

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION ESTABLISHING JUNE 1, 2018 AS THE NOTICE OF TERMINATION DATE FOR RENTAL AGREEMENTS WITH TENANTS IN ROUTE 238 PROPERTIES; APPROVING A TENANT TRANSFER ASSISTANCE PROGRAM; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH OVERLAND PACIFIC & CUTLER FOR TENANT ASSISTANCE; AND APPROPRIATION OF \$330,000 FROM THE FUND 412-238 PROPERTY MANAGEMENT

WHEREAS, in 2016 the City negotiated a Purchase and Sale Agreement (PSA) with Caltrans to assume responsibility for the sale of the Caltrans acquired former Route 238 properties to private developers; and

WHEREAS, Pursuant to the PSA, the City has acquired Parcel Groups 5, 7 and 9 from Caltrans, containing 26 residential and eight commercial tenants, located in the Bunker Hill, Mission/Carlos Bee and Foothill/Oak Street areas respectively; and

WHEREAS, in December 2017 the City sent notice to the tenants of the transfer of ownership and the requirement for tenants to move in 2018; followed by meetings with the tenants on April 2, 2018 and May 16, 2018 informing them of the proposed rental agreement termination date and Tenant Transfer Assistance Program; and

WHEREAS, the timely resale of the acquired properties, pursuant to the PSA with Caltrans, requires termination of the rental agreements and vacation of the units by December 31, 2018 to allow demolition and site preparation activities to commence immediately thereafter; and

WHEREAS, notwithstanding that most of the tenants received relocation stipends pursuant to the 2009 Settlement Agreement, waived any claim for such payments under their respective leases, or are ineligible for payments pursuant to California Government Code Section 14528.6, the City of Hayward desires to assist with the timely vacation of the properties through the creation of a Tenant Transfer Assistance Program;

WHEREAS, the Tenant Transfer Assistance Program will include the services of a consultant to assist with tenant transfer activities, and the staff has solicited proposals from three consulting firms and recommends selection of Overland, Pacific & Cutler to implement these services;

THEREFORE, BE IT RESOLVED, the City Council of the City of Hayward hereby establishes June 1, 2018 as the date of Notice of Termination of rental agreements in parcel groups 5, 7 and 9; and requires all tenants vacate premises by the termination date of November 30, 2018 (180 Days); and

FURTHER BE IT RESOLVED

The City Council approves the Tenant Transfer Assistance Program consisting of:  
 1) Incentive payments to vacate the premises before the 180-day deadline, including supplemental payments to low-income households defined as household income of 80% of area median income, on the following schedule:

<b>MOVE TIMING</b>	<b>INCENTIVE BASE PAYMENT</b>	<b>LOW INCOME ASSISTANCE</b>	<b>TOTAL PAYMENTS</b>
Within 90 Days Termination Notice	\$4,500	\$5,000	\$9,500
Within 120 Days	\$3,000	\$5,000	\$8,000
Within 180 Days	\$2,000	\$5,000	\$7,000
After Deadline Expires (11-30-18)	\$0	\$0	\$0

And, 2) authorizes the City Manager to negotiate and execute a consulting agreement, in a form approved by the City Attorney, with Overland Pacific & Cutler to act as the Tenant Transfer Assistance Program Agent providing services to tenants to assist with their timely move, including but not limited to the following:  
 a) Interviewing tenants to determine income status; b) Filing the appropriate forms for incentive payments; c) Obtaining the refund of security deposits including performing walk thru inspections; d) Researching and referring affordable and market rate housing opportunities; e) Obtaining and referring information on moving resources; and, f) Negotiating agreements with affordable housing developers for re-housing opportunities for low income tenants; and

FURTHER BE IT RESOLVED, the City Council hereby appropriates \$330,000 from Fund 412-238 Property Management Fund, for the costs of the program.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2018

ADOPTED BY THE FOLLOWING VOTE:

AYES:           COUNCIL MEMBERS:  
                   MAYOR:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney for the City of Hayward