

CITY COUNCIL MEETING

SEPTEMBER 21, 2021

PRESENTATIONS

ITEM 1 – APPT 21-004

**CITY COMMISSIONS AND KEEP HAYWARD
CLEAN AND GREEN TASK FORCE:
ADOPT A RESOLUTION CONFIRMING THE
APPOINTMENT AND REAPPOINTMENT OF
MEMBERS OF THE COMMUNITY SERVICES
COMMISSION, KEEP HAYWARD CLEAN AND
GREEN TASK FORCE, LIBRARY COMMISSION,
AND PLANNING COMMISSION
(REPORT FROM CITY CLERK LENS)**

CITY COMMISSIONS AND TASK FORCE

ITEM 1: APPT 21-004

**City Commissions and Keep Hayward Clean and Green Task Force:
Adopt a Resolution Confirming the Appointment and Reappointment of
Members of the Community Services Commission, Keep Hayward
Clean and Green Task Force, Library Commission, and Planning
Commission**

Tuesday, September 21, 2021
Miriam Lens, City Clerk

- 4/13 • Recruitment Starts
- 6/30 • Application Deadline
- 7/6 • Council Work Session
- 7/12 • Deadline for Council to Pre-Screen Applicants
- 7/16 • KHCG TF Subcommittee Interviews
- 7/27 • Council Interviews
- 9/21 • Council Meeting: Action
- 9/24 • Oath of Affirmation / Swear In

SUMMARY OF VACANCIES

BODY	Vacant Seat(s)	Seeking Reappointment	Not Seeking Reappointment	Total
CSC	3	5	3	11
LC	1	3	0	4
PERS C	0	0	0	0
PC	1	0	0	1
KHCGTF	6	0	1	7
				23

COMMUNITY SERVICES COMMISSION

REAPPOINTMENTS: FIVE (5)

<u>Name</u>	<u>Term Expires</u>
• Crystal Arrizon	9/30/2025
• Varsha Chauhan	9/30/2025
• Janet Kassouf	9/30/2025
• Linda Moore	9/30/2025
• Corina Vasaure	9/30/2025

LIBRARY COMMISSION

REAPPOINTMENTS: THREE (3)

Name

- Priscilla Banks
- Carl Gorringe
- Suresh Sangiah

Term Expires

9/30/2025
9/30/2025
9/30/2025

COMMISSIONS

APPOINTMENTS: Nine (9)

Community Services Commission (6)

Lacei Amodei	(Succeeds Jose Lara Cruz)	September 2022
Tatiana Backlund	(Succeeds Lenora Taylor)	September 2025
Austin Bruckner	(Succeeds Zachariah Oquenda)	September 2023
Pascal Garcia	(Succeeds Afshan Qureshi)	September 2025
Stanley Long	(Succeeds David Tsao)	September 2025
Collin Thormoto	(Succeeds Alicia Lawrence)	September 2022

Library Commission (2)

Shonda Goward	(Succeeds Brigitte Lowe)	September 2022
Kelly Sullivan	(Succeeds Karima Sharifi)	September 2023

Planning Commission (1)

Brigitte Lowe	(Succeeds Gary Patton)	September 2022
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KEEP HAYWARD CLEAN AND GREEN TASK FORCE

APPOINTMENTS: Nine (9)

Canice N Adom	(Succeeds Alison Divine)	September 2025
Michael Chand	(Succeeds Scott Schroder)	September 2025
Caleb Davis	(Succeeds Danielle Dedrick)	September 2024
Mohaned Elwali	(Succeeds Summer Jackson)	September 2024
Tom A Ferreira	(Succeeds Patrick Kariuki)	September 2024
Douglas M Mansel	(Succeeds Alejandro Quezada)	September 2024
Leah Martinez	(Succeeds Lenora Taylor)	September 2023
Shingo Nagae	(Succeeds Lisa Sharp)	September 2023
Linda Xu	(Succeeds Jacquelyn Young)	September 2023

COMMISSION ALTERNATES

SELECTED: Four (4)

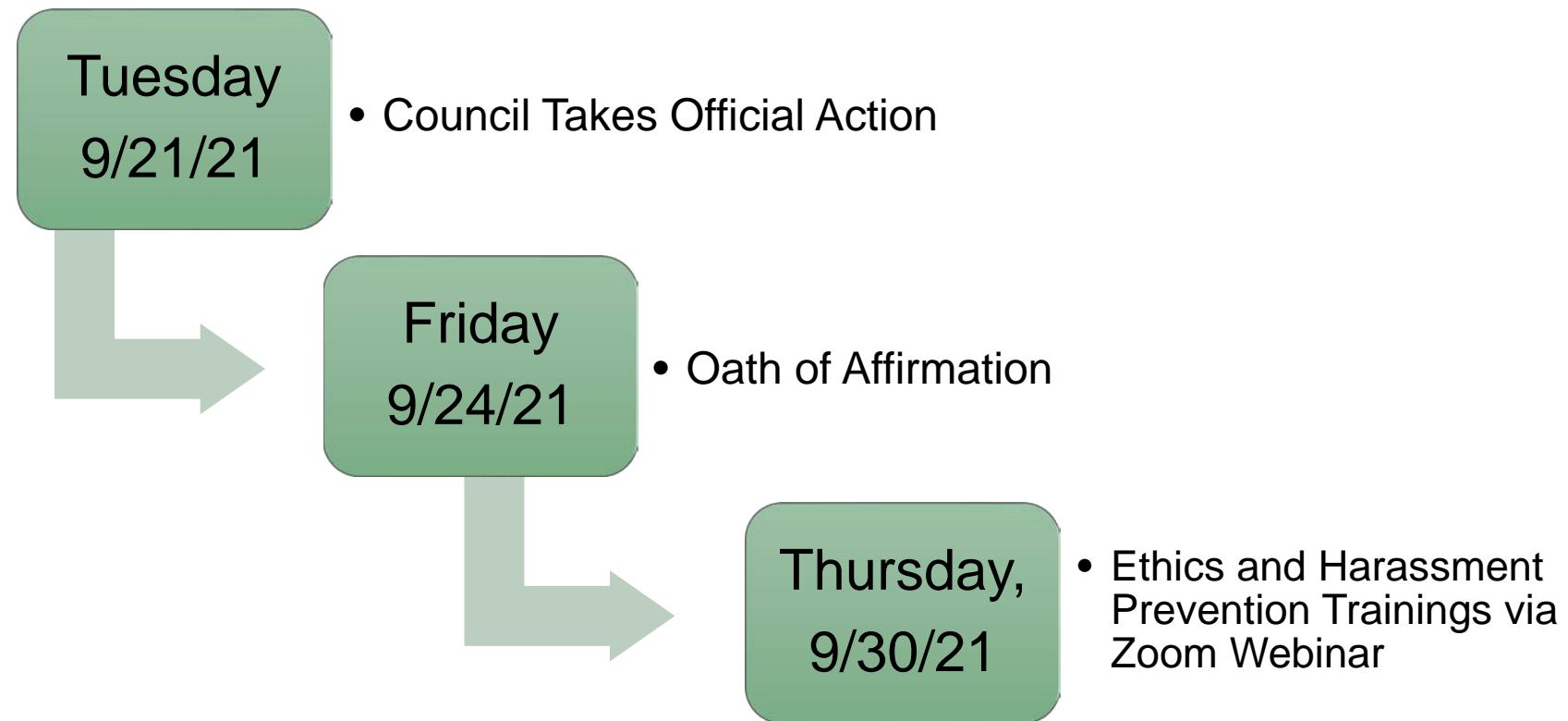
Name

George Syrop
Hazel De Leon
Shareen Purcell
Arti Garg

Meeting Body

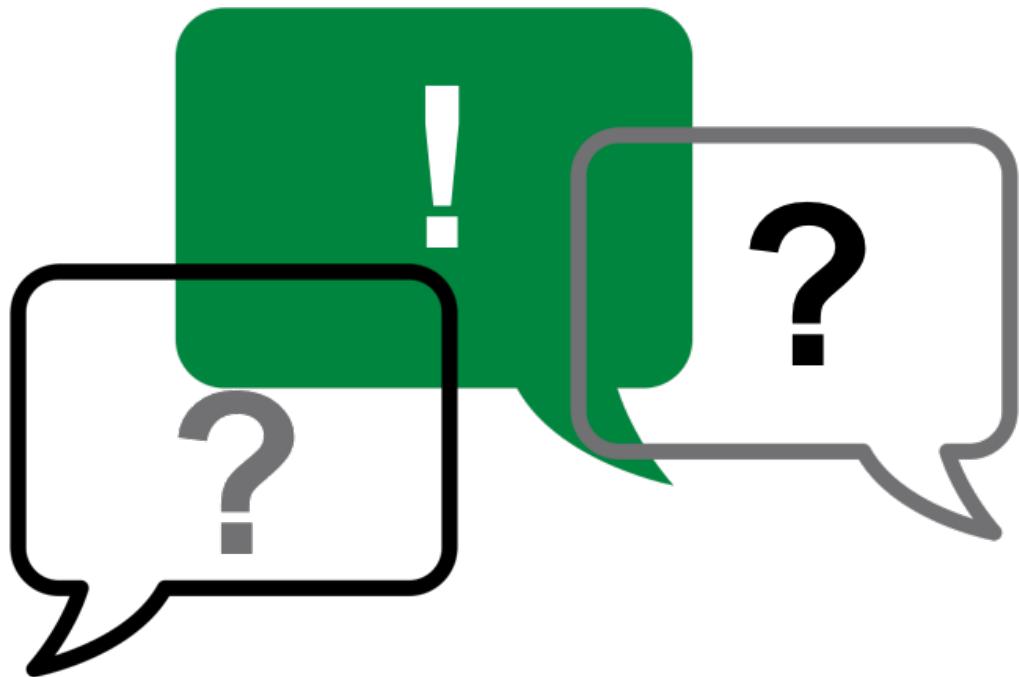
Community Services Commission
Community Services Commission
Library Commission
Planning Commission

NEXT STEPS



RECOMMENDATION

That the Council adopts a resolution confirming eighteen (18) appointments and eight (8) reappointments; and 4 alternates.



ITEM 13 – WS 21-037

**EVICTION MORATORIUM UPDATE: REVIEW
UPDATE ON THE STATUS OF THE STATE
EVICTION MORATORIUM, LOCAL EVICTION
AND FORECLOSURE DATA, AND SUMMARY OF
RESOURCES AVAILABLE TO PREVENT
EVICTIONS AND FORECLOSURE
(REPORT FROM ASSISTANT CITY MANAGER OTT)**

Eviction and Foreclosure Briefing

September 21, 2021 | City Council Meeting
Christina Morales, Housing Division Manager

Background

- On June 22, 2021, Council directed staff to provide an update on the State eviction moratorium and the City's plans for ensuring Hayward residents can access resources necessary to prevent eviction

Overview

State Eviction Moratorium Update

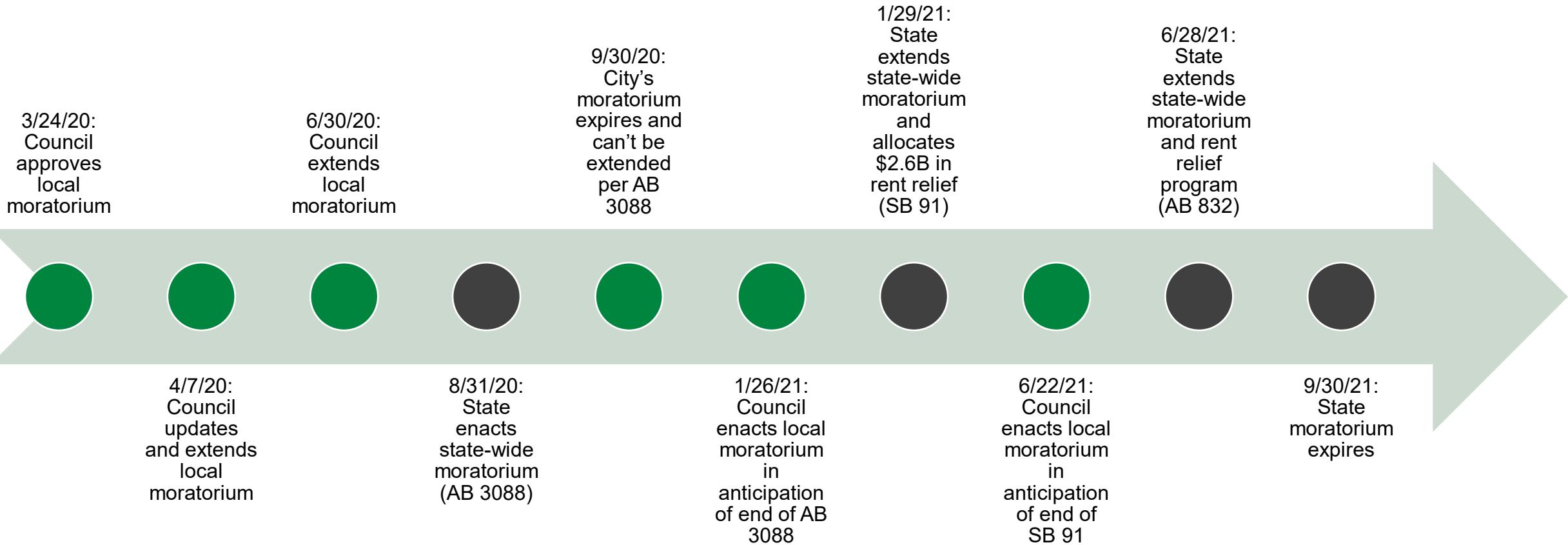
Eviction and Foreclosure Landscape

Tenant and Homeowner Protections and Assistance

Outreach and Education Efforts

State Eviction Moratorium

State and Local Eviction Moratoria Timeline



Current State Eviction Moratorium Key Protections

- Financial assistance for past-due and future rent and utilities
- If tenants satisfy the state requirements, past-due rent accrued between 3/1/20 and 9/30/21 can only be recovered by landlords in small claims court (**not eviction**).
- If landlord refuses to participate or accept rental assistance, the landlord's claim may be reduced
- Tenants actively seeking rental assistance are protected from eviction until March 31, 2022
- Landlords seeking to evict tenants for non-payment of rent during the COVID-19 Recovery Period (10/1/21 through 3/31/22) must apply for rental assistance for their tenants and must include language in their notices telling tenants they can avoid eviction by applying for rental assistance

Eviction and Foreclosure Landscape

Local Eviction Data

96% of termination notices filed with the City are related to failure to pay rent

- These termination notices can be cured by paying rent or moving out
- Notices filed beginning from September 2020 can be cured by sending landlord COVID-19 related financial distress form

No published data on evictions in Alameda County

- Existing moratoria prohibit evictions related to non-payment of rent
- Staff working with the Alameda County Superior Court to obtain data on a quarterly basis

Regional Eviction Data

United States Census Bureau Household Pulse Survey
San Francisco-Oakland-Berkeley Metro Area

	Total	Income under \$75,000	Income over \$75,000
Caught up on rent	84%	79%	94%
Concerned about paying next month's rent	17%	30%	3%
Owe past due rent and concerned about eviction	37%	51%	0%

What the data tells us:

- 16% of households surveyed in the metro area still behind on rent
- Lower income households are more impacted
- Tenants concerned about eviction may not be aware of the eviction moratorium

Public Record Foreclosure Data

Stage of Foreclosure	NO.
Pre-foreclosure	6
Schedule for Auction	10
Real Estate Owned by Lender (REO)	6
Total	22

Regional Foreclosure Data

United States Census Bureau Household Pulse Survey
San Francisco-Oakland-Berkeley Metro Area

	Total	Income under \$75,000	Income over \$75,000
Caught up on mortgage payments	92%	94%	95%
Concerned about paying next month's payment	4%	8%	2%
Delinquent on mortgage and likely to leave in the next two months due to foreclosure	3%	15%	2%

What the data tells us:

- 8% of households surveyed in the metro area still behind on their mortgage
- A low percentage of homeowners are at risk of foreclosure
- Lower income households are more impacted, but not at the same rate as low-income renters

Tenant and Landlord Protections and Assistance

Emergency Rental Assistance & Mediation Services

- City provided over \$1.5 million in rental assistance serving over 670 households
- Alameda County has \$61 million to implement Alameda County Housing Secure rental assistance program, with additional funds anticipated
 - Alameda County Housing Secure has received 1,877 rental assistance applications for Hayward totaling over \$37 million in requested funds
 - 262 applications have been approved to date disbursing \$4.4 million
- City is providing free mediation for tenants and landlords in cases where the tenants are unable to pay due to COVID-19 financial impacts.

Foreclosure Protections and Assistance

- Forbearance required on federally backed single-family mortgages but forbearance periods coming to an end.
- The California Housing Finance Agency (CalHFA) is developing the California Mortgage Relief Program (CMRP) to provide funds to fully reinstate mortgage delinquencies for income-eligible households.
- City has funded a contract with A-1 Community Housing Services to provide foreclosure prevention counseling.
- Council authorized \$1.3M for a program to provide financial assistance loans to low-income homeowners that cannot otherwise address COVID related mortgage delinquency. Implementation underway:
 - RFP was issued August 19, 2021
 - Select consultant by October 4, 2021
 - Request Council Approval October 19, 2021

Additional Legal Resources

- Council approved an agreement with Centro Legal de la Raza to provide legal services to stop displacement and promote housing stability. Hayward tenants have access to Centro Legal's drop-in clinics for legal resources.
- Alameda County provides the AC Housing Secure program, a legal resource hub for tenants and homeowners in need of support with housing issues.

Recommendation

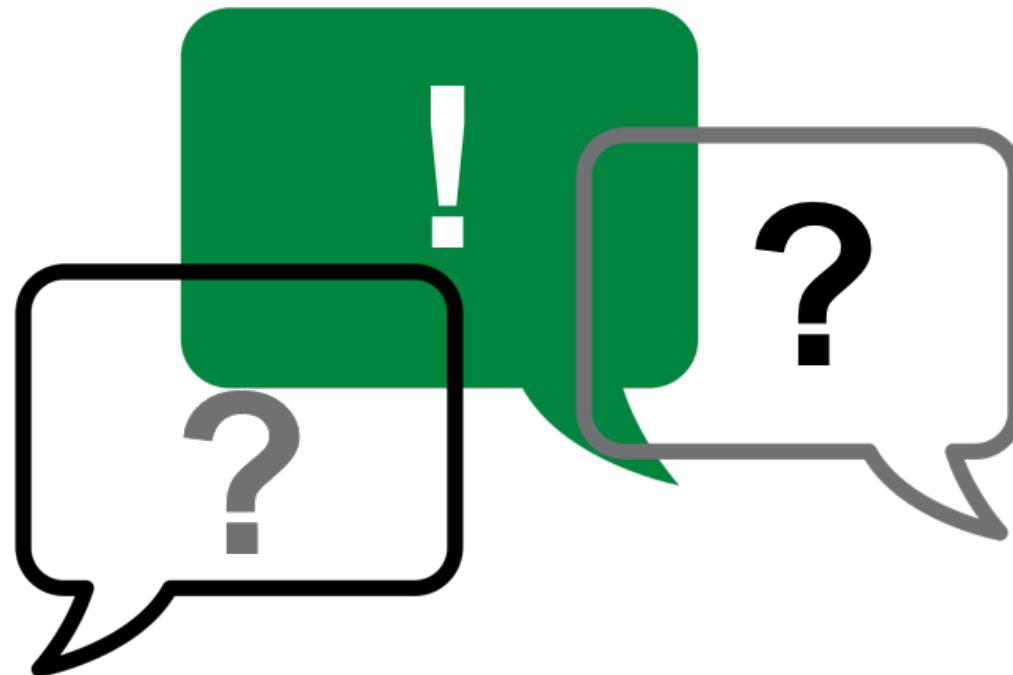
Given the availability of resources and supports to prevent eviction and foreclosure, staff does not recommend enacting a continuing local moratorium when the State moratorium expires. Based on the data, staff recommends increasing outreach efforts to improve awareness regarding available protections and funding resources.

Outreach & Education

Increased Outreach Efforts

- Increasing outreach to the community to ensure community residents are aware of existing protections and support programs.
 - Know your rights postcard
 - Landlord right and responsibility mailing
 - Attend community events
 - Continue to hold workshops about rental housing
 - Expand list of community partners
- Promote Alameda County Rental Assistance Program and other City programs
- Implement financial assistance program for low-income homeowners
- Leverage technical assistance from the Eviction Prevention Learning lab to improve eviction prevention strategies

Questions and Discussion



ITEM 15 – LB 21-042

**LEAGUE OF CALIFORNIA CITIES ANNUAL
RESOLUTIONS: ADOPT A RESOLUTION
SUPPORTING RESOLUTIONS AND PROPOSED
AMENDMENTS TO THE BYLAWS BEING
CONSIDERED AT THE 2021 LEAGUE OF
CALIFORNIA CITIES ANNUAL BUSINESS MEETING
(REPORT FROM ASSISTANT CITY MANAGER OTT)**



League of California Cities Resolutions: Adopt a Resolution Supporting Resolutions & Proposed Bylaw Amendments Being Considered at the 2021 League of California Cities Annual Business Meeting

Jennifer Ott, Assistant City Manager
September 21, 2021



Background

- The League of California Cities Annual Conference will be held at the SAFE Credit Union Convention Center in Sacramento on September 22 – September 24, 2021
- On July 20, 2021 the City Council designated the City's Voting Delegate and Alternate Delegate:
 - **Delegate:** Council Member Salinas
 - **Alternate:** Council Member Márquez
- Mayor Halliday, Council Member Salinas and Council Member Zermeño will be attending the League of CA Cities Annual Conference.

Resolution #1 for Consideration

Resolution of the League of California Cities (“Cal Cities”) Calling on the State Legislature to Pass Legislation that Provides for a Fair and Equitable Distribution of the Bradley Burns 1% Local Sales Tax from In-State Online Purchases, Based on Data Where Products Are Shipped To, and that Rightfully Takes into Consideration the Impacts that Fulfillment Centers Have on Host Cities but also Provides a Fair Share to California Cities that Do Not and/or Cannot have a Fulfillment Center within their Jurisdiction

Resolution #1 Summary

Urge State Legislature to Pass Legislation that Provides a Fair & Equitable Distribution of 1% Local Sales Tax for In-State Online Purchases

- Legal Ownership of Fulfillment Centers Affect Sales Tax Allocation:
 - **If owned by 3rd Party Vendor** – sales tax from online purchases *allocated to county-wide pool where purchases are delivered*
 - **If owned by Company/Retailer** – sales tax from online purchases *allocated to jurisdiction of fulfillment center location*
- Majority of CA cities *do not have/able to host* fulfillment centers, which equates to loss in sales tax revenue

Resolution #1 – Additional Letters

City of Eastvale

- Sent a letter to all cities *requesting modifications* to the sales tax resolution

City of Rancho Cucamonga

- Sent a letter to all cities *in support of the League sales tax resolution without any modifications*

Staff Recommendation:

Support Resolution #1 *without any modifications*

Resolution #2 for Consideration

Resolution Calling Upon the Governor and the Legislature to Provide Necessary Funding for CPUC to Fulfill its Obligation to Inspect Railroad Lines to Ensure that Operators are Removing Illegal Dumping, Graffiti, and Homeless Encampments that Degrade the Quality of Life and Results in Increased Public Safety Concerns for Communities and Neighborhoods that Abut the Railroad Right-of-Way

Resolution #2 Summary

Urge the Governor and State Legislature to Provide Funding for the CPUC and Encourage Them to Inspect/Maintain Railroad Lines

- Federal Railroad Administration (FRA) delegated oversight of railroad operations/maintenance to California Public Utilities Commission (CPUC)
- CPUC focuses primarily on operational safety and lacks resources (*only 41 inspectors for 6,000+ miles of rail lines*)
- CPUC not active/delayed in right-of-way maintenance/oversight
- Many CA Cities do not have jurisdiction or financial resources to clear illegal dumping/ graffiti/homeless encampments on rail lines and **MUST** rely on CPUC

Staff Recommendation:

Support Resolution #2

Proposed Amendments to Bylaws

League Proposed Amendments to Bylaws Include:

1. Recognize the Cal Cities diversity caucuses in the Cal Cities bylaws to reflect the full contribution the caucuses make to Cal Cities' mission and vision
2. Adjust composition of the Board to achieve higher impact and be more representative by:
 - a) Adding Director seats to the Board for each of the five Diversity Caucuses
 - b) Transitioning members of the National League of Cities Board from Cal Cities Directors to One, Non-Voting Advisor to the Cal-Cities Board
3. Update the LCC moniker to "Cal Cities" to promote consistency
4. Various Minor Technical Corrections

Staff Recommendation:

Support

Questions

