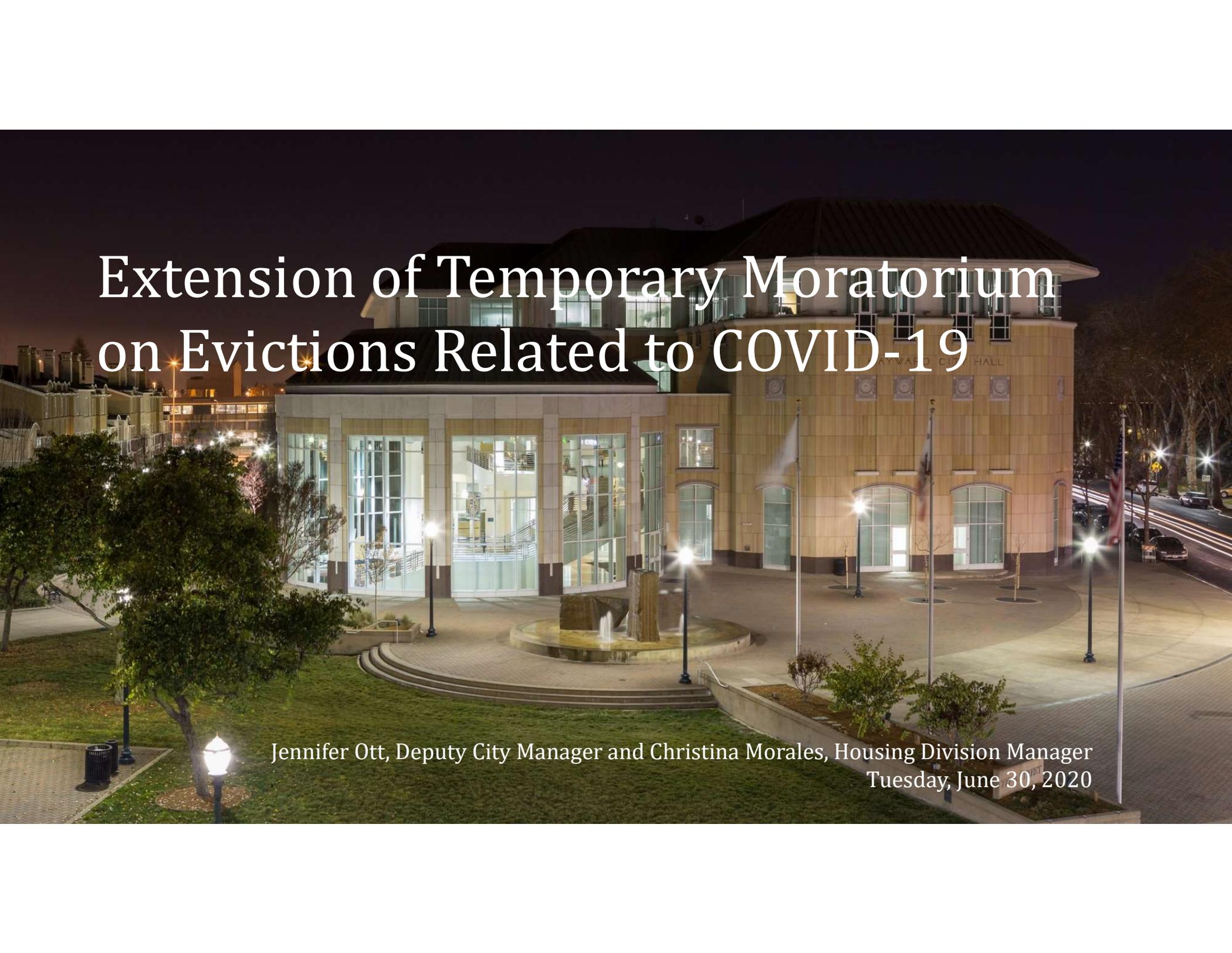


**SPECIAL CITY COUNCIL MEETING
TUESDAY, JUNE 30, 2020**

PRESENTATIONS

ITEM 2 – LB 20-028

**Extension of Temporary Evictions
Moratorium: Adoption of Emergency
Ordinance Amending Temporary
Moratorium on Residential and
Commercial Evictions to Extend the
Moratorium and the Repayment Period
(Report from Deputy City Manager Ott)**



Extension of Temporary Moratorium on Evictions Related to COVID-19

Jennifer Ott, Deputy City Manager and Christina Morales, Housing Division Manager
Tuesday, June 30, 2020

Background

- **State of Emergency:** Corona Virus (COVID-19) pandemic
 - March 4, 2020 State of California
 - March 11, 2020 City of Hayward
- **Executive Order:** that enables local government to limit evictions
 - March 16, 2020 Governor of California
- **Shelter-In-Place Order:**
 - March 17, 2020 Alameda County
 - March 20, 2020 State of California
 - March 31, 2020 Alameda County

Background (cont.)

- **Temporary Emergency Moratorium on Residential Rental Evictions:**
 - March 24, 2020 City enacted
- **Judicial Council Adopts Emergency Court Rule that Stops all Evictions and Foreclosures during the State of Emergency plus 90 days after.**
 - April 6, 2020
- **Temporary Emergency Moratorium Expanded to prevent displacement of residential and commercial tenants.**
 - April 7, 2020 City enacted
- **Countywide Eviction Moratorium prohibiting most evictions**
 - April 21, 2020 enacted

Moratorium on Evictions

Applicability: All residential units, including owner-occupied residences with mortgages, and commercial units

Term: Extend to September 30, 2020 (Recommended)

Prohibitions:

- Evictions for non-payment of rent or mortgage payments related to COVID-19 and associated late fees
- No Fault evictions (except related to health and safety 'red tag' of units)
- Retaliation against tenants and homeowners

Moratorium on Evictions

Requirements:

- Good faith effort to notify landlord
- Able to provide documentation to support claim

Payment of Past Due Rent:

- Tenant liable for unpaid rent
- City expanding mediation services to negotiate repayment for residential tenants

Terms upon expiration:

- No eviction for non-payment of rent during moratorium period within 180 days after expiration.
- Requires meet and confer prior to initiating any action.

Recommended Amendments to the Moratorium on Evictions

Factors to Consider

- Temporary Moratorium on Evictions expires on July 6, 2020
- State of emergency continues
- Continued restrictions under the Shelter-in-Place-Order
- High unemployment rates

Recommendations

1. Extend the moratorium until September 30, 2020
2. Extend the repayment period an additional 90 days (180 total)

Emergency Ordinance Adoptions

Emergency Ordinance

5 affirmative votes

Adopted and effective immediately



Non-Emergency Ordinance

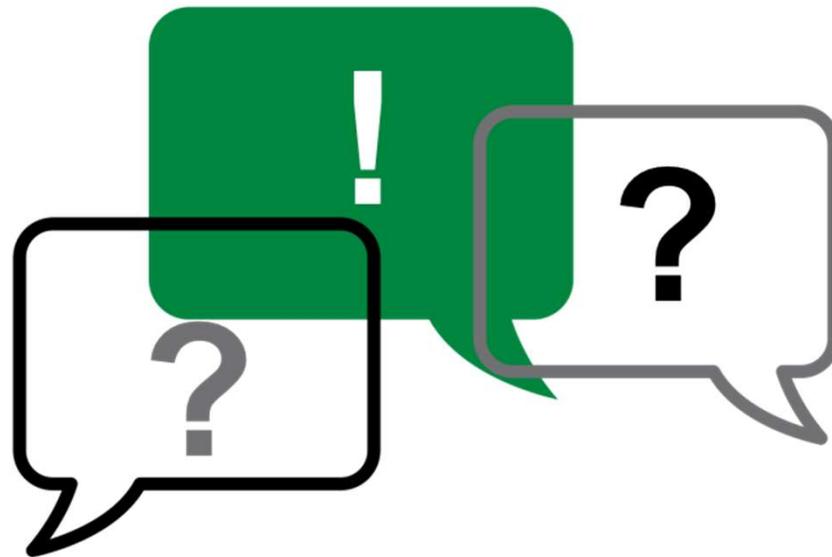
4 affirmative votes

Adopted at next Council Meeting and effective 30 days later

Next Steps

If approved, continue to inform tenants and landlords of their rights and responsibilities under the Ordinance.

Questions



ITEM 3 – LB 20-030

**TOT (Hotel Tax) Ballot Measure: Direction
on Potential November 2020 Transient
Occupancy Tax Ballot Measure
(Report from Director of Finance Claussen)**

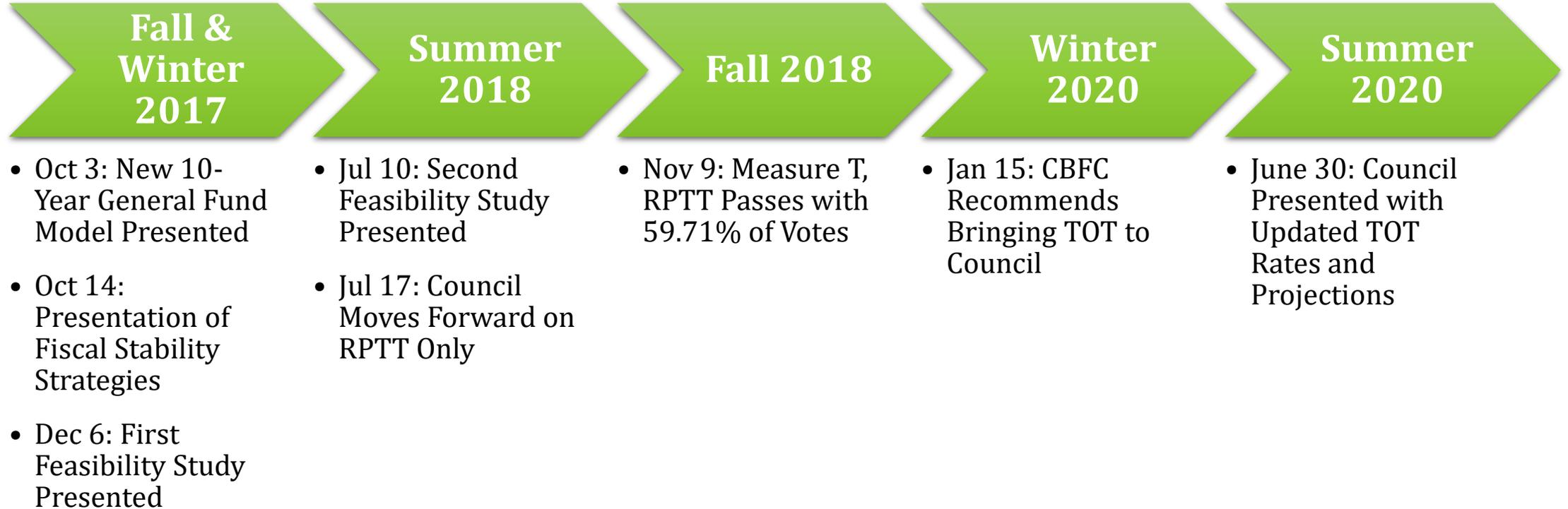


Transient Occupancy Tax (TOT/Hotel Tax)

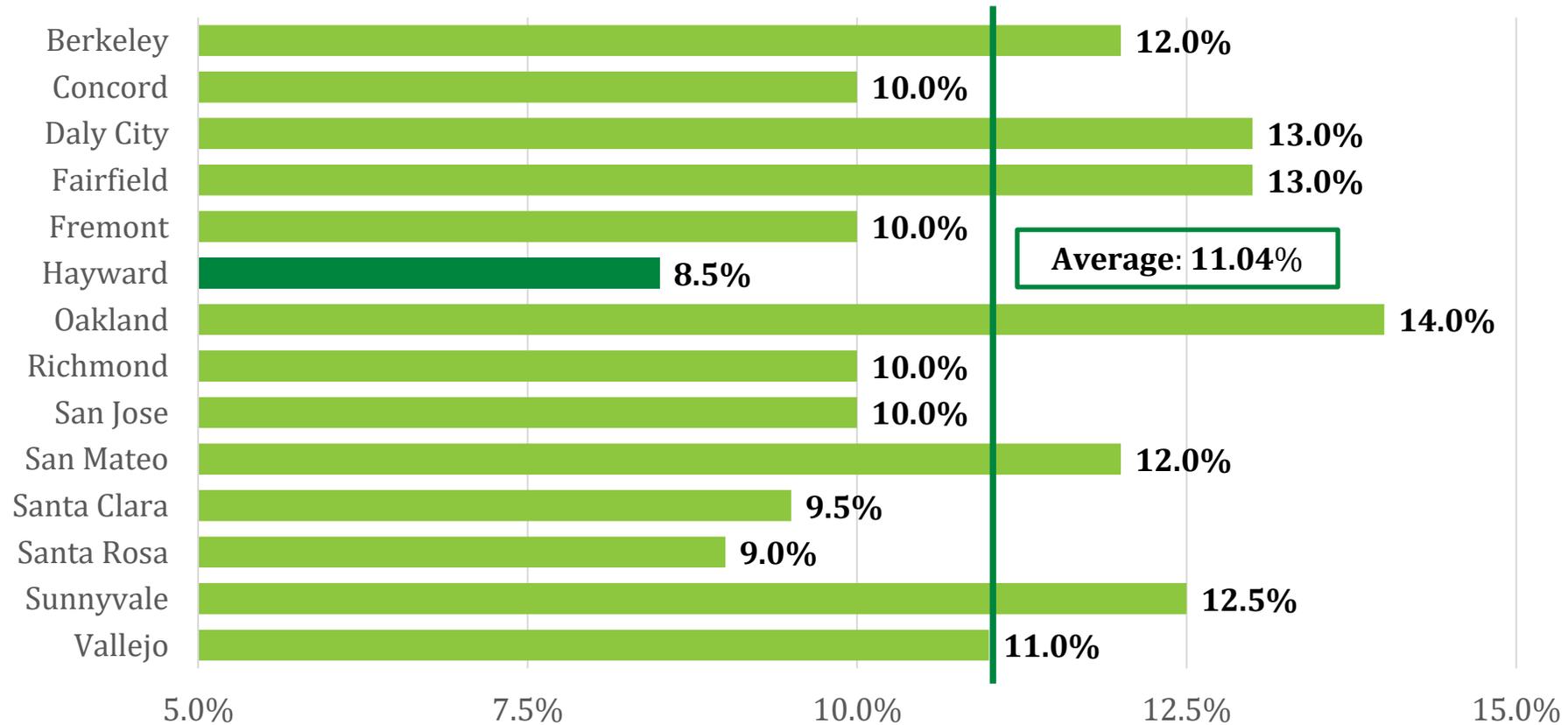
Direction on Potential November 2020 Ballot Measure

Dustin Claussen, Director of Finance

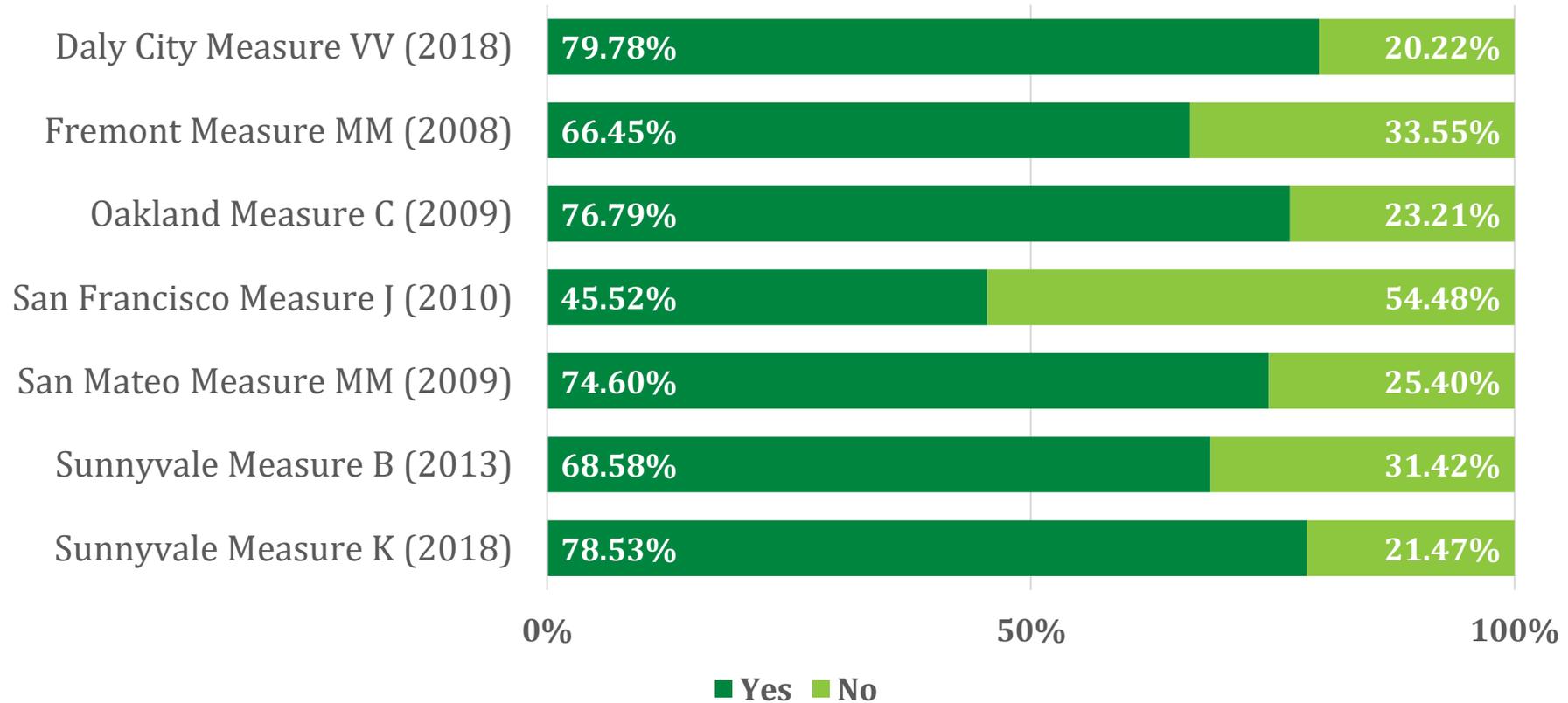
Where We've Been



TOT Rates for Peer Cities



Bay Area TOT Ballot Measure Results



Revenue Projections at Select TOT Rates

Fiscal Year	8.5% (Actual)	10%	12%	14%
FY 2015	\$ 2,033,057	\$ 2,391,831	\$ 2,870,197	\$ 3,348,564
FY 2016	\$ 2,591,468	\$ 3,048,786	\$ 3,658,543	\$ 4,268,300
FY 2017	\$ 2,559,873	\$ 3,011,615	\$ 3,613,938	\$ 4,216,261
FY 2018	\$ 2,808,158	\$ 3,303,715	\$ 3,964,458	\$ 4,625,201
FY 2019	\$ 2,822,564	\$ 3,320,663	\$ 3,984,796	\$ 4,648,929
Average	\$ 2,563,024	\$ 3,015,322	\$ 3,618,387	\$ 4,221,451

TOT Polling by Godbe Research*

Shall the City of Hayward increase the ongoing transient occupancy tax paid only by hotel and motel guests from 8.5% to 12%, providing \$3 million dollars annually, with all funds staying in Hayward?

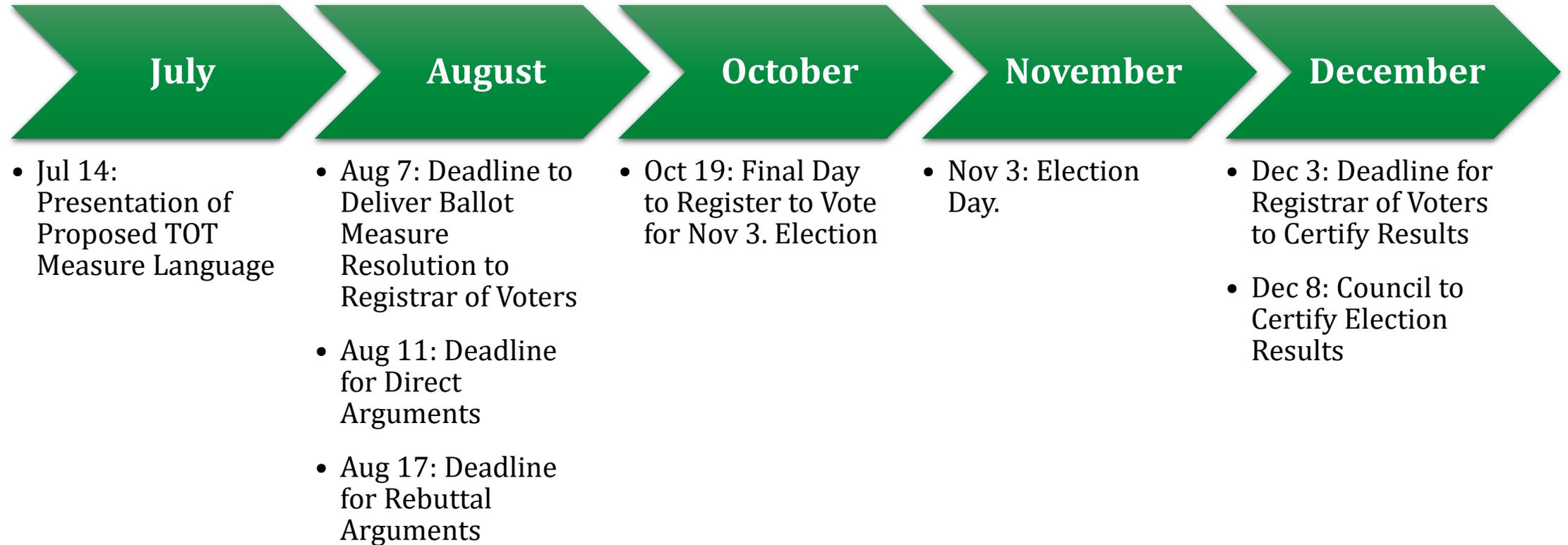
Sample Group	Likely YES	Likely NO
Uninformed Voters	70.1 %	24.4%
Informed Voters	70.9%	21.5%

*Polling completed in June 2018

Recommendation

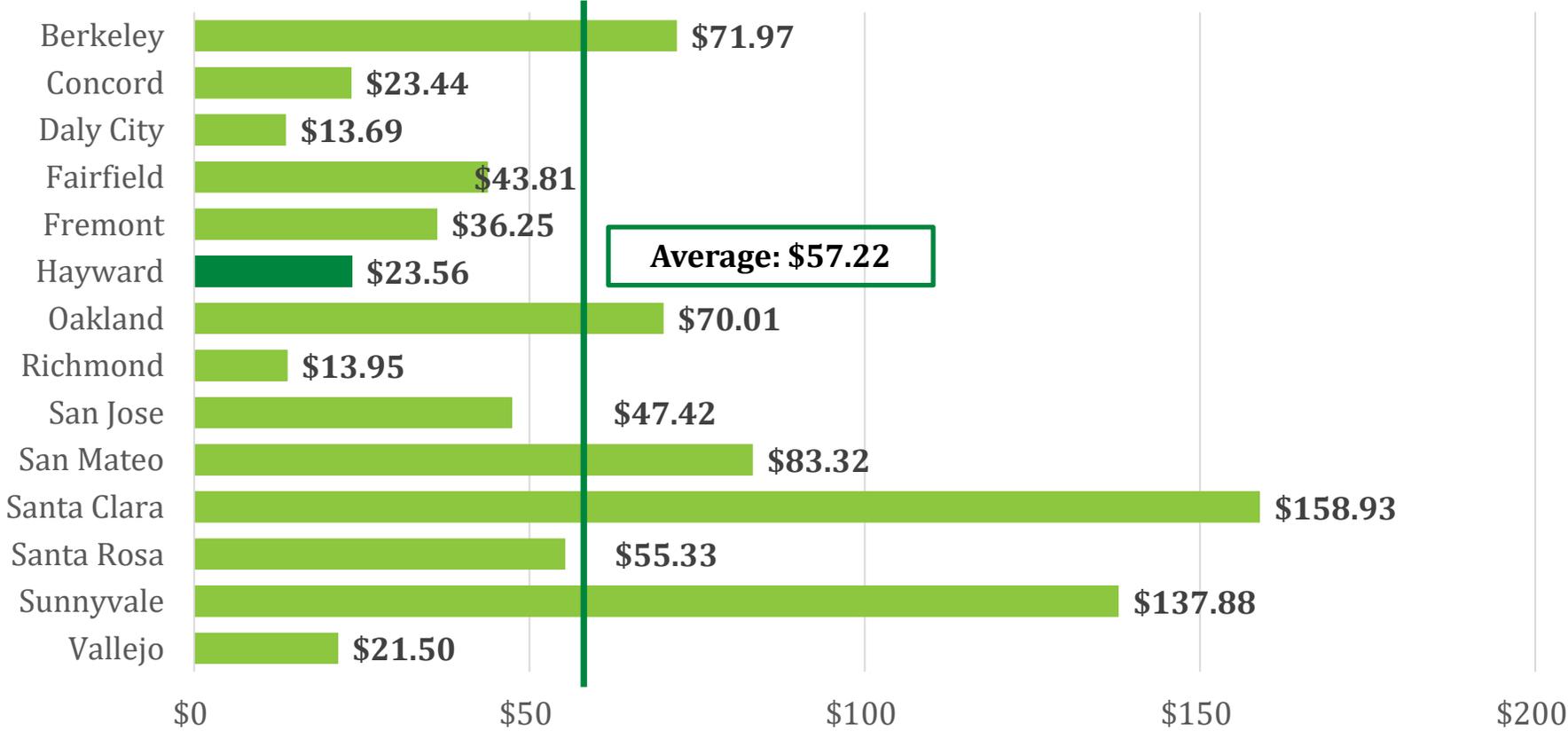
Council consider directing staff to bring back information on a proposed ballot question to increase the TOT rate to an amount not to exceed 12% for the November 2020 Ballot at the July 14, 2020 meeting.

Next Steps



Questions?

Per Capita TOT Revenue for Peer Cities



ITEM 4 – PH 20-053

**FY2021 Gann Appropriation Limit:
Adopt a Resolution Establishing a Gann
Appropriations Limit for Fiscal Year 2021
(Report from Director of Finance Claussen)**



FY 2021 Gann Appropriations Limit

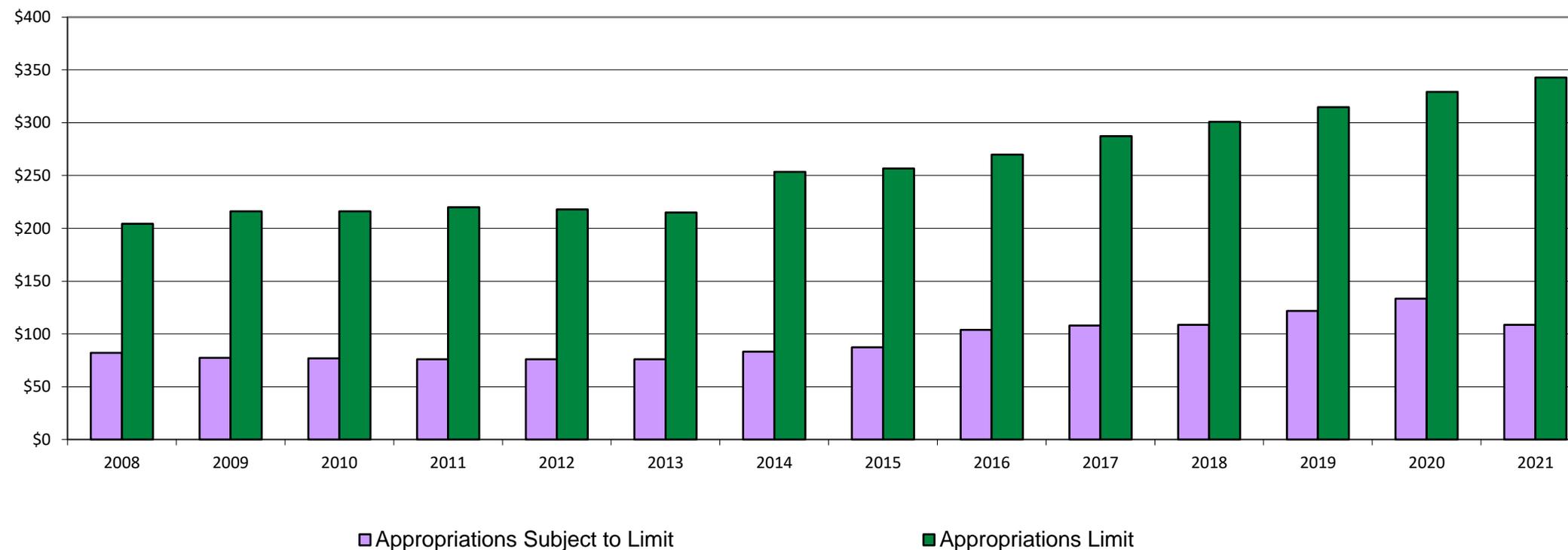
Dustin Claussen, Director of Finance

What is a Gann Appropriations Limit?

- State Proposition 4, commonly known as the Gann Initiative, was approved by California voters in November 1979.
- Proposition 4 created Article XIIB of the State Constitution, which placed limits on the amount of revenue that can be spent by government agencies.
- Proposition 111, was approved by the voters in June 1990 and provided new adjustment formulas to the Gann Limit and requires local governments to adopt Gann Appropriations Limits each fiscal year.

Gann Appropriations Limits

(\$ in millions)



Questions?