



MEMORANDUM

TO: HONORABLE MAYOR &
CITY COUNCIL

FROM: Sabrina B. Landreth
City Administrator

SUBJECT: Ghost Ship Fire Anniversary
Update & Progress Report

DATE: November 9, 2017

INFORMATION

The devastating Ghost Ship warehouse fire and loss of 36 lives on December 2, 2016 was a tragedy that resonated across Oakland and the nation. It highlighted deep and complex issues that Oakland has been wrestling with as a community: the impact of the housing affordability crisis, the importance of maintaining a vibrant arts community in Oakland, and the need to ensure that our housing and public spaces are safe and habitable.

Immediately following the fire, Mayor Libby Schaaf requested support and advice from the National Fire Prevention Association (NFPA); the California Fire Marshal and fire safety experts; several local architects, artists, housing advocates; and community members. Mayor Schaaf sought to address the issues raised by the fire, including: fire and life safety standards for buildings; unsanctioned live/work spaces; minimize displacement of people inhabiting the buildings; and changes and actions necessary to retain these types of uses and provide affordable live/work spaces if safety and habitability standards can be met.

On December 8, 2016, members of the NFPA traveled to Oakland for a day of dialogue with several City officials with the goal of helping the City devise a framework to help improve building, event, and life safety. Ultimately, the NFPA's recommendations became the framework for the Fire Safety Task Force.

The Fire Safety Task Force was divided into four subcommittees:

1. Data Subcommittee: worked to develop a system that integrates City parcel data from multiple sources to ensure an accurate inventory exists that is accessible to City staff members from all relevant departments.
2. Fire Budget and Staffing Subcommittee: worked to determine the total number of fire inspections that need to be conducted annually, prioritize them based on risk, and develop strategies and recommendations pertaining to staffing levels, staff schedules, equipment needs, and technology improvements.

3. Inspection and Displacement Protocols Subcommittee: considered necessary changes to protocols for correcting fire and building code violations and recommended ways to improve communications among Fire, Planning & Building, and other City departments.
4. Zoning and Building Code Changes Subcommittee: focused on reviewing and making recommendations on the City's zoning and building codes as they pertain to people living or holding events in non-conforming spaces and to identify changes to the City's building code to make it easier to create safe, affordable live/work spaces in the future.

On January 11, 2017, Mayor Schaaf issued Executive Order No. 2017-1, Improving Safety of Non-Permitted Spaces While Avoiding Displacement. The Executive Order directs the City Administrator and City departments to take action to preserve housing, workspaces, and cultural gathering spaces while improving life safety in unpermitted buildings.

Recognizing that Oakland has long been in the forefront of adaptive reuse and live-work strategies for many former warehouse and industrial buildings, the Executive Order created new protocols and tasks consistent with existing regulations to enhance safety in unpermitted spaces while reducing the risk of displacement. One of the purposes of the Executive Order is to balance the need to enhance safety while also protecting cultural community assets and preventing unnecessary tenant displacement during this time of unprecedented housing insecurity.

The Executive Order further states that:

- Having housing, workspaces and cultural gathering spaces in unpermitted spaces that operate safely and responsibly are valuable to the community, and the City should take actions to preserve and legalize these spaces to avoid adverse impacts on the City's affordable housing stock and availability of workspaces and performance venues for vulnerable members of our community.
- We must take additional steps to protect physical, cultural, and artistic assets and workspaces in the community while making necessary changes to improve life safety, provide for safer public events and improve standards and procedures for evaluating and assuring compliance.

In the 11 months following the fire, the City has focused on six key areas:

1. Bring buildings into compliance
2. Increase inspection capacity and enhance protocols
3. Improve inter-departmental communications (referrals and data-sharing)
4. Strengthen tenant protections and education
5. Streamline special event permitting
6. Identify housing resources

Progress to Date: How Oakland is Safer Today

The report below details the significant and complex work that the City has undertaken over the past 11 months to tackle these challenges. Highlights of this progress include:

- Within a week of the Ghost Ship fire, we immediately evaluated the whole system, aligned with National Fire Prevention Association best practices:
 - Prioritized inspections based on risk
 - Improved data and information-sharing between departments
 - Identified appropriate staffing levels and funding sources
- Conducted targeted inspections at priority properties:
 - Reallocated existing resources to review 135 priority properties identified to have multiple hazards
 - Mitigated the danger or moved them on a path to compliance
- Implemented new processes to address construction site fires; Fire Prevention, engine companies and building department staff are working together to conduct joint inspections and evaluate life safety issues
- Updated “yellow tag/fire watch” policy and trained staff to ensure that options are in place to immediately address fire safety needs when firefighters discover dangerous conditions at a building
- Secured funding to double the number of fire code inspectors and significantly increase code inspection staff
- Reorganized and realigned business practices to enhance the capacity of the Fire Prevention Bureau; added a sworn Assistant Fire Marshal to enhance connectivity between engine companies and fire prevention staff; referrals are assigned and tracked, inspections are prioritized
- Established interdepartmental case management team (Fire, Planning & Building, City Attorney) focused on improving life safety while minimizing displacement; helping property owners address complex fire and life safety issues in unpermitted residential spaces
- Investigated 32 warehouses or commercial properties where unpermitted residential occupancies were suspected; closed or resolved 11 cases; working with owners at 20 properties to achieve compliance

The following sections provide details and data regarding the efforts to date to address fire and life safety issues in Oakland over the past 11 months.

Bringing Buildings into Compliance

Investigating the Safety of Non-Permitted Spaces

The Executive Order directed the City Administrator and City departments to bring buildings into compliance that are not permitted for residential occupancy and do not conform with building, housing, fire code, or zoning requirements, but that do not represent an immediate threat to life safety; it further directed staff to avoid displacement of individuals residing or working in the property if that can be accomplished without imminent life safety risk.

Since the Executive Order was issued, the City has investigated 32 nonresidential buildings where unpermitted residential occupancies, work, or assembly were suspected in warehouse and commercial buildings. These buildings were identified through public notifications, referrals, complaints, and a review of current fire and building code enforcement cases.

To track and coordinate compliance for these properties, the City Administrator's Office convened an inter-departmental "Properties Team" consisting of staff from the Planning & Building Department, the Fire Department, the Housing & Community Development Department, and the City Attorney's Office. This inter-departmental team took a case management approach to their work, focusing on collaboration and problem-solving as they work with property owners to address fire and life safety issues in these non-permitted residential spaces. The team meets weekly to flag issues and share information to resolve problems.

As summarized in *Table 1 below*, of the 32 properties identified:

- 11 have been resolved (8 had no residential occupancy violations; in 3 cases, the violations were confirmed and permits were issued to remove unpermitted residential use);
- Cases are still open at 21 properties where violations have been confirmed, and the City is working with the owners of those properties to bring them into compliance to address both residential (16 properties) and non-residential (4 properties) violations;
 - One of these 21 properties has a Compliance Plan on file (2639 E. 12th St.)
 - One building was red tagged (1218 Miller Avenue) due to a fire that occurred on January 13, 2017
- The City is seeking access to 1 remaining property to investigate potential violations. Planning & Building staff are working with the Fire Department and the City Attorney's Office to obtain an inspection warrant.

Table 1: Status of Unpermitted Occupancies or Assemblies

<i>Residential Violations Confirmed</i>	
Open cases (working with owner to address violations)	15
Closed cases (permits issued to remove unpermitted use)	3
<i>Subtotal</i>	<i>18</i>
<i>Residential Violations Suspected</i>	
Open case; seeking access to property	1
<i>Non-residential Violations Confirmed</i>	
Open cases (working with owner to address violations)	4
<i>Building was Red-tagged</i>	
Open case (owner ordered to abate)	1
<i>No Violations/Resolved</i>	
Closed cases	8
<i>TOTAL CASES</i>	<i>32</i>

Appendix A summarizes the status by address of 21 active cases of properties suspected of unpermitted residential use or unauthorized assembly.

Appendix B summarizes the status by address of 11 resolved cases of properties suspected of unpermitted residential use or unauthorized assembly.

Every code enforcement case presents unique circumstances given the building’s age, condition, and type of occupancy. The City works diligently with property owners to improve safety in unpermitted spaces. The time necessary to achieve compliance varies greatly based on the complexity of the case, the measures required, and the cooperation of the owner.

When the City receives a complaint, fire and building inspectors conduct a thorough investigation of the property to confirm the nature of the potential violations. In some cases, there are no violations found; in other cases, violations are easily identifiable and correctable. In still other cases, it may take time to fully understand the extent of the violations and the corrections needed. At times, property owners take action themselves to correct violations without the need for further City action. Other property owners are less cooperative and require additional levels of enforcement and fines to comply.

Improving Life Safety While Working to Avoid Displacement

Maintaining safe and habitable living conditions is the City’s highest priority. In keeping with the Mayor’s Executive Order, the Properties Team implemented the following approach to inspections and compliance to protect life safety and minimize displacement:

- To avoid displacement, inspections initially **focus on imminent threats to fire and life safety**. The land use and zoning designation, while necessary to gain compliance, is not as crucial as correcting fire and life safety issues.
- **A compliance plan** is the standard method of correcting violations within certain time frames, and the building owner/landlord will have a 60-day time period to enter into a plan and timetable with the City. The length of time for implementation of the plan will vary, based on the extent of the code issues.
- **Building occupants** are generally given 5 days ahead of the inspection date, unless an immediate threat to life safety is observed.
- **If temporary or permanent relocation is required**, information is provided about relocation assistance, return rights, and the City's just cause eviction laws. This includes a "frequently asked questions" document and other public education efforts.
- Fire and building inspectors generally work in the **spirit of cooperation** with property owners, tenants, and master lessors to maximize safety and housing security.

Of the 32 warehouses and commercial buildings identified, inspectors confirmed unpermitted residential occupancy at 19 properties. City inspectors have worked hard with owners to bring the properties into compliance. In many cases, although there may be a path for the owner to legalize the live/work conversion, owners have decided to evict tenants rather than take the steps necessary to address fire and life safety issues.

The City typically issues a Notice of Violation (NOV) to notify the property owner of specific violations and establish options to correct, along with timeframes. An Order to Abate is issued for serious and more immediate problems or for unsafe conditions. An Order to Vacate (i.e., red tag) is posted upon identification of immediate serious threat to life safety. Although in the event of an imminent life safety hazard the City may order that a building be vacated, it is the landlord that would handle the evictions process with affected tenants. Such a process is at the discretion of the property owner at any time in the code enforcement process.

It is unknown how many tenants may have lived in the properties where unpermitted residential occupancy was verified, with the exception of 1218 Miller Avenue, where a fire occurred that displaced 13 residents. The City has confirmed that owners evicted tenants from the following 5 properties:

1. 1190 28th St. (2811 Magnolia St.)
2. 1530 E. 12th St.
3. 950/952 International Blvd. (1431 10th Ave.)
4. 411 2nd St. (The Salt Lick Collective)
5. 1218 Miller Ave.

In the case of 1218 Miller Avenue, after the fire, the owner sold the building as-is; the repairs had not been completed and the 13 tenants in the building were displaced. The City advanced relocation benefits to the 13 tenants in the amount of \$77,000 and recouped the money from the property owner.

Although property owners have the right to evict tenants from unpermitted spaces under state and local law, Oakland's Code Compliance Relocation Ordinance provides certain protections and benefits to tenants of residential unpermitted spaces, including payments for temporary and permanent relocation and an option or right to return to previous units if and when they are permitted. On January 23, 2017, the Oakland City Council amended the Code Compliance Relocation Program to increase the payment amount for relocation and to expand the eligibility for receipt of relocation payments.

Exploring Building Code Changes to Improve Safety of Unpermitted Live/Work Spaces

Existing building codes currently have clear standards that apply to individual live/work units where one or several people might work and live in a single space. But the Ghost Ship tragedy revealed a different type of building occupancy that is not a distinct category under existing building and fires codes: a more communal, and therefore more affordable, use of space that includes multiple bedrooms and a shared kitchen, bathroom, and working/assembly spaces in spaces not permitted for residential occupancy.

The Administration therefore convened a working group of City staff, community stakeholders from the DIY community, and individuals with expertise in industrial building conversions to study potential changes to the City's Building Code. The purpose of the work is to create a pathway for these types of unpermitted, communal live/work and assembly spaces to establish legal occupancy in a safe and affordable manner while also preserving affordability for existing tenants. To establish legal occupancy under these alternative code requirements, a property owner would be required to commit to affordable rents for existing tenants for a period of time.

The working group now has a preliminary set of proposals to explore alternate means of addressing the Building Code that require additional vetting and analysis with fire and building code experts. Over the next month, the Administration will issue a Request for Proposals (RFP) to retain the expertise of an outside consultant to do the technical work necessary to refine the proposals, and to prepare specific code changes and standardized criteria for correcting imminent life safety hazards that can be brought forward for legislative action. The consultant will work in close collaboration with the City's Fire Department and a Planning & Building Department on this technical work, and in continued dialogue with the Working Group on this next phase of the work.

As described later in this report, to further incentivize property owners to come forward and make changes to these types of buildings to make them safe, the City is exploring a revolving loan fund to help fund safety improvements in nonconforming residential spaces, in exchange for affordability protections.

Increasing Inspection Capacity and Strengthening Protocols

The City has taken concrete steps to dramatically expand our inspection capacity and strengthen inspection and compliance protocols, both within the Fire Prevention Bureau and the Planning & Building Department.

Doubling Code Inspection Capacity in Fire and Building Departments

By the end of 2018, the City will have hired 12 new fire code inspectors, more than doubling inspection staff in the Fire Prevention Bureau by the next calendar year, from 8 fire code inspectors at the end of 2016 to a total of 20 by the end of 2018; see **Table 2** below:

Table 2: Fire Code Inspection Staff Doubled over Two Years

	Fire Code Inspectors	Business Analyst	Admin Support	TOTAL
December 2016 Staffing	8	0	0	8 FTEs
Additional staff by December 2017	6	1	1	8 FTEs
Additional staff by December 2018	6	0	0	6 FTEs
TOTAL FTEs	20 FTEs	1 FTE	1 FTEs	22 FTEs

The City has extended conditional job offers to all 6 new fire code inspectors being hired this fiscal year; they have completed their medical examinations and are anticipated to begin work in early December. The Fire Prevention Bureau is also hiring a new Business Analyst dedicated to managing the inspections database and generating reports to improve tracking and accountability of the inspections program. A new administrative support position will assist with inspection notices, inspections scheduling, and records management. Hiring additional inspectors along with analyst and support staff will ensure that there is enough staff to respond to complaints and to conduct timely inspections.

The Planning & Building Department is also significantly increasing its code inspection capacity. The Code Enforcement Division previously had 8 inspectors, 1 supervisor, and 3 vacant inspector positions in December 2016. The Department recently filled 3 vacant inspector positions. In addition, the FY 2017-19 budget added 3 additional inspector positions and 4 additional administrative support positions, as shown in **Table 3**, which will greatly increase the capacity and effectiveness of the Code Enforcement Division.

Table 3: Building Code Enforcement Staff Significantly Increased over Two Years

	Code Inspectors	Supervisor	Admin Support*	TOTAL
December 2016 Staffing	8	1	11	20 FTEs
Additional staff by December 2017	3	0	0	3 FTEs
Additional staff by December 2018	3	0	4	7 FTEs
TOTAL FTEs	14 FTEs	1 FTE	15 FTEs	30 FTEs

* Administrative staff supports both code enforcement and building permitting operations

Targeted Inspections at Prioritized Properties

In the immediate aftermath of the Ghost Ship tragedy, the City reallocated seasoned and experienced personnel from the Fire Department’s engine companies to support inspections and referral procedures while the hiring process for new inspection staff was underway. The Fire Department prioritized 135 properties with a range of hazards identified by its engine companies; of those 135 properties, 71 required hazard inspections. The Fire Department has mitigated hazards at 33 of the 71 properties. The remaining 38 properties remain active cases; some were referred to the Building Department for follow-up, some have access issues, and the remainder were non-compliant on first inspection and are on the path to compliance.

Stronger, More Proactive Residential and Commercial Inspection Programs

Over the past year, the Oakland Fire Department has enhanced the capacity of the Fire Prevention Bureau by adding two sworn staff to the Fire Prevention Bureau, including a sworn Assistant Fire Marshal who serves as a critical liaison between the sworn personnel in the engine companies and the staff in the Fire Prevention Bureau. Their responsibilities include addressing priority properties, tracking and assigning referrals from the engine companies to the inspections staff, managing data, and ensuring the new inspection staff are thoroughly trained and equipped for success.

With the new inspection platform (Accela) coming on line at the end of the calendar year, the Fire Department has also begun to reorganize its business processes to achieve efficiencies. In addition to improving the connectivity between the firefighters and the inspections team, the Fire Marshal holds a daily briefing with code inspectors every morning to set priorities for the day, there are weekly case management meetings with the Planning & Building Department code inspectors, billing has been moved to the Revenue Division in the City’s Finance Department to enhance the collections process, new performance measures are being developed to increase accountability, and the Department is raising the professional standards of the inspectors hired.

Fire Watch/"Yellow Tag" Policy

Another important change is the enhancement of the Fire Department's Fire Watch or "yellow tag" policy, coupled with department-wide training. To date, approximately 75 percent of staff have been trained on how to implement the policy.

This was previously referred to as a Blue Tag policy, but the name was changed to align with terminology used by building code inspectors. The purpose of this policy is to ensure that when engine companies are on a routine call for service and discover a dangerous condition such as a faulty or non-existent fire alarm system, there are options in place to immediately address fire safety needs.

The policy establishes the process and requirements to institute a fire watch, which is a temporary remedial measure mandated by the Fire Department to ensure continuous and systematic surveillance of a serious fire hazard condition or activity in a building. This includes addressing any conditions that can cause fire or contribute to its spread, affect person's ability to safely exit a building, or delay notification of a fire. A Fire Watch remains in place until the fire alarm, sprinkler, or other life safety system can be restored.

New Process to Address Construction Fires

To address fire safety concerns at major construction sites, the Planning & Building Department provides the Fire Department with a regularly updated list of major construction projects throughout the City. The Fire Prevention Bureau and engine companies are conducting joint inspections to evaluate fire access, water supply, and other life safety issues at these sites.

Commercial Inspections

Commercial inspections are those completed by engine and truck companies in the field. The Fire Department deems the commercial inspection program critically important, not only for residents and business owners, but for the safety of our fire crews. As a critical element of this process, engine companies are conducting pre-fire plans in commercial buildings.

The pre-fire plan gives firefighters an opportunity to look at the exterior and interior of a building, identifying building attributes like utility shut-offs, egress locations, best access, and other unique attributes. This walk-through enables business owners to ask questions about fire concerns and can improve compliance in a non-inspection format to increase the safety of commercial establishments.

Once the new Accela system is online, the information collected from the pre-fire plan will be entered into the database and can be accessed by firefighters as they are en-route to the scene, or by incident commanders at the site of an emergency incident, allowing firefighters to plan strategies and tactics with more building information immediately available.

To further enhance the commercial inspection program, the Fire Department is considering a self-certification pilot program targeted to a subset of low-hazard buildings to further increase efficiencies and boost compliance at commercial properties.

State-mandated Inspections

As a result of a long-standing historical staffing shortage in the Fire Prevention Bureau, the Fire Department currently has a backlog of approximately 1,000 state-mandated inspections. Staffing up the Bureau has been a critical priority, but the process to hire well-qualified candidates through the Civil Service process takes many months.

In the immediate term, to address this challenge the Department is using an existing contract to provide supplemental inspections, and a new contractor is being hired to perform 600 additional field inspections over the next six months while the new Fire Prevention Bureau inspectors are being trained. Once the contracted inspections are complete and the new inspection staff is trained, the Department anticipates it will have the resources necessary to meet its inspection requirements. For 2017, all high-rise buildings have been pre-scheduled for inspection, and those will be 100 percent complete by the end of this calendar year.

Conducting Proactive Inspections to Improve Housing Habitability

Consistent with the recommendations from the 2011-2012 code enforcement improvement effort, the Housing Equity Roadmap, and the Mayor's Housing Cabinet Report, the City Administrator's Office is creating the Healthy Housing Inspection Program to complement the existing complaint-based inspection process by proactively inspecting multi-family residential housing and improving the quality of life for residents in substandard housing. Modeled on similar programs in cities across the country, the program would more effectively identify housing habitability issues through both random and targeted annual visits to a subset of the City's housing stock and the inspection of all units throughout a multi-year cycle. The Healthy Housing Inspection Program would also integrate inspections with other basic services, like pairing an inspector with a community health worker to provide case management services.

Strengthening Business Processes and Protocols

To enhance inspection protocols, the Planning and Building Department is developing standardized criteria for correcting imminent life safety hazards while minimizing displacement. The Department is also improving the way affected building tenants and occupants can access more information about the status of properties under investigation and about tenant rights and protections.

New Leadership at the Helm

Oakland Fire Chief Darin White was appointed on October 19, 2017, following a rigorous national search to find the best Fire Chief for Oakland. A proud Oakland native with 30 years in the fire service, 20 of which were dedicated to the Oakland Fire Department, Chief White brings

extensive operational and executive leadership expertise, coupled with a responsive and collaborative approach to achieve community-oriented safety outcomes.

Planning & Building Director William Gilchrist was appointed on July 21, 2017, also following an extensive national search. His 35-year career spans both the public and private sectors, with expertise in community regeneration, place-based planning, urban design, and quality customer service through boosting permitting efficiencies. His talents will be instrumental in leading the Planning & Building Department's ongoing efforts to address safety and habitability of homes and buildings in Oakland through code compliance and permitting.

Improving Inter-Departmental Communications, Referrals & Data Sharing

Enhancing Interdepartmental Communication and Referrals

The City's Fire Safety Task Force—convened by the City Administrator's Office and comprised of staff from the Oakland Fire Department, Planning & Building Department, and City Attorney's Office—is focused on improving fire safety inspection systems. Major areas of work include prioritizing inspections based on risk, improving shared data systems between departments, and identifying appropriate staffing levels and funding sources. This team is focused on implementing the best practices recommendations of the National Fire Prevention Association, which came to Oakland the week after the Ghost Ship warehouse fire to provide expert consultation and guidance.

The Fire Marshal, supervisors from the Planning & Building Department, and the City Attorney's Office meet weekly to review any properties that have been flagged and discuss habitability issues. The new database discussed below will significantly enhance data sharing between the departments, but the team is not relying on technology alone to address life safety issues. Most of these properties are complex and require a significant level of case management and inter-disciplinary problem solving to minimize displacement and address life safety issues. The team has completed the review of 135 priority properties that were identified to have multiple hazards of concern and moved them on a path to compliance. They are also working together to gain access to properties where the owner is unresponsive or uncooperative.

The Oakland Police Department (OPD) has established a policy requiring officers to provide a detailed report of any unpermitted parties and events that they witness to the department's Special Events Unit so that the information can be shared with other City of Oakland departments. To date, seven referrals have been made.

Cross Departmental Data Integration: Leveraging Technology to Create a Shared Fire and Building Safety Database

The Fire Safety Task Force quickly identified the need for a cross-departmental data system to better integrate the City's inspection data and processes. Not only can data between the City's Fire Departments and Planning and Building Departments be shared, but data from Business Tax License as well as local calls for service across a number of departments can be more easily shared, allowing for improved and more robust analytics in determining potentially hazardous properties.

After a comprehensive review, staff determined the best option was to convert all City inspection data to the Accela database system, an online record-keeping tool already used by the Planning and Building Department. The expanded database will allow departments to more efficiently and effectively share information. As part of this project, the Planning & Building and Fire departments will specify reporting protocols that will be reflected in the system design.

Fire inspectors and engine companies will be equipped with tablets so they can access this system to enter data while in the field and can alert other departments immediately when a hazard is identified.

It will also enable firefighters to report hazardous buildings quickly and enable them to check in real time if buildings or properties have existing complaints or hazards.

A public access portal will enable the public to report violations, file complaints for follow-up from code enforcement officials, view the status of inspections or inspection results, view the status of permit processes, or request an inspection. This will enhance efficiency and enable users to see information in real time.

Once the Accela system is implemented in the Fire Department, additional applications will be built out to draw in data from other department's such as OPD dispatch data and business tax license data that can be used to call attention to potential fire and life safety hazards.

The data conversion process is slated for completion by the end of December, and the City anticipates that the new \$500K database system will go live in the first quarter of 2018.

An upcoming example of this inter-departmental data sharing will occur upon the completion of validation of the data in the City's new local tax system during the first quarter of Fiscal Year 2017-18 (before the end of the calendar year). The City will begin sending notices to commercial landlords who are reporting rental income on properties where there is no tenant registered in the City's business tax system. The City will also be sending notices late in the third quarter to commercial properties which are not registered in the City's business tax system. This will ensure that any commercial operation not currently registered with the City will either become registered so that fire inspectors will know what type of activity is occurring on the property, or, if the business does not comply, will alert inspectors to a potential problem that could warrant follow-up.

Strengthening Tenant Protections and Education

The City has expanded our just cause eviction laws to protect more renters as part of a larger effort to strengthen renter protections and services. Additionally, property owners now must petition to raise rents above the cost of living, and on January 31, the City Council increased the relocation fees that owners must provide tenants who are evicted as a result of code enforcement action. These fees now more closely match the actual cost that a tenant would incur when securing new housing in the current rental market. The City has also expanded services to ensure more renters know their rights and can access free help to defend themselves.

In addition, the Office of the City Attorney has released a list of Frequently Asked Questions regarding the rights and protections afforded tenants living in non-conforming living spaces and how they can take action and better protect their tenancy they feel that their home is unsafe. The office has conducted several workshops for City staff, including staff from the Housing Assistance Center and Rent Program on these rights and protections, as well as non-profit legal services providers who make available housing counseling and legal defense against eviction.

The City of Oakland has also launched a new online service and education portal for its anti-displacement program, currently called the Rent Adjustment Program (RAP), to increase tenant and property owner access to this critical service, including important ‘know your rights’ information. Service improvements include easier access to existing ordinances and other housing services, electronic case management system to better track cases and data, and a fillable, smart and secure online petitioning system.

Finally, the previously mentioned Healthy Housing Inspection Program will improve education and outreach to tenants and provide information about rights under Oakland’s rent control and tenant protection laws.

Streamlining Event Permitting

The City convened a Special Events Permit Redesign Task Force to identify process improvements to make it easier to comply with special event permit requirements, which in turn encourages compliance and helps ensure the safety of these events. This work acknowledges that special events play a key role in promoting a vibrant, diverse, and creative community in Oakland.

The Task Force is composed of staff from the City Administrator’s Office, Mayor’s Office, Cultural Affairs Office, Oakland Police Department, Oakland Fire Department, and the Planning & Building Department. The group has shared internal expertise, examined past efforts to redesign the special event permit process, and met with a focus group of event holders as well as the Executive Director of San Francisco’s Entertainment Commission to gather suggestions on how to improve the permitting processes.

The Special Events Task Force has identified several barriers that currently discourage compliance, including a lack of clarity around the rules that govern entertainment; administrative obstacles requiring applicants to navigate various city, county, and state departments; and the expense of bringing a non-conforming space into compliance.

The Task Force has outlined 10 preliminary recommendations to address these barriers and encourage compliance. They include implementing a “one-stop shop” online application; creating a user-oriented website that provides all information relevant to event and entertainment permitting; holding public training several times a year on the special event permit process; preparing a public inventory of spaces approved for events to make it easier to find safe venues; streamlining application submissions and time frames for repeat events happening at the same location with the same pre-approved layout; and, over the longer term, hiring a dedicated city staff person to help applicants navigate the permit process and serve as a primary point of contact.

The Task Force recently released these findings and recommendations to the public as part of an online survey for further refinement and input. It will use the public feedback it received to guide the implementation of these proposed reforms over the next several months.

Identifying Housing Resources: State & Local Resources

State Senator Nancy Skinner successfully advocated for a portion of Senator Toni Atkins’s (D-San Diego) SB 2, one bill that was part of the Legislature’s recently approved Housing Package. SB 2 is a \$75 fee that will be assessed to any real estate transaction and those fees will go to fund affordable housing projects.

The City is in early discussions with the Northern California Community Loan Fund to create a local revolving loan fund to finance health and safety upgrades that would allow for the legal residential use of non-conforming spaces, such as warehouses or other commercial spaces. Access to such a loan fund would be contingent on a property owner’s commitment to maintaining affordable rents for existing tenants for some period of time. The details of the loan fund, including borrower requirements and loan application requirements, are currently being drafted in dialogue with the City’s departments of Housing & Community Development and Planning & Building. The Loan Fund would then need to be capitalized from outside sources, with focused fundraising beginning in 2018.

Furthermore, Measure KK and Measure A1 will both provide much-needed funding for the acquisition and rehabilitation of affordable housing projects. The total allocation for affordable housing from the Measure KK bond is \$100 million. The potential allocation for affordable housing for the City of Oakland from the Alameda County Measure A1 bond is \$100 million based upon \$54 million from the base and \$47 million from the competitive North County regional pool. This increase in the number of below market rate units will in turn alleviate the pressure that causes people to turn to non-compliant spaces as the only viable, affordable option for them to stay in Oakland.

The Work Ahead

It was immediately clear following the Ghost Ship tragedy that the challenge moving forward would center on balancing the City's twin goals of making our community safer while protecting living spaces, commercial buildings, and art spaces at a time when the regional housing affordability crisis is making many Oaklanders vulnerable to displacement.

Over the past 11 months, City staff have steadfastly focused our efforts on making substantive, systemic, and sustainable changes that will permanently improve safety in Oakland. The Mayor's Executive Order was a statement of the City's values: we do not compromise when it comes to safety, and we recognize the severe impact of the regional housing affordability crisis on our community. The work ahead is complex, it will take time, and it will make a difference.

Specific priorities in addressing this challenge over the next several months will be to:

- Create a pathway for unpermitted, communal live/work and assembly spaces to establish legal occupancy in a safe and affordable manner while also preserving affordability for existing tenants.
- Eliminate the backlog of state-mandated fire inspections, and moving forward, meet fire inspection requirements.
- Hire, train, and support the success of new fire code and building code inspectors.
- Complete the implementation and roll-out of the Accela online database and record-keeping tool, and build it out to draw in data from other City departments, such as OPD dispatch data and business license tax data that can be used to identify potential fire and life safety hazards.
- Launch the Healthy Housing Inspection Program to conduct proactive rental inspections focused on housing habitability and the quality of life for residents in substandard housing
- Implement the new, streamlined Special Event Permitting system, including a "one-stop shop" online application, a user-oriented website that provides information relevant to the permit process, and a public inventory of approved and safe event venues.
- Work with property owners at the 21 properties with unpermitted residential occupancy to address life and fire safety hazards and bring the buildings into compliance.
- Implement the Planning & Building Department's standardized criteria for correcting imminent life safety hazards while minimizing displacement.

