director was a moving force for Z and that four of you supported it tells me that neither a Council sub-committee nor staff should be presenting proposals to you. I suggest that a citizens advisory committee be established to study the issue and present the same to the Planning Commission, staff, and Council. It should be comprised of residents from all parts of the City and should be a transparent process, with full compliance with the notice and public input provisions of our Sunshine Ordinance. I would be happy to serve.

Please understand that everything above is an expression of my personal views, and should not be

interpreted as the position of ACT or any other group. The only time I am speaking for ACT is when I expressly so state or when the correspondence carries the ACT letterhead.

Sincerely,

Paul S Foreman

From: ps4man@comcast.net <ps4man@comcast.net>

Sent: Thursday, November 12, 2020 10:05 AM

To: John Knox White <jknoxwhite@alamedaca.gov>

Subject: Agenda Item 9-A Nov. 17 Council Meeting

Dear Council Member Knox-White:

I am writing to request clarification of your above captioned referral at <https://alameda.legistar.com/LegislationDetail.aspx?ID=4687619&GUID=01FEA4E1-69E6-40AE-B230-88B3F55E003E> This will be posted as an open letter on Nextdoor so that the public can benefit from your response so as to enable informed public comment on the matter on Nov. 17.

You are proposing that, "With Measure Z's demise, staff should return to the meeting on ABAG RHNA methodology with steps to ensure that our zoning and general plan are aligned with our recently re-affirmed City Charter." However, my understanding is that the voter rejection of Measure Z did nothing more than retain the status quo.

Our zoning and general plan are aligned with the City Charter except in the instance where pre-empted by the State law requirement that we upzone sufficient land to meet the our very low and low income dwelling allocation assigned to us by ABAG. In our current 2015-2022 Housing Element we accomplished this by placing a multi-family zoning overlay on enough land to meet that requirement. There is no impediment to placing the same overlay on enough additional land to meet our 2023-2031 obligation.

Based on the above it is difficult for me and others to understand your request. I am hoping that you will provide clarification by posting a response to this letter on Nextdoor well before the Nov. 17 meeting.

Sincerely

Paul S Foreman

From: [Heather Phillips](#)
To: [City Clerk](#)
Cc: [Tony Daysog](#); [Jim Oddie](#); [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Malia Vella](#)
Subject: [EXTERNAL] Public comment regarding city council agenda for 11/17/2020
Date: Wednesday, November 11, 2020 11:04:55 AM
Attachments: [twitter.com_gwehmanbrown_status_1324378593938472961.png](#)

Hello,

I would like a comment to reflect that I object to agenda item 9a that was placed by Vice Mayor Knox White on the City Council's meeting for November 17th on two grounds: it's prohibitively vague and it's not urgent or important.

Mr. Knox White has plainly stated that Alameda can meet RHNA number designations with Article 26 as it stands. The rejection of Measure Z does not change our ability to continue to comply with RHNA numbers. Mr. Knox White plainly states so in the attached comments: the "short answer" is "yes" Alameda can comply. Agenda 9a, phrased as if zoning and general plan must now must change to comply with RHNA numbers, is against the facts. It's an attempt to create an issue and impression of urgency when there is none.

I object to the City Council discussing this item. It is vaguely stated on the agenda and not urgent; there are better uses of our government's time.

Heather



Tweet



John Knox White (Alameda Vice Mayor) @JKW4Alameda · Nov 4

Tonight I submitted a referral for our next City Council meeting to receive information from City Staff on the steps the council can take to make our zoning and general plan compliant with Article 26 in support of voters reaffirmation on Tuesday. More to come [#alamtg](#)

2

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16



John Knox White (Alameda Vice Mayor) @JKW4Alameda · Nov 4

Four points for discussion:

Return at the special meeting with what steps would be needed to take action towards compliance

Identify communications necessary to region and state re: ability to remain compliant with housing law and meet our current and future RHNA numbers

1



7



John Knox White (Alameda Vice Mayor) @JKW4Alameda · Nov 4

Identify community impacts related to complying with recent vote

Identify legal risks that can be disclosed to the public for complying and not complying with Article 26

1



9



GWB
@gwehmanbrown

Replying to [@JKW4Alameda](#)

I'm curious if, with A26, enough housing can be zoned & built across income levels that complies with ADA requirements for people who can't use stairs. The new market-rate construction in my neighborhood is all inaccessible.

7:50 AM · Nov 5, 2020 · Twitter for iPhone



John Knox White (Alameda Vice Mayor) @JKW4Alameda · Nov 5

Replying to [@gwehmanbrown](#)

Alameda actually has the highest accessibility requirements in the state (maybe the nation) for new construction. But most of the new housing we've built was built before they were in place. Single family homes can be accessible. so the short answer is: Yes.

2



2



Lauren Do @laurendo · Nov 5

With A/26 you'll never be able to build across all incomes and be accessible. It's impossible.



1



John Knox White (Alameda Vice Mayor) @JKW4Alameda · Nov 5

Replying to [@gwehmanbrown](#)

The issue we keep running into is the market's interest in building 3-story townhouses. These are not easily accessible, they require elevators, etc.



2

