

ALAMEDA COUNTY BOARD OF SUPERVISORS' TRANSPORTATION/ PLANNING COMMITTEE

Monday, February 6, 2023
9:30 a.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. Pilot County program tasked with responding to tenant/occupant complaints of housing quality, concerns, and substandard code violations

[Attachment](#)

Edward Labayog, Code Enforcement Manager, Community Development Agency, presented a memorandum and report on the proposed pilot county program tasked with responding to tenant/occupant complaints of housing quality, concerns, and substandard code violations.

The proposed Pilot Program for Tenant/Occupant Complaints will help improve and enhance the delivery of service and response related to tenant complaints and enforcement in the unincorporated county and it will help satisfy the county's compliance with the recently passed state law AB 838, effective July 1, 2022 requiring jurisdictions to respond to substandard housing complaints from tenants, residents, occupants and agents, provide adequate notice to the property owner and re-inspect for compliance.

The program would provide multiple benefits to County residents and fill existing gaps in service. This will be an added operation and no new ordinances are being proposed.

- The Code Enforcement Division will respond to tenant complaints of habitability and substandard conditions in the Unincorporated Alameda County.
- Provide training for Code Enforcement staff regarding housing quality standards and substandard \ conditions.
- Inspect the subject residence/unit.
- Reference existing Alameda County Housing Code Standards in chapter 15.24 of the Building Code and California Health and Safety Code Standards 17920.3 for buildings used for habitation to identify and document corrections and/or violations.
- Follow enforcement and abatement procedures referenced in Ordinance 6.65 of the Neighborhood Preservation Ordinance and/or Chapter 15.28 of the Building Code.

Staff recommends the Committee receive this report, consider the information provided on a complaint-based program, and move the item to the full Board of Supervisors for approval. Implementation of the program by Code Enforcement staff will begin soon thereafter.

Speakers

Leo Esclamado, Kelly Abreu, Tom Silva, Rhovy Lyn Antonio, Monique Berlanga, Samantha Beckett, Julio Contreras, Michelle Starratt, Larry Brooks, and Ethan Silverstein gave public comment on the proposed county pilot program to respond to tenant/occupant complaints of housing quality and substandard code violations.

Purpose:

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

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

II. Update on South Livermore Valley Area Plan (SLVAP) / Measure D Discussion from the Agricultural Advisory Committee

[Attachment](#)

Liz McElligott, Assistant Agency Director, Planning Department, Community Development Agency, presented a PowerPoint presentation on the South Livermore Valley Area Plan (SLVAP)/Measure D Discussion from the Agricultural Advisory Committee (AAC).

As discussed at the January 24th AAC meeting, to implement Measure D 2022, the Board must adopt amendments to East County Area Plan (ECAP) and the Castro Valley General Plan to incorporate the text changes approved in the ballot measure. Hearings are scheduled for February 21st before the Planning Commission and March 9th at the Board of Supervisors Planning meeting to consider these amendments.

In addition, the Planning Commission will be asked to recommend approval of, and the Board of Supervisors will be asked to approve a Zoning Ordinance amendment to add a definition for agricultural building that was previously recommended by the AAC.

Agricultural, Building. A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall allow for the processing, treatment, and packaging of agricultural/horticultural products. This structure shall not be a place of human habitation, nor shall it be a place used by the public.

Amendments Proposed by TVC for the South Livermore Valley

In March of 2022, staff received a letter from the TVC with a list of proposed amendments to ECAP and the County Zoning Ordinance to promote the development of economically sustainable agricultural operations in the South Livermore Valley. The amendments to ECAP proposed by the TVC include applying the additional .025 Floor Area Ratio (FAR) now allowed for greenhouses in the LPA designation to all types of agricultural buildings in the South Livermore Valley. Measure D 2022, made this change for all properties designated LPA, including those within the South Livermore Valley Plan area.

Staff requests that the Committee take public testimony and provide direction to staff.

Speakers

Lori Souza, Kelly Abreu, Dick Schneider, David Rounds, Tamara Reus, Karl Wentz and Jean King gave public comment on the proposed amendments to ECAP, the Castro Valley General Plan and Zoning Ordinance.

Purpose:

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

Recommendation from the Transportation and Planning Committee: The Transportation and Planning Committee supports the proposed amendments by the Agricultural Advisory Committee and the Tri-Valley Conservancy.

In addition the Committee directed staff: 1) to identify funding to assist with the extension of sewer line to the South Livermore Valley area; 2) Develop a comprehensive list of definitions to be added to amendments.

III. PUBLIC COMMENT

Kelly Abreu stated that BART ridership has significantly decreased, and it is requesting funding from the Metropolitan Transportation Commission due to shortages. The Dublin/Pleasanton Parking garage added 500 new spaces for BART riders, which is not necessary due to reduced ridership.

Alameda County should do more to protect county agricultural lands and prevent urban sprawl, due to the extension of State Route 239, to a four-lane freeway.

Karl Wentz, Chair, Agricultural Advisory Committee, advised the Committee that the AAC has been reviewing their purpose and mission and asked what the AAC can do to better serve Alameda County.