

Posted on October 3, 2022

CITY OF ALAMEDA HEALTH CARE DISTRICT
BOARD OF DIRECTORS
MEETING AGENDA
Thursday October 6, 2022
OPEN SESSION: 4:30 PM
Location: REMOTE VIA ZOOM

Deborah Stebbins is inviting you to a scheduled Zoom meeting.

Find your local number: <https://us02web.zoom.us/j/88921003957>
Office of the Clerk: 510-263-8223

Members of the public who wish to comment on agenda items will be given an opportunity before or during the consideration of each agenda item. Those wishing to comment must complete a speaker card indicating the agenda item that they wish to address and present to the District Clerk. This will ensure your opportunity to speak. Please make your comments clear and concise, limiting your remarks to no more than three (3) minutes.

Deborah Stebbins is inviting you to a scheduled Zoom meeting.

Topic: Open Session District Board
Time: Oct 6, 2022 04:30 PM Pacific Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/88921003957?pwd=YXUwVVVBOEdFVUNJbWtXUEUxRWdsZz09>

Meeting ID: 889 2100 3957
Passcode: 033356
One tap mobile
+16699006833,,88921003957#,,,,*033356# US (San Jose)
+16694449171,,88921003957#,,,,*033356# US

Dial by your location
+1 669 900 6833 US (San Jose)
+1 669 444 9171 US
+1 719 359 4580 US
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 646 931 3860 US
+1 929 205 6099 US (New York)
+1 301 715 8592 US (Washington DC)
+1 309 205 3325 US
+1 312 626 6799 US (Chicago)
+1 386 347 5053 US
+1 564 217 2000 US

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- I. **Call to Order** Gayle Codiga

- II. **Roll Call** Debi Stebbins

- III. **General Public Comments**

- IV. **Brown Act Resolution ENCLOSURE** Tom Driscoll
(pages 3-4)
- V. **Recommendation for Settlement with Tenant – for action**
ENCLOSURE (pages 5) Debi Stebbins



CITY OF ALAMEDA HEALTH CARE DISTRICT

MEETING DATE: October 6 2022

TO: City of Alameda Health Care District, Board of Directors

FROM: Deborah E. Stebbins, Executive Director

SUBJECT: Authorization to Continue the Use of Teleconferences

Whereas, on September 10, 2021, both houses of the California Legislature voted to approve AB 361 (Rivas), "Open Meetings: State and Local Agencies: Teleconferences." The Governor signed AB 361 and it took effect immediately as an urgency statute; and

Whereas, A.B. 361 amended Government Code section 54953 to provide more clarity on the Brown Act's rules and restrictions surrounding the use of teleconferencing to conduct meetings during a declared state of emergency as defined under the California Emergency Services Act. In addition, the District Board must determine that, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees; and

Whereas, if those circumstances apply, then the amended Brown Act provides an exemption from certain of the Brown Act's existing requirements and creates alternate measures to protect the statutory and constitutional rights of the public to appear before local legislative bodies. When the District Board elects to hold a virtual or remote meeting because the emergency and public health and safety criteria are met, the following alternate set of requirements apply:

1. The District must provide adequate notice of the meeting and post an agenda as otherwise required by the Brown Act;
2. Where there is a disruption in the public broadcast of the call-in or internet-based meeting service, the District Board must take no further action on agenda items until public access is restored;
3. The District is prohibited from requiring public comments to be submitted in advance of the meeting and cannot close the comment period or opportunity to register online until the timed public comment period has elapsed; and
4. The District Board, acting under these teleconference exemptions, must make periodic findings about whether the circumstances explained above apply. Specifically:
 - The Board must find that it considered/reconsidered the circumstances of the state of emergency and that one of the following circumstances exist: (i) the emergency continues to directly impact the ability of members to safely meet in person, or (ii) state or local officials continue to impose or recommend measures to propose social distancing.
 - If the District Board cannot make these findings by majority vote, then it will no longer be exempt from the physical public access, quorum, and public comment opportunity rules applied to teleconference meetings under subsection 54953(b)(3) of the Brown Act.



CITY OF ALAMEDA HEALTH CARE DISTRICT

NOW THEREFORE, BE IT RESOLVED THAT:

1. This Board finds that, after due consideration of the current circumstances of the state of emergency caused by the pandemic, the emergency continues to directly impact the ability of members and the public to safely meet in person; and
2. Prior to conducting any business described on a posted agenda for a duly called future meeting, this Board shall find that it reconsidered the circumstances of the state of emergency and that one of the following circumstances exists at the time of such meeting:
 - (i) the emergency continues to directly impact the ability of members to safely meet in person, or
 - (ii) state or local officials continue to impose or recommend measures to propose social distancing.

October 3, 2022

Memorandum to: City of Alameda Health Care District

 Board of Directors

From: Debi Stebbins

 Executive Director

For the past several months the District has encountered problems with a tenant in one of our Pearl Street units. After several attempts to improve the situation which is causing disruption to other tenants in the building, the tenant in question has agreed to voluntary agreement to vacate the premises and release any additional claims against the District in return for a one time payment of \$10,408 as provided for in the City of Alameda City Council rent control ordinance. This is paid in two parts - \$5,204 at the time the tenant signs the agreement and release and the second half at the time the tenant vacates the premises, no later than November 30, 2022 per the agreement.

During this process we have been advised by Michael Notaro, an experienced real estate attorney in Alameda.

I am recommending the Board authorize the Executive Director to execute the agreement on behalf of the District and to pay the tenant the two part compensation as outlined above.