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## City Council Votes to End the Rent Increase Moratorium

**Karin Jensen**

At its March 1 meeting, City Council approved ending the rent-increase moratorium imposed in response to the COVID-19 Pandemic. Rent increases will be allowed up to the current year's Annual General Adjustment (AGA). However, landlords may not impose banked rent increases until 60 days after the City rescinds the Local Emergency Declaration; recession is anticipated to occur mid-year. Landlords will give tenants 30 days notice of a rent increase as early as May 1 so that rent increases can begin on June 1.

### Background

Because of COVID-19's economic impact, City Council adopted ordinances in 2020 that disallowed rent increases for regulated rental units until 60 days after rescinding the Declaration of a Local Emergency in Response to the COVID-19 Pandemic.

However, at a December 2021 City Council meeting, landlords expressed concern about continuing the rent-increase moratorium, citing the rising costs of rental-unit operation, such as property taxes and insurance. In response, the City Council directed staff to research and return with options to create relief for landlords or allow rent increases to occur again.

Staff reviewed 14 jurisdictions in the Bay Area and southern California. While all adopted eviction moratoria and several adopt-

ed rent-increase moratoria, only two still have a rent freeze moratorium as of January 2022 – Los Angeles and Oakland.

### Alameda's Rent Program Ordinance

Under a 2019 Alameda Rent Program Ordinance, landlords can increase rents by no more than 70% of the percentage change in the Consumer's Price Index and no more than once per year. The ordinance provides a process for "banking" a rent increase if a landlord chooses not to increase rent in a given year.

The program calculates an AGA and allows landlords to bank a maximum of eight percent. The sum of the banked AGAs through August 31, is 6.5%, which is the sum of the AGAs for 2019 through 2021.

When implementing a rent increase using the banked amount, a landlord may increase rent by the current year AGA plus three percent. Therefore, if the current rent-increase moratorium were not in place, a landlord could increase the rent up to 5.7%, the current AGA of 2.7% plus 3% from the bank.

### Staff Recommendation

Because the finance industry considers a rent increase of more than 5% as potentially leading to difficulty making payments and displacement, Staff recommended:

1. Ending the moratorium by permitting landlords to implement

a rent increase up to the current year's AGA of 2.7%, but not permit further increases from previously banked increases

2. Permitting landlords to begin using banked rent increases upon the termination of the Local Emergency

3. Clarifying exemptions to the Rent Program due to regulatory agreements

### Discussion

Councilmembers felt that the staff's proposal offered a good compromise between landlords needing to increase rents to recoup increasing costs and renters who are still in the early stages of a recovering economy. By allowing an AGA increase as early as June, the Board hopes to encourage landlords to impose a smaller rent increase in 2022 rather than waiting to increase rents until after the Emergency Declaration is rescinded later in the year. Rents may not be increased more than once per year.

Once the city rescinds the Local Emergency Declaration, landlords can impose a more significant rent increase comprised of the AGA plus 3%. This year's AGA, to be issued in September, is anticipated to be higher than previous years due to rising inflation.

In the final vote, City Council voted unanimously to adopt the staff's recommendation with the addition that landlords may not apply banked increases until 60 days after the City rescinds the Local Emergency Declaration.

## Second Suspect Nabbed in Adams Street Robbery

**Sun Staff Reports**

Alameda police arrested a suspect for allegedly committing an armed robbery with another person in January. He is the second suspect arrested for this crime.

Alameda Police Department (APD) announced they made the arrest on March 3. APD investigators were able to obtain an arrest warrant and arrested the second suspect, according to APD reports. The suspect's identity is being withheld because he is a minor. The case has now been submitted to the Alameda County District Attorney's Office for review.

The arrest stems from the armed robbery that took place on Jan. 12 on the 2900 block of Adams Street

("Juvenile Armed Robbery Suspect Arrested," Feb. 4). The two juveniles are alleged to have brandished a handgun in the direction of two adult males and demanded their property. The report did not say which suspect brandished the handgun.

APD arrested the first suspect on Feb. 2, according to reports. APD was able to locate some of the stolen property prior to the first arrest using tracking data. During the arrest, officers retrieved more than a dozen items of stolen property and ammunition. Investigators learned the first suspect is likely to be involved in other robberies in Oakland and Hayward. APD did not say if the second suspect was also involved those robberies.

## Alamedan Killed in Vehicle Accident

**Sun Staff Reports**

An Alameda resident was killed Sunday, March 6, following a crash in East Oakland while riding his motorcycle, according to Oakland police.

Raul Marquez, 41, was riding east on Bancroft Avenue when his bike struck the center divider, ejecting him, according to police. The crash occurred a little before 8 p.m. in the 5800 block of Bancroft Avenue.

Paramedics took Marquez to Highland Hospital where he died.

The crash is under investigation. Anyone with information about it can call the Oakland Police Department's traffic investigation unit at (510) 777-8570.



Encinal High School Athletic Boosters

Encinal booster president Tom Roloff and student athletes speak to the crowd at the 22nd annual Crab Feed.

## Crab Feed Event a Success

**Sun Staff Reports**

The Encinal High School (EHS) Athletic Boosters hosted the 22nd Annual Crab Feed Saturday, March 5th at the Alameda Officer's Club.

More than 300 people attended the event, which had its 2021 iteration canceled due to the COVID-19 pandemic. The event had both silent and live auctions, a raffle, a balloon pop and a wheel of fortune. Over 50 student-athlete volunteers made the evening possible, while serving more than 700 pounds of crab.

The Encinal Dance Club did a live performance to an attentive audience, and Encinal's Kevin Gorham and EHS parent, Laura Palmer led

a lively dessert and live-auctions with the finale item a Puerto Vallarta vacation stay at a home donated by WesCafe.

Booster's Board Member Tina O'Shea was the auction chair, and Boosters Board President, Todd Roloff commented, "We are amazed at the community response to this event. The Board wasn't sure we were going to move forward with an in-person event until just six-weeks ago. And, while numbers aren't officially calculated yet, this could be the best fundraising year for the Crab Feed ever!"

All proceeds benefit EHS' sports programs.

## Under Pressure, Alameda Council Limits R-1 Lots to Four Housing Units

**Karin Jensen**

At its March 1 meeting, City Council introduced an ordinance to implement Senate Bill 9 (SB9). Under the ordinance, the total housing units permitted on a single-family residential (R-1) lot will be limited to four, and units constructed under SB9 will be limited to 1,000 square feet.

### Background

SB9 went into effect on Jan. 1, and requires local jurisdictions to grant by-right approval of two-unit developments and lot splits in R-1 zones that meet specific criteria. SB9 intends to increase density in single-family neighborhoods as one means of addressing the State's housing crisis. It also creates more opportunities for homeownership by allowing R-1 owners to split their lots, develop the split lot with housing and sell it.

On Jan. 4, the City Council held a public hearing to consider the Planning Board's recommended ordinance to implement SB9. The board recommended that up to 10 units be allowed on each R-1 lot, with SB9 units allowed up to 1,600 square feet. After public outcry at the hearing, the council directed staff to revise the ordinance to reduce the size limit for new units and the maximum number of units per lot.

### Staff Recommendations

As a result, planning staff returned with a proposed provision: "an Urban Lot Split shall not permit more than a total of four dwelling units on the two newly created lots, inclusive of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs)."

An ADU is a secondary house or apartment on a primary home's lot, such as a guest house in the backyard. JADUs are ADUs within the walls of a proposed or existing single-family residence.

Alameda Municipal Code allows one attached and two detached ADUs for a total of three ADUs on

lots containing a two-family dwelling. The proposed ordinance would prevent a property owner in the R-1 District from constructing two units as allowed by SB 9 and adding three units as allowed by the City's ADU ordinance provisions for multifamily properties. Instead, the proposed ordinance limits ADUs on an R-1 lot to two ADUs if the property owner invokes SB 9.

If a property owner does not want to do a lot split, the ordinance still limits the total number of units on the lot to four. In sum, the ordinance allows flexibility in how owners distribute units on their property, but in no situation would an R-1 parcel include more than four units with or without a lot split.

SB9 allows cities to establish a maximum unit size. Staff recommended a maximum size of 1,200 square feet to be consistent with the maximum size of ADUs under the City's ADU ordinance.

### Council Discussion

Councilmembers John Knox White and Vice Mayor Malia Vella agreed with staff's recommendation to allow SB9 units up to 1,200 square feet. They felt that flexibility in size would make it more likely that owners would build new housing for various household sizes.

Mayor Marilyn Ezzy Ashcraft and Councilmember Trish Herrera Spencer argued for a maximum size of 800 square feet with the idea of encouraging the construction of more affordable homes. The Council compromised by agreeing to limit SB9 unit sizes to 1,000 square feet.

### What's Next

Staff will update the council on ordinance implementation in the fall of 2022 as part of the Housing Element (city housing plan) public hearings and zoning amendments. Council will then have the opportunity to adjust the ordinance as necessary with the benefit of SB9 application experience.

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Alameda Sun is a publication of Stellar Media Group, Inc. 3215J Encinal Ave. Alameda, CA 94501  
**Locally Owned, Community Oriented**  
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## SPRING FORWARD



Daylight Saving Time Starts  
Turn Your Clocks Ahead One Hour  
2 a.m. Sunday Morning & Check Your Smoke Detector Batteries!



## Artists Aid Ukraine

**Sun Staff Reports**

Jaying Wang Piggot, owner of Alameda Art Lab, recently held a fundraiser at her studio to raise money for Ukraine.

Piggot held a mosaic brick (steppingstone) session. She had a full studio and the participants made beautiful colorful mosaic bricks to take home with all proceeds going to UNICEF. Alameda Art Lab raised \$1,046 from last weekend's mosaic fundraiser. The money was donated to UNICEF's Crisis in Ukraine Fund.

The mosaic to the left was made by a Ukrainian woman, and Alameda resident, whose father, grandmother, uncle and cousin are trapped there unable to leave.

Alameda Art Lab offers classes in mosaics, stained glass, fused glass and other art classes for adults and youths.

Alameda Art Lab is located at 1910A Encinal Ave. Alameda Art Lab members aren't the only Alamedans donating to the humanitarian effort in Ukraine. See page 9 to learn how St. Joseph Notre Dame students are contributing to the effort.

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