

ALAMEDA COUNTY BOARD OF SUPERVISORS' TRANSPORTATION/ PLANNING COMMITTEE

Monday, October 2, 2023
1:30 p.m.

Supervisor David Haubert, Chair
Supervisor Nate Miley

Location: Board of Supervisors Chamber – 5th Floor
County Administration Building
1221 Oak Street, Oakland, CA 94612

Summary/Action Minutes

I. INFORMATIONAL ITEM: Flood Control Benefit Assessment Strategies – Receive presentation by the Alameda County Flood Control and Water Conservation District regarding strategies for raising revenues through flood control benefit assessments for Zones 2, 4, and 9

[Attachment](#)
[Attachment](#)

Daniel Woldesenbet, Director, Public Works Agency, Sybil Hatch, President, Convey, Inc., and Dennis Anderson, consultants, presented a PowerPoint presentation on the Flood Control Benefit Assessment Strategies for raising revenues through flood control benefit assessments for Zones 2, 4, and 9.

The Alameda County Flood Control & Water Conservation District (District) Zones 2, 4 and 9 are currently facing financial challenges. The costs associated with routine maintenance of flood control facilities and necessary capital improvements far exceed the revenue generated by these zones. Specifically, Zones 2, 4 and Zone 9 require additional funding to ensure the effective delivery of flood control services.

To explore potential strategies for increasing revenue through benefit assessments, the District engaged a team of consultants to examine different approaches. Their initial plan includes robust citizen engagement, educational campaigns, focus group research, and the creation of essential and legally required documents to inform property owners when voting. The objective is to obtain the essential funding required to address critical flood control infrastructure challenges. The entire endeavor to conduct a successful election process is anticipated to require approximately \$1 million in funding, and the Flood Control & Water Conservation District is prepared to fund the initiative.

Speakers

Bruce King, Michael Freed, Bruce Finnochio, Liz Dennis-Eisler, Michelle, Kelly Abreu, Tim Forsyth, Elliott Brodzki, Dale Silva, Steven King and Carin High commented on the Flood Control Benefit Assessment Strategies.

Purpose:

- Report progress
- Advocacy or Education
- Request Transportation and Planning Committee recommendation
- Other:

Recommendation from Transportation & Planning Committee: This item was informational only, however the Committee stressed the need for public outreach to explain the project's necessity to property owners.

II. ACTION ITEM: Watercourse Protection Ordinance (WPO) Update – Review proposed amendments to the Watercourse Protection Ordinance and forward to the full Board of Supervisors for adoption
[Attachment](#)

Daniel Woldesenbet, Director, Public Works Agency, presented a memorandum and proposed amendments to the Watercourse Protection Ordinance for Committee approval and to forward to the full Board of Supervisors for adoption.

Summary

The proposed amendments to the Watercourse Protection Ordinance (WPO) involve some minor clarifications and definitions, and updates to outdated enforcement provisions. The amendments are not intended to provide a full policy overhaul of the WPO. The WPO has not historically included ephemeral streams, and regulatory expansion would require additional review and mapping efforts. The current revised definition also removes the existing added limitation that natural channels be those that have a watershed of 50 acres or more. In the interest of transparency, the watercourses will be those that are mapped, without additional limitations and exceptions.

To ensure there is no confusion with any other regulatory agency requirement, the current ordinance amendments propose a modest amendment to clarify that it is the responsibility of any person whose operation may result in discharge into a watercourse “or waters that are not covered by this ordinance as watercourses” to comply with applicable standards, “statutory requirements,” and “other” regulations.

The WPO update was presented to both the Ag Advisory Committee and the Planning Commission as an action item. A majority of both entities voted to recommend the update that is currently being presented for consideration.

Speakers

Bruce King, Sandra Frost, Bruce Finnochio, Chuck Moore, Kelly Abreu, Karen Carey, Roxann Lewis, Peter Mangerella, Michelle, Ann E. Maris, Carin High, Dale Silva, Chris Higgins, Michael Freed, Peter Rosen, Steven King, Karl Wentz, William Yragui, Chuck Meadows, Marc Crawford, and Lester Mensinger commented on the Water Course Protection Ordinance amendments.

Purpose:

- Report progress
- Advocacy or Education
- Request Transportation and Planning Committee recommendation**
- Other:

Recommendation from Transportation & Planning Committee: Move to the full Board of Supervisors for adoption, with no recommendation from the Committee.

III. ACTION ITEM: Review Objective Design Standards for Unincorporated Alameda County and forward to the full Board of Supervisors for adoption - This project is Statutorily Exemption, from California Environmental Quality Act (CEQA) Guidelines pursuant to Sections 15060(c)(2) and 15061(b)(3): The project is not subject to review pursuant to CEQA Guidelines section 15060(c)(2) and pursuant to CEQA Guidelines section 15061(b)(3).
[Attachment](#)

Rodrigo Orduña, Assistant Planning Director, Community Development Agency, presented a staff report and proposed Objective Design Standards for Unincorporated Alameda County for approval and to forward to the full Board of Supervisors for adoption.

The intent of adding objective standards to the residential design standards and guidelines for the unincorporated communities of West Alameda County is to minimize constraints to new housing development. These changes are meant to comply with state legislation, specifically the Housing Accountability Act and Senate Bill 35 from 2017 and 2018. The goal is to ensure certainty in the discretionary process and streamline the review of residential development applications consistent with objective standards. This mainly impacts multifamily and affordable housing, making the design guidelines more objective, measurable, and enforceable. The proposal went through community hearings and was adopted by the Planning Commission, which recommended approval by the Board of Supervisors. These objective standards do not affect single-family housing.

Speakers

Michelle and Kelly Abreu commented on the Objective Design Standards for Unincorporated Alameda County.

Purpose:

- Report progress
- Advocacy or Education
- Request Transportation and Planning Committee recommendation**
- Other:

Recommendation from Transportation & Planning Committee: Support. Move to the full Board of Supervisors for approval and adoption.

IV. PUBLIC COMMENT

George Wu stated that he is a small housing provider, and he commented on the severe financial strain caused by the eviction moratorium in Alameda County. He has not received rent for over 40 months, accumulating a debt of over \$130,000. He was denied rental assistance due to his tenant's lack of cooperation. He cannot afford a lawyer to seek legal relief, and the situation has severely impacted his family. He requested that Alameda County compensate him for their financial losses due to the eviction moratorium.

Lester Mensinger commented on the importance of including homeowners and stakeholders in discussions and decisions, rather than allowing only those who might want to take over their property. There are potential unintended consequence of homeowners needing to sue the county if they are not allowed to voice their concerns.

Tuan commented that he was speaking on behalf of tens of thousands of Alameda County residents affected by the eviction moratorium, a failed policy that caused significant financial harm. The policy had large loopholes that allowed widespread abuse, with many tenants not paying rent despite working, while landlords continued to shoulder expenses. He urged the supervisors to take leadership and rectify the situation by compensating those harmed by the policy.