

CITY OF ALAMEDA RESOLUTION No. _____

APPROVING A PARTIAL EXEMPTION FROM PUBLIC ART ORDINANCE FOR THE MCKAY RESPITE CENTER (1245 MCKAY AVENUE), REDUCING THE PUBLIC ART IN-LIEU FEE FROM \$244,117 TO \$100,000

WHEREAS, City of Alameda's (City) Public Art Ordinance (Alameda Municipal Code Section 30-98) requires commercial, industrial and municipal development projects having a building development cost of two hundred fifty thousand (\$250,000) dollars or greater to devote one percent (1%) of building development costs for public art in Alameda; and

WHEREAS, 1245 McKay Avenue was federal property until 2017, when, Under Title V of the McKinney-Vento Homeless Assistance Act, it was conveyed to Alameda Point Collaborative (APC) to be used for homeless services; and

WHEREAS, in 2019, Alameda residents approved Measure A to support development of a medical respite center and supportive housing community at 1245 McKay Avenue; and

WHEREAS, after a series of hearings and submittals, APC was granted approval by the City to develop the property. The project, officially named the Beacon, is currently under construction and will feature two buildings; and

WHEREAS, Building 1 is 100% affordable senior Permanent Supportive Housing and is therefore exempt from the Public Art Ordinance. However, Building 2, the McKay Respite Center, is not exempt; and

WHEREAS, the total valuation of the McKay Respite Center construction is \$24,411,700 which requires APC to pay a \$244,117 Public Art in-lieu fee. The fee is cost-prohibitive for the non-profit whose primary mission is to provide supportive housing and services to Alameda's homeless or formerly homeless residents; and

WHEREAS, the McKay Respite Center will serve medically fragile homeless people, and it is critical that every dollar be dedicated towards care. APC is dedicated to delivering Public Art at the Beacon development and requests a partial exemption of the Public Art Ordinance, reducing the Public Art in-lieu fee to \$100,000; and

WHEREAS, per the Public Art Ordinance (30-98.3), Municipal or Non-Profit Organization Development Projects, including parks, may be exempted (fully or partially) from the provisions of this article when the City Council finds that, based upon the characteristics of the project or the project budget, it is in the best interests of the Alameda community to do so.

NOW THEREFORE, City Council finds this partial exemption in the best interest of the Alameda community and is requesting that Council approve a partial exemption of the Public Art Ordinance, reducing the Public Art in-lieu fee to \$100,000; and

BE IT FURTHER RESOLVED that the City Council hereby approves a partial exemption from Public Art Ordinance for the McKay Respite Center (1245 McKay Avenue), reducing the Public Art in-lieu fee from \$244,117 to \$100,000.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda during the City Council meeting on the 5th day of May 2026 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the seal of said City this 6th day of May 2026.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM:

Yibin Shen, City Attorney
City of Alameda