

**CITY COUNCIL MEETING  
TUESDAY, MARCH 26, 2019**

**PRESENTATIONS**

**ITEM 10 – WS 19-016**

**SEISMIC RETROFIT STANDARDS FOR  
MULTIFAMILY BUILDINGS WORK  
SESSION**

# Seismic Retrofits for Multifamily Buildings

CITY COUNCIL WORK SESSION

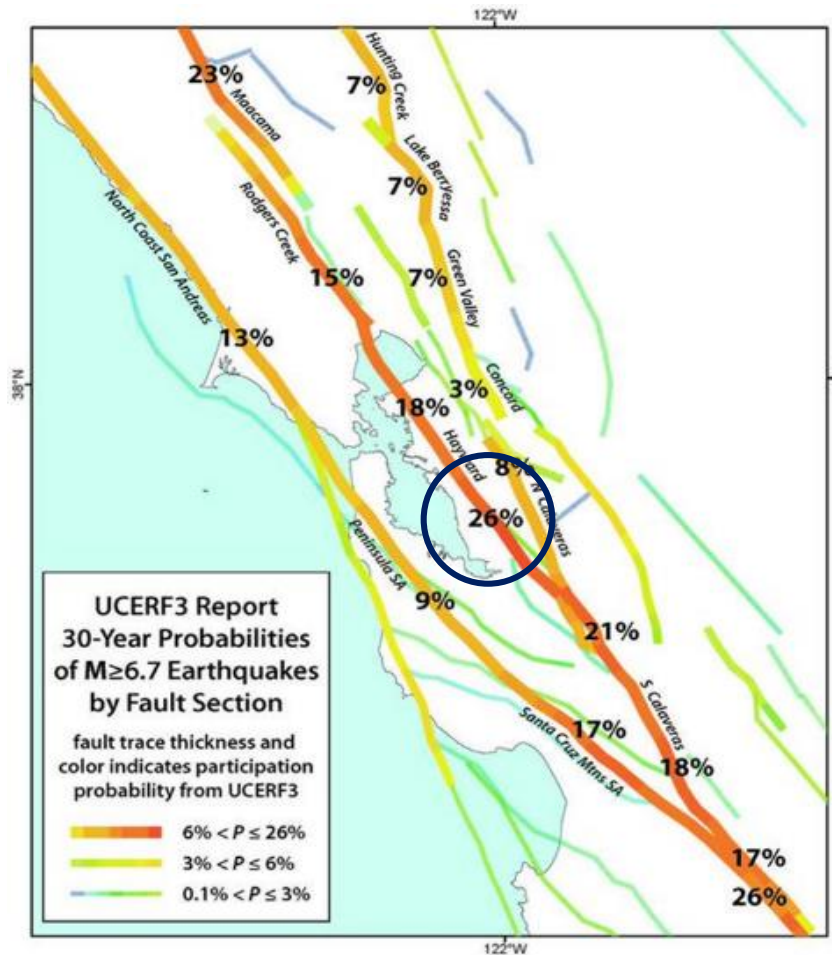
March 26, 2019

# The Hazard

Earthquake risk along the Hayward fault and performance of multifamily buildings.

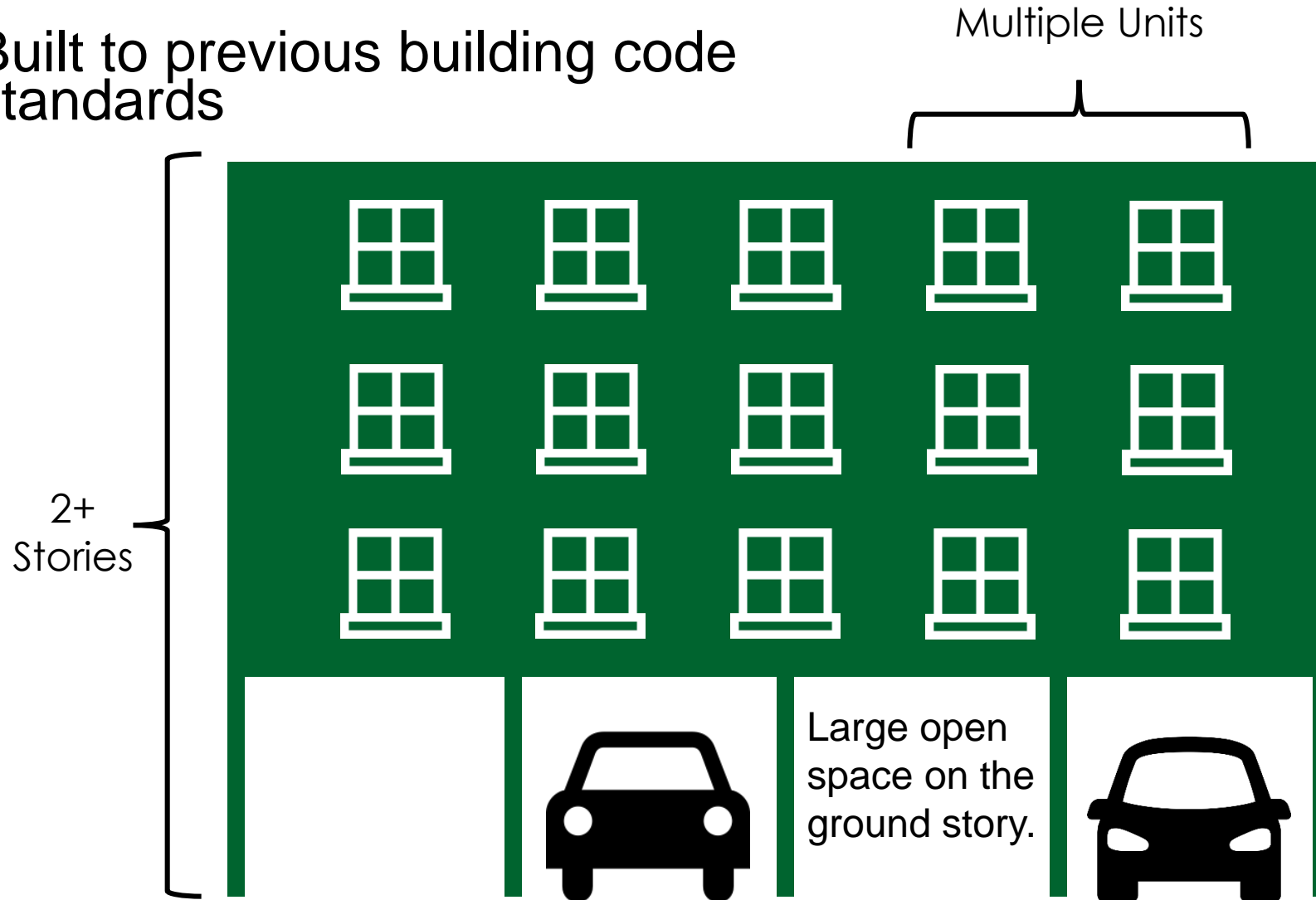
# Earthquake Risk in Hayward

- 2015 Uniform California Earthquake Rupture Forecast
  - South Hayward Fault risk of M6.7+ rupture in next 30 years highest in Bay Area
  - Total risk of M6.7+ earthquake in next 30 years at 67%



# Soft Story Buildings

- Built to previous building code standards



# Earthquake Damage to Soft Story Buildings



# The Risk

Possible losses, projected risks, and impact of soft story buildings in a major earthquake.



# Possible Losses from a Hayward Fault Quake

- Over 100,000 potentially vulnerable multi-family wood-frame buildings in Alameda County
- Approximately 3,000 individual ignitions countywide resulting in over 1,000 fires

## In Hayward

- ~280 potentially at-risk soft story buildings based on sidewalk survey

# Projected Risks of Soft Story Buildings

## To Tenants

- Loss of life, property, and housing

## To Owners

- Loss of property and income

## To Hayward

- Additional need for post-earthquake shelter and services for displaced population
- Permanent loss of housing stock/affordable housing

# Who Lives in Potential Soft Story Buildings?

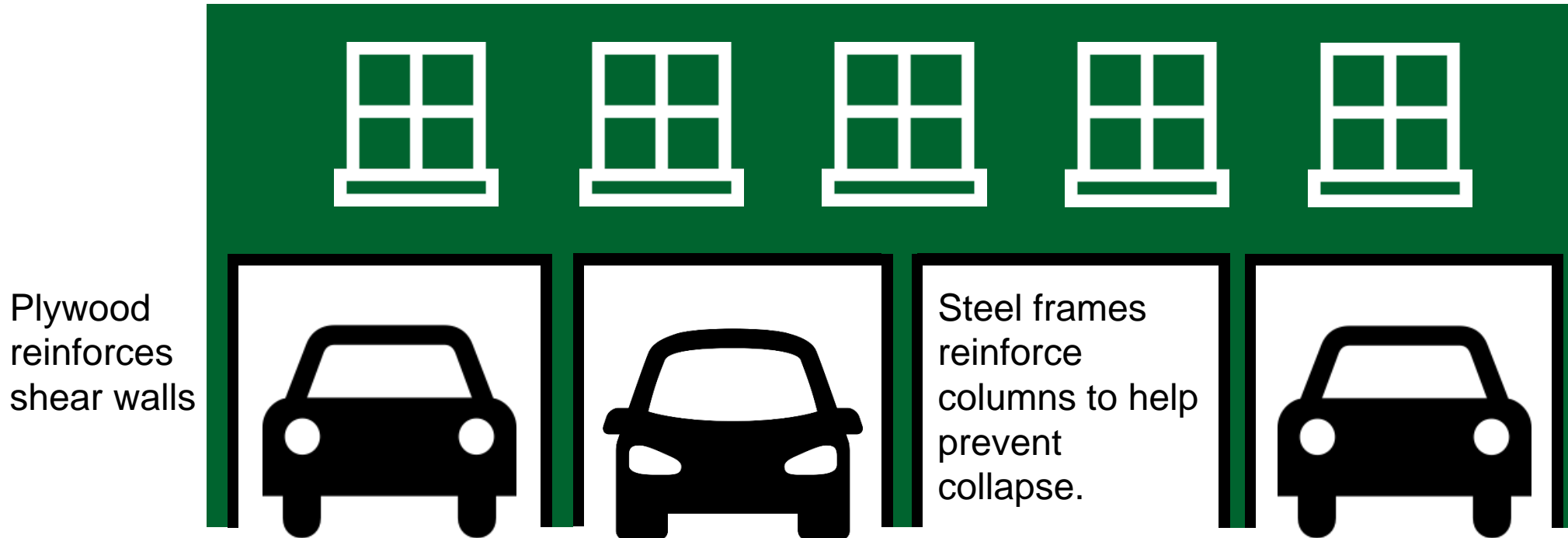
- 48% of Hayward's housing units are rentals
- 44% of Hayward's rental housing units are in potential soft story buildings (based on sidewalk survey)
- 60% of Latinx Hayward residents live in rental housing
- 75% of Black/African-American Hayward residents live in rental housing

# The Policy

Policy options for the Council to consider that address potential soft story buildings in Hayward: screening, retrofit requirements, scope, performance standards, and incentives.

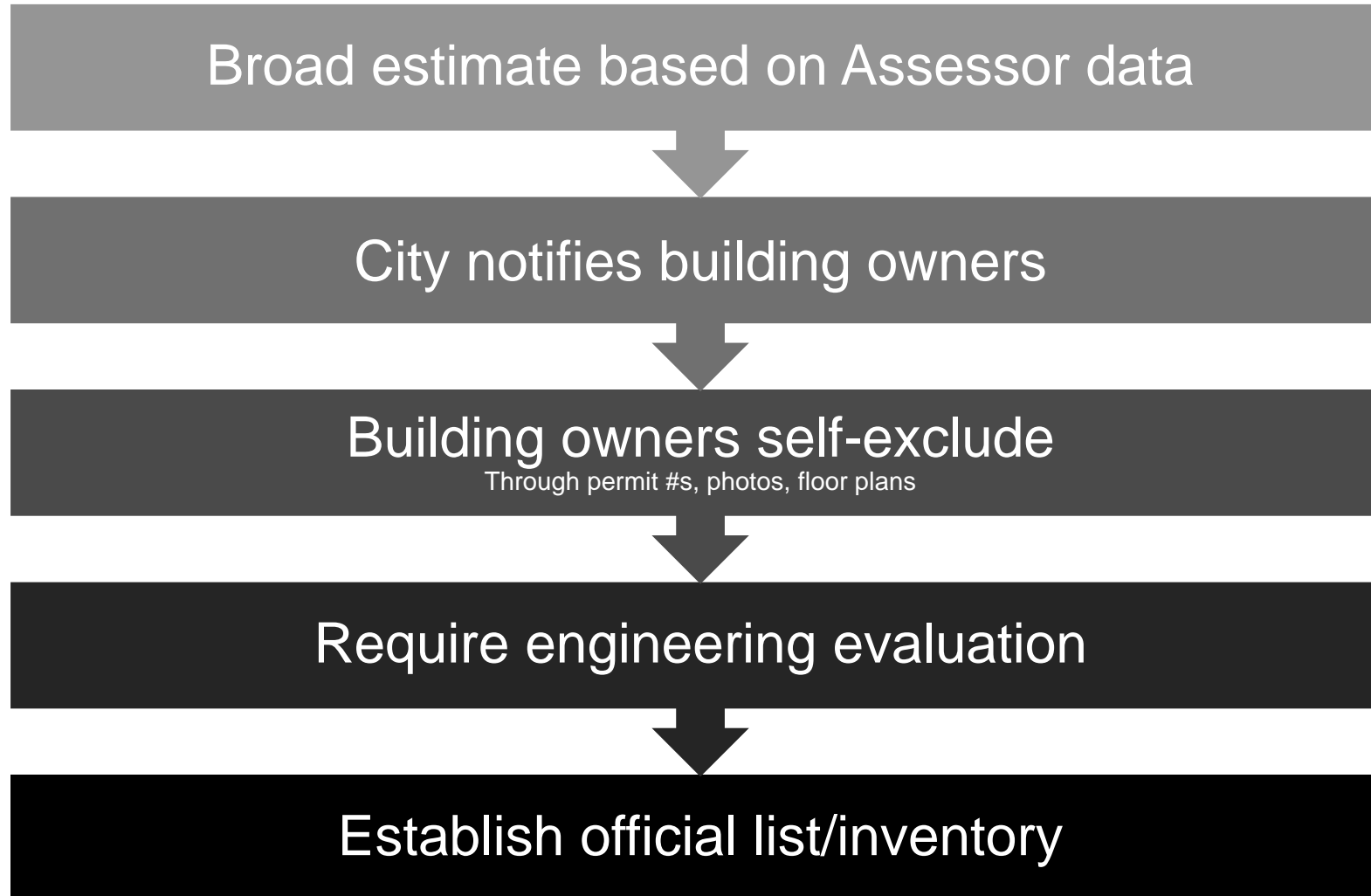
# Retrofitting

Strengthens the weakest points in building by adding steel frames, cantilevered steel columns, plywood bracing, or other reinforcement to the “target” story and possibly higher stories.

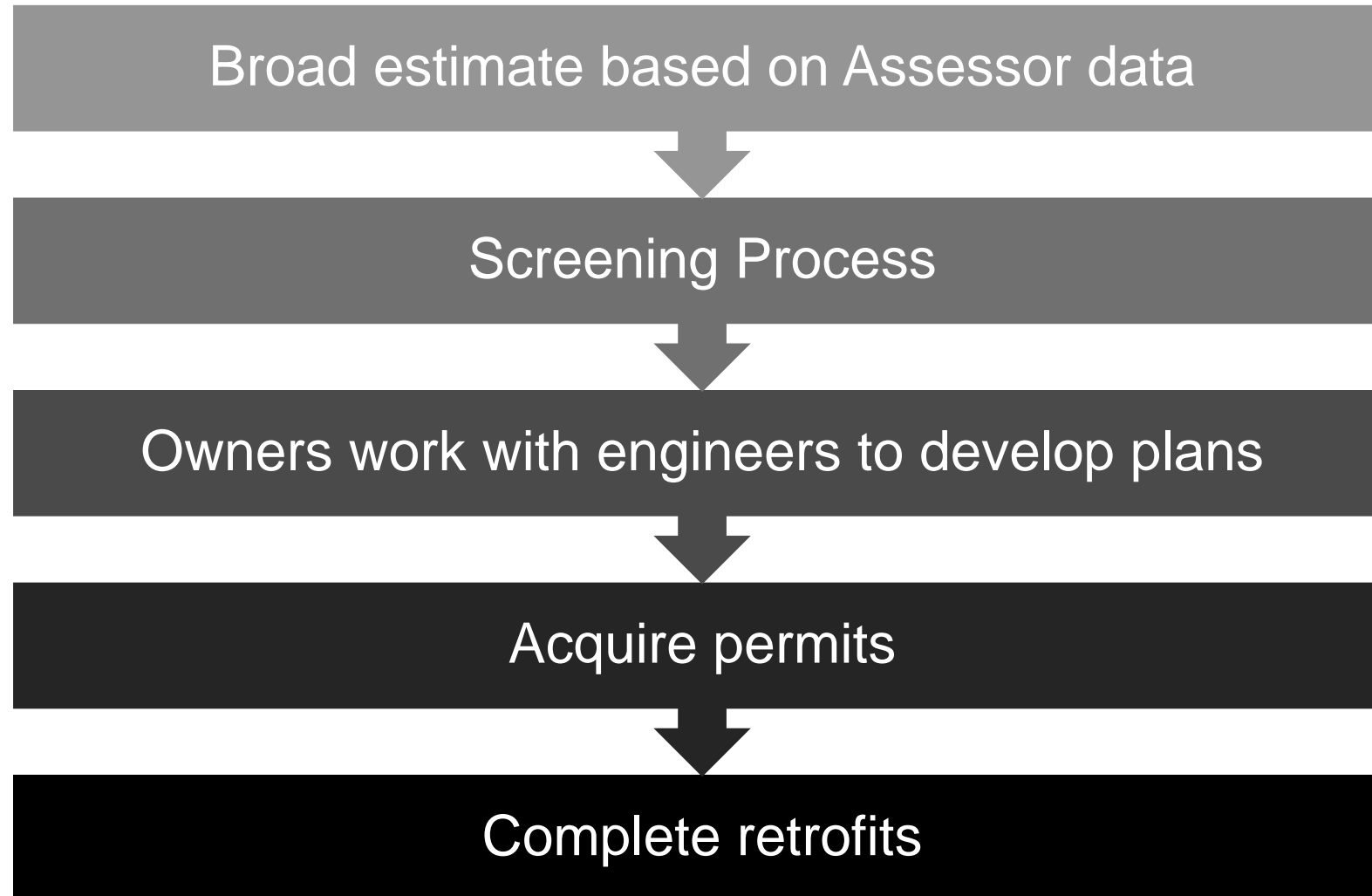


- ▶ The specific design of each retrofit may vary due to each building’s unique construction.

# Screening Process



# Mandatory Retrofitting Process



# Regional Soft Story Retrofit Programs

## Screening Only

- Alameda

## Mandatory Retrofit

- San Francisco
- Oakland
- Berkeley
- Fremont

Staff recommendation: screening only



# Scope

## *Age of Building*

- Most ordinances: 1979 UBC (when seismic zone IV was added)
- Oakland: 1988 UBC (doubled seismic design forces)

## *# of Units*

- Most ordinances: 5+ units (considered commercial buildings)
- LA: 3+

Staff recommendation: pre-1979 buildings; 5+ units

# Performance Objectives

## Reduced Risk/Collapse Prevention

- Designed to prevent collapse in initial EQ and allow evacuation
- Reduces risk of target story failure in earthquake
- Focused on target story
- Cost-effective
- Typical for other jurisdictions

## Habitability

- Designed for building to remain habitable
- Higher performance standard than new buildings
- Likely includes work above target story
- Can be cost-prohibitive
- Some owners in other jurisdictions have chosen voluntarily

Staff recommendation: reduced risk

# Incentives and Other Considerations

- *Exemption from future designations* – owners who retrofit are exempt from future City retrofit requirements for a specified time period.
- *Parking requirements* – loosened parking requirements for retrofitted buildings (because retrofits can take up parking spaces.)
- *Noticing requirements* – screening and retrofit programs often require building owners to notice tenants that building is not retrofitted.

# Discussion

Screening and/or mandatory retrofit?

- Staff recommendation: screening

Scope: building age, # of units

- Staff recommendation: pre-1979 UBC, 5+ units

Performance Objectives: reduced risk or habitability?

- Staff recommendation: reduced risk

Incentives: exemptions, parking, noticing

- Staff recommendation: all



Making Hayward safer  
together.

**ITEM 11 – LB 19-019**

**ADOPTION OF EMERGENCY ORDINANCE  
AMENDING JUST CAUSE FOR  
TENANT EVICTIONS TO EXEMPT AFFORDABLE  
HOUSING CONVERSION  
PROJECTS**

# Emergency Ordinance Amending Just Cause for Tenant Evictions to Exempt Affordable Housing Conversion Projects

March 26, 2019

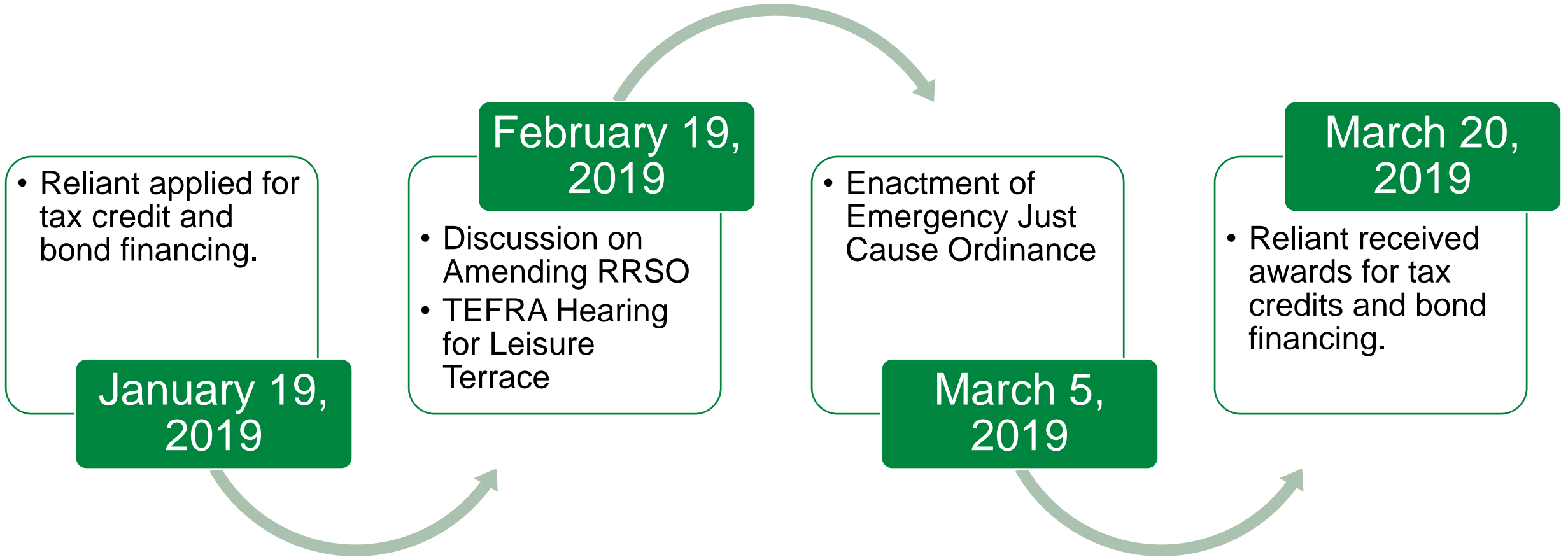


# Recommendation

That the City Council adopts an emergency Ordinance amending Just Cause for Tenant Evictions to exempt affordable housing conversion projects.



# Background



# Affordable Housing Conversion Projects and Just Cause

- The Just Cause for Tenant Eviction Ordinance provides tenants with a defense against no cause evictions and establishes what constitutes justified evictions.
- The just causes required for eviction identified under the new ordinance are the same as the justifications for eviction under the RRSO; however, the exemptions are different. **The RRSO exempted affordable housing.**
- Elimination of the exemption prevents investment in properties that will convert market rate housing to affordable housing because the owner would not be able to terminate tenancy of income level ineligible tenants.
- Recommending emergency ordinance because of the immediate impacts on a project that was initiated and invested in prior to the recent enactment of the Just Cause Ordinance.

# Project Description

- Reliant acquired a seven property portfolio with properties located in various bay area cities including Leisure Terrace Apartments in Hayward.
- Leisure Terrace Apartments, along with two other properties located in Antioch and Hercules, have received funding awards, as a single project, that impose income limits.
- The project will provide 264 units of affordable housing in three bay area cities restricting rents at 50% and 60% of area median income for 55 years.
- Reliant will invest approximately \$58,000 per unit to address deferred maintenance, update interiors, improve curb appeal, improve energy efficiency, and ensure the longevity of the asset.
- Since acquiring the property, Reliant has:
  - Provided multiple notices to the residents regarding the project.
  - Continues to work with residents one-on-one to assess eligibility and answer questions about the transition.
  - Offered options for replacement housing at other Reliant-owned properties.
- Currently 1/3 of the units are vacant or residents have provided a notice to vacate.

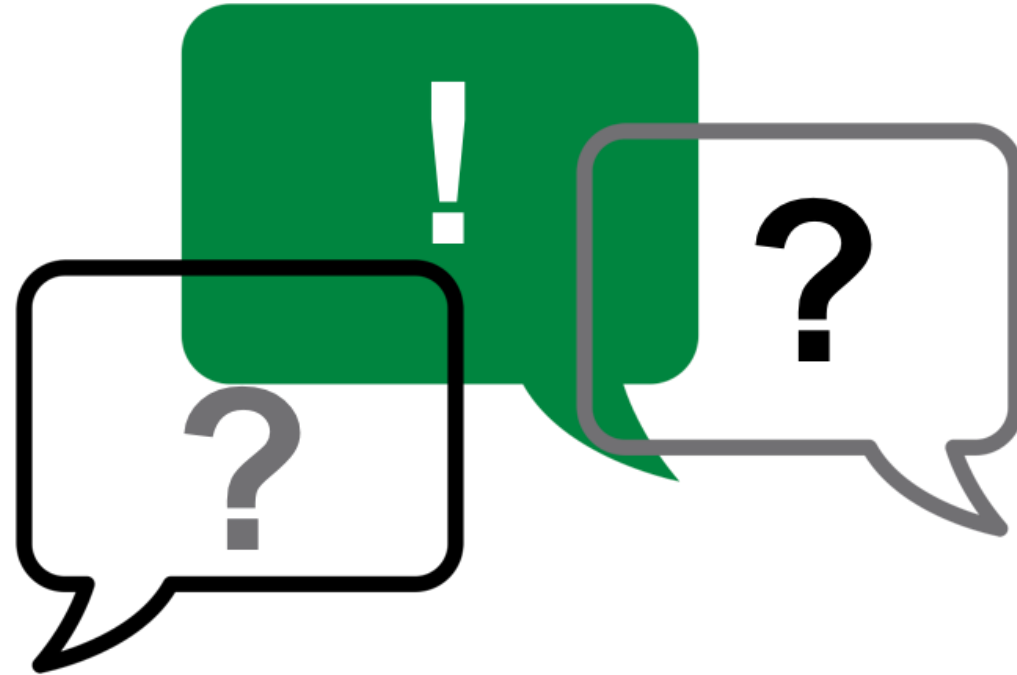
# Emergency Ordinance

Enactment of an emergency ordinance would require at least five affirmative votes from Council.



If only four Council members vote for the proposed ordinance, then adoption would occur at the next City Council meeting (April 2, 2019) and the ordinance would go into effect 30 days after adoption (May 2, 2019).

# Questions



# Just Cause for Eviction

## 15 Justifications for Eviction

1. Tenant has not paid their rent.
2. The tenant has continued to ignore terms of the lease.
3. The tenant has substantially damaged the property and will not agree to repair or pay for repairs.
4. The tenant refused to sign a new lease that is identical to the old one (when the old one expires).
5. The tenant has continued to bother other tenants and neighbors after being told to stop.
6. The tenant will not let the landlord into the building, even with written notice.

# Just Cause for Eviction

## 15 Justifications for Eviction

7. The landlord wants to perform repairs to the unit to meet the City's building standards that cannot be completed with the tenant living there.
8. The landlord wants to demolish the unit.
9. The landlord wants to move into the unit or wants to allow certain family members to move in. This is not allowed if there is a similar unit on the property that is vacant and available.
10. The landlord wants to move into the unit and the lease allows this.
11. The tenant is convicted of using the rental unit for any illegal purpose.

# Just Cause for Eviction

## 15 Justifications for Eviction

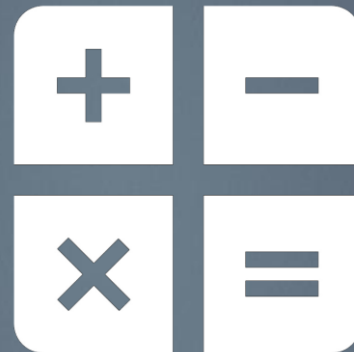
12. The tenant has used or allowed the use of the unit for the manufacture, sale, distribution, possession, or use of illegal drugs.
13. The tenant has continued to break the rules of the property.
14. The landlord fires the tenant, and housing was part of the employee's pay.
15. The tenant has threatened to kill or hurt any person on the premises.

[Included are grounds for eviction identified under federal or state law such as the Ellis Act which allows a landlord to remove a unit from the rental housing market and Gov't Code Section 1946.1, which addresses sale of separate unit]



**ITEM 12 – PH 19-017**

**FY 2020 MASTER FEE SCHEDULE/FINE AND  
BAIL SCHEDULE**



---

## FY 2020 Master Fee / Fine and Bail Schedule

# Fee Compliance

- ▶ All fees have been reviewed to ensure compliance with:
  - ▶ Prop 26
  - ▶ Prop 218

# FY 2019 Changes



- ▶ A portion of the changes included in the master fee schedule for adoption have been previously approved by resolution
- ▶ No changes at this time to the City's Fine & Bail Schedule

# Notable Changes

- ▶ Reduction of Facility Inspection fee for 24 Hour Community Care Facilities from \$829 to \$414 per facility
- ▶ An increase of 2.5% for monthly storage room rentals at the Executive Airport

# Questions & Approval

