



Memorandum

TO: COMMUNITY & ECONOMIC
DEVELOPMENT COMMITTEE

FROM: Chris Burton
Jacky Morales-Ferrand
Raymond Riordan

SUBJECT: SEE BELOW

DATE: June 14, 2022

Approved

Date

6/14/22

**SUBJECT: CITY ROADMAP: SOFT-STORY BUILDING EARTHQUAKE RETROFIT
POLICY STATUS REPORT.**

RECOMMENDATION

Accept a status report on the City Roadmap initiative Soft-Story Building Earthquake Retrofit Program.

BACKGROUND

In June 2018, the City Council adopted a resolution authorizing the City Manager to submit an application to the California Office of Emergency Services (CalOES) for a Hazard Mitigation Grant Program (HMGP) to address soft-story buildings in the City of San José. The City adopts State Building Code standards triennially to ensure that newly-constructed buildings can best withstand seismic events. However, certain types of buildings in San José were built to previous Building Code standards that were less stringent than current Building Codes with respect to seismic safety. One type of seismically-vulnerable building is a “soft-story” building, which is defined as an existing wood-frame multi-unit residential building of two or more stories constructed or permitted for construction before January 1, 1991, that contains five or more dwelling units, and the ground floor contains parking, large windows or garage doors, or other similar open floor or basement space that causes soft, weak, or open-front wall lines. Soft story buildings pose a concern because one floor of the building (usually the ground floor parking or commercial space) has significantly less lateral rigidity than the stories on top of them. These buildings have a greater than average risk of collapse during an earthquake, as evidenced during the 1994 Northridge earthquake, which would render homes uninhabitable and could physically endanger residents.

In July 2018, staff submitted an HMGP application to CalOES to implement the soft story rebate program. The work plan for the grant includes implementing a retrofit program, as well as various options for possible incentives. A portion of the grant will be used to procure a consultant to analyze and make detailed recommendations on the key elements and to develop

the most effective way to implement a mandatory or hybrid (mandatory with incentives) seismic retrofit program. In early 2019, CalOES forwarded the City's application to the Federal Emergency Management Agency (FEMA) to receive funding. Due to FEMA's focus on wildfires throughout the State in 2019 and their response to the COVID-19 crisis in 2020 and 2021, the City did not receive a response to the application until April 2021. At that time, FEMA suggested the City modify the grant application into two phases:

- Phase 1 to include all tasks up to, but not including actual construction retrofit work; and
- Phase 2 to encompass the construction activity incentives.

The application was revised and resubmitted in June 2021, and the Phase 1 grant in the amount of \$1,924,054 was awarded to the City in September 2021.

ANALYSIS

A Request for Proposal (RFP) to obtain the consultant needed to perform much of the Phase 1 work was posted at the end of April 2022 and closed in mid-May. This phase includes creating the inventory of soft-story buildings and retrofit measures, assisting in the development of the ordinance, assisting with public outreach, and creating a pilot submittal of retrofit plans to FEMA. The respondents to the RFP have been evaluated and interviewed and a consultant has been selected. Staff will bring the recommended consultant to Council for its action in August 2022, after which work will commence on the project. The City's Historic Preservation Officer meets FEMA's requirements for historic/environmental reviews to streamline the review process with FEMA. Additionally, staff is developing an outreach plan to assist the consultant with outreach and engagement with affected parties.

EVALUATION AND FOLLOW-UP

Staff anticipates returning to Council in winter 2022 for consideration and approval of the Soft-Story Retrofit Ordinance. As soon as the Phase 1 work is complete, the City can move into Phase 2; another Hazard Mitigation Grant Program application is not required.

The development of the program is a joint effort between multiple departments: the Housing Department will lead in conducting public outreach, the Office of Emergency Management will administer the grant application, and the Department of Planning, Building and Code Enforcement will provide technical support and oversight of the program.

COORDINATION

This memorandum was coordinated with the City Attorney's Office.

COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

June 14, 2022

Subject: City Roadmap: Soft-Story Building Earthquake Retrofit Policy Status Report

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