

Miriam Lens

From: tmay
Sent: Tuesday, December 10, 2013 1:24 PM
To: Michael Sweeney
Cc: Mark Salinas; Marvin Peixoto; Barbara Halliday; Francisco Zermeno; Greg Jones; Al Mendall; Fran David; CityClerk
Subject: Communications from RHA Regarding Item 5 on tonight's agenda
Importance: High

Good Evening Mr. Mayor and Members of Council,

On behalf of the RHA, I'd like to extend warm holiday greetings to you all and the City of Hayward.

I am writing you in regards to Item 5 of tonight's Council Agenda. I would normally present my request in person, but it is not possible for me to attend tonight.

There are two particular items of concern that I would like the City to address. As we are provided further materials, we are likely to have additional feedback at that time. Reconciling such a massive variety of official codes in one-shot is a massive undertaking, but we will strive to be timely.

ITEM ONE FIRE PREVENTION CODE 903.2.20 (PAGE 87 OF STAFF REPORT)

We believe that this section should be set aside until properly vetted with stake holders. Here is why:

This section contains a new requirement that an owner must install fire sprinklers when remodeling or rehabilitating multifamily buildings. We believe that this approach will have a chilling effect on investment in Hayward rental housing stock, as owners who would normally purchase property for upgrade will see this as a substantial burden that will make the investment in existing stock less-likely.

Additionally, existing owners who wish to improve the energy efficiency of their properties would also have to contend with installing a fire sprinkler system to comply with the addition of this section. This can easily kill plans for energy upgrades to properties if instituted. As proposed, installing energy efficient windows or insulation throughout, could trigger this clause. Energy efficiency upgrades are NOT structural repairs.

As written, even resurfacing driveways can trigger the need to install fire sprinklers.

Here is an excerpt provided for your convenience (emphasis added):

FIRE PREVENTION CODE -

903.2.20 EXISTING BUILDINGS. An automatic sprinkler system shall be installed in an existing building when cumulative additions, repairs, or alterations are made to the building and such additions, repairs, or alterations meet any of the following conditions:

1. Alteration is any construction or renovation or modification to an existing structure other than repair or addition, a change in occupancy or use, or structural repair to an existing building or facility. Alterations include, but are not limited to, remodeling, renovation, rehabilitation, reconstruction, historic restoration, resurfacing of circulation paths or vehicular ways, changes or rearrangement of the structural parts or elements, and changes or rearrangement in the plan configuration of walls and full-

height partitions. Normal maintenance, reroofing, painting or wallpapering, or changes to mechanical and electrical systems are not alterations unless they affect the usability of the building or facility.

ITEM TWO - HAYWARD BULDING CODE ADMINISTRATIVE (PAGE 116 OF STAFF REPORT)

Because there are no sanctioned references cited or available (without purchase) for public review of any of the International referenced in this section, **we have no means of doing our due-diligence review or staff's proposal.** Here is specifically what we are referencing:

HAYWARD BULDING CODE ADMINISTRATIVE Section 101.4.4

2012 International Code for Property Maintenance (ICPM) is cited as a code proposed for adoption, yet no link or reference to an official text of this code is provided or identified for review through the City clerk's Office. Under these circumstances, it is difficult for us to determine how they will affect rental housing.

Section 102.4.1

Likewise, in Section 102.4.1, reference is made to adopting sections of the following ordinances as part of the ICPM 2012 International Residential Code, 2012 Uniform Plumbing Code, 2012 Uniform Mechanical Code, 2011 National Electric Code, but are not cited as codes being adopted in the staff report or agenda. No sanctioned sources is available for these either.

It is possible that those elements may have been missed in such a volumous report. But in both cases, we believe the information should be provided and a reasonable amount of time be provided for review and comment.

Thank you for your consideration.

Sincerely,
Timothy May

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Timothy May



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