

## Russell City Displaced Preference in the City of Hayward Affordable Housing Ordinance

**Summary of the Reparative Justice Recommendation:** Pursue legislative change needed to update the City of Hayward Affordable Housing Ordinance to include a displacement preference for former residents of Russell City, and their descendants born by or before December 31, 2024.

**Reparative Justice Description and Justification:** Hayward's Inclusionary Housing Program says that if a new housing project has two or more new homes, it has to follow certain rules to create affordable housing. These rules are part of the Affordable Housing Ordinance 17-20, which is found in Chapter 10, Article 17 of the Hayward Municipal Code. Developers can meet these requirements in a few different ways:

1. Paying an affordable housing in-lieu fee so that the City can fund the development of affordable housing.
2. Including on-site affordable units.
3. Constructing off-site affordable units with approval.
4. Proposing alternative solutions accepted by the Decision-Making Body.

Currently, the Affordable Housing Ordinance establishes priority preference first to persons displaced by Hayward Housing Authority, Hayward Redevelopment Agency, the City, second to persons who live or work in the City of Hayward and third to all other applicants.

The Russell City Reparative Justice Project recommends that the City modify the Affordable Housing Ordinance to include a priority displacement preference for displaced residents and their descendants (born through December 31, 2024). This requires legislative change. If approved, the modification would provide priority access to affordable housing opportunities upon initial sale or lease-up. These opportunities typically include:

1. Low-income and very-low rental housing units, and
2. Moderate-income and low-income ownership units.

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Although there might not be many new homes compared to the number of people who qualify for this priority, this policy change could help former residents and descendants when affordable housing becomes available.

**Eligibility Criteria:** To qualify for the proposed Russell City displacement preference, beneficiaries must apply to be included on the preference list by establishing that they are:

1. A former resident of Russell City who can prove they lived there between 1960 and 1967 with valid documentation <sup>i</sup> AND have a qualifying income limit for Affordable Units in a Residential Development Project, or
2. A descendant of a former resident of Russell City AND have a qualifying income limit for Affordable Units in a Residential Development Project born by December 31, 2024. You must have a qualifying income limit for Affordable Units in a Residential Development Project. You must provide proof of your ancestor's residency between 1960 and 1967 and show that you are related to them. <sup>ii</sup>

## Reparative Justice Objectives

- **Objective 1:** Staff review and analysis of recommendation for displace preference and list generation proposal for City of Hayward Affordable Housing Ordinance to include a displace preference for Russell City former residents and their descendants in rental and ownership programs.
- **Objective 2:** Request Authorization of City Council to approve modifications to the City's Affordable Housings Ordinance, including related to eligible beneficiaries. This is required and needs to be approved by decision-making bodies to create a displacement preference.
- **Objective 3:** Approve and adopt the addition of a Russell City displacement preference to the City of Hayward Affordable Housing Ordinance.
- **Objective 4:** Educate Russell City former residents and their descendants on Affordable Housing Ordinance policies and procedures related to displacement preference and eligibility requirements.
- **Objective 5:** Make a preference list of qualifying Russell City former residents using City of Hayward records, County of Alameda documents, and outreach with the Russell City community.

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- **Objective 6:** Notify Russell City former residents and their descendants on established lists regarding upcoming housing opportunities.
  - ii Documentation to verify eligibility may include, but is not limited to, deeds, leases, rental agreements, tax documents, birth certificates, marriage certificates, school records, utility bills, bank statements, and/or insurance documents.*
  - ii Documentation to verify eligibility may include, but is not limited to, deeds, leases, rental agreements, tax documents, birth certificates, marriage certificates, school records, utility bills, bank statements, and/or insurance documents. Birth certificates will be required to verify familial connections.*