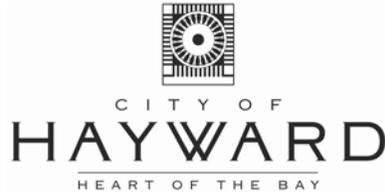


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CITY COUNCIL MEETING FOR TUESDAY, DECEMBER 07, 2010

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*Please note: Council Member Quirk may participate in the meetings listed below via telephone conference call from 26420 Parkside Drive, Hayward, CA 94542 (510) 581-5703. Notice has been posted at the remote location and the teleconference location will be accessible to the public.*

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**CLOSED SESSION**  
**Closed Session Room 2B – 6:00 PM**

1. **PUBLIC COMMENTS** *(Limited to items agendized for Closed Session)*
  2. Performance Evaluation  
Pursuant to Government Code 54957
    - City Manager
  3. Adjournment to Regular Meeting
- 

**CITY COUNCIL MEETING**  
**Council Chambers - 7:00 PM**

**CALL TO ORDER** Pledge of Allegiance Mayor Sweeney

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

**PRESENTATION** Business Recognition Award

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HAYWARD CITY COUNCIL, 777 B STREET, HAYWARD, CA 94541  
[HTTP://WWW.HAYWARD-CA.GOV](http://www.hayward-ca.gov)

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**PUBLIC COMMENTS:** *(The Public Comment section provides an opportunity to address the City Council on items not listed on the agenda or Work Session, or Informational Staff Presentation items. The Council welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Council is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff.)*

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**NON-ACTION ITEMS:** *(Work Session and Informational Staff Presentation items are non-action items. Although the Council may discuss or direct staff to follow up on these items, no formal action will be taken. Any formal action will be placed on the agenda at a subsequent meeting in the action sections of the agenda.)*

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**WORK SESSION (60-Minute Limit)**

1. Update on Police Department's Strategic Plan  
[Staff Report](#)  
[Attachment I - Strategic Plan Tracking Report](#)  
[Attachment II - Citizen Survey Results](#)
- 

**ACTION ITEMS:** *(The Council will permit comment as each item is called for the Consent Calendar, Public Hearings, and Legislative Business. In the case of the Consent Calendar, a specific item will need to be pulled by a Council member in order for the Council to discuss the item or to permit public comment on the item. Please notify the City Clerk anytime before the Consent Calendar is voted on by Council if you wish to speak on a Consent Item.)*

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**CONSENT CALENDAR**

2. Approval of Minutes of the Special City Council/Library Commission Meeting on November 9, 2010  
[Draft Minutes](#)
3. Approval of Minutes of the City Council Meeting on November 16, 2010  
[Draft Minutes](#)
4. Authorize the City Manager to Enter Into a Contract with Government Finance Officers Association to Provide Consulting Services to Assist the City with the Selection of an Enterprise Resource Planning System  
[Staff Report](#)  
[Attachment I Resolution](#)  
[Attachment II](#)



5. Authorization for the City Manager to Execute a Professional Services Agreement with TJKM Transportation Consultants for Traffic Signal Timing Design Services and to Appropriate Funds from Transportation for Clean Air (TFCA) Grant, and to Execute a TFCA Fund Transfer Agreement

[Staff Report](#)

[Attachment I - Resolution](#)

[Attachment II - Project Corridors Map](#)

6. Emergency Wells Supervisory Control and Data Acquisition (SCADA) Installation Project: Approval of Plans and Specifications and Call for Bids

[Staff Report](#)

[Attachment I - Resolution](#)

[Attachment II - Project Location Map](#)

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*The following order of business applies to items considered as part of Public Hearings and Legislative Business:*

- *Disclosures*
- *Staff Presentation*
- *City Council Questions*
- *Public Input*
- *Council Discussion and Action*

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## **PUBLIC HEARING**

7. Underground District No. 29 for Mission Boulevard from A Street to the North City Limit: Adoption of a Resolution to Establish and Introduction of Ordinance

[Staff Report](#)

[Attachment I - Resolution](#)

[Attachment II - Draft Ordinance](#)

[Attachment III - Boundary Map](#)

8. Underground District No. 30 for Mission Boulevard from 700 Feet South of Arrowhead Way to the South City Limit: Adoption of a Resolution and Introduction of an Ordinance to Establish; and Approval of the Underground District Priority List

[Staff Report](#)

[Attachment I - Resolution](#)

[Attachment II - Draft Ordinance](#)

[Attachment III - Boundary Map](#)

[Attachment IV - Underground District Priority List](#)



## LEGISLATIVE BUSINESS

9. Adoption of Ordinance Amending Chapter 10, Article 1 of the Hayward Municipal Code by Modifying a Planned Development District to Allow Additional Uses Pursuant to Zone Change Application No. PL-2010-0120

[Staff Report](#)  
[Attachment I](#)

## COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Oral reports from Council Members on their activities, referrals to staff, and suggestions for future agenda items

## ADJOURNMENT

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*PUBLIC COMMENT RULES: The Mayor may, at the beginning of the hearing, limit testimony to three (3) minutes per individual and five (5) minutes per an individual representing a group of citizens or organization. Speakers will be asked for their name and their address before speaking and are expected to honor the allotted time. A Speaker's Card must be completed by each speaker and is available from the City Clerk at the meeting.*

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*PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing or legislative business item listed in this agenda, the issues in the lawsuit may be limited to the issues that were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that the City Council has adopted Resolution No. 87-181 C.S., which imposes the 90 day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.*

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*\*\*\*Materials related to an item on the agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, City Hall, 777 B Street, 4<sup>th</sup> Floor, Hayward, during normal business hours. An online version of this agenda and staff reports are available on the City's website. All Council Meetings are broadcast simultaneously on the website and on Cable Channel 15, KHRT. \*\*\**

## NEXT REGULAR MEETING – 7:00 PM, TUESDAY, DECEMBER 14, 2010

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*Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400 or TDD (510) 247-3340.*

DECEMBER 7, 2010



**DATE:** December 7, 2010  
**TO:** Mayor and City Council  
**FROM:** Chief of Police  
**SUBJECT:** Update on Police Department's Strategic Plan

## **RECOMMENDATION**

That Council accepts this status report and provides comments to staff.

## **BACKGROUND**

The City Council approved and adopted the Police Department's Strategic Plan, "2008 and Beyond" on October 7, 2008. On December 1, 2009, staff provided Council with the first annual update regarding the progress of the Strategic Plan during its first year of implementation. The purpose of this presentation is to provide Council with the second annual Strategic Plan review and update.

## **DISCUSSION**

The focus of this update is to provide Council an overview of the department's accomplishments during the last year relevant to the Strategic Plan, and provide Council with a brief synopsis of future goals and objectives. Some of the significant accomplishments included in this presentation include:

- Increased Sworn Police Officer Staffing
- Enhancements to District Policing Model
- Implementation of a new, state of the art CAD/RMS System
- National Accreditation - Commission on Accreditation for Law Enforcement Agencies
  - CALEA Assessment Team will be on site December 4<sup>th</sup> through 7<sup>th</sup>
  - The Hayward Police Department is scheduled to testify in front of the CALEA Commission on March 26<sup>th</sup>, 2011 at which time National Accreditation is expected to be awarded.
- Recognition by the International Association of Chiefs of Police (IACP) of the City's "SMASH" program as a model program
  - Recognition was made at the annual IACP Conference held in Orlando, Florida from October 23<sup>rd</sup> through 27<sup>th</sup>.
  - A short video was made of a Hayward SMASH, which is now available to Council.

- Implementation of Gang Investigative Unit
- Implementation of “Identity Theft Council”
- Citizen Survey Results
  - This survey was conducted as a requirement of our effort towards accreditation through CALEA and should not be confused with the survey conducted by Godbe Research in October 2010. The research for this survey was accomplished through an “in-house” work group consisting of Lieutenants Reid Lindblom, Sheryl Boykins and Mark Mosier and took place from October 2009 through January 2010. The focus of the survey was to:
    - Capture basic information on demographics;
    - Assess overall agency performance;
    - Assess overall competence of agency employees;
    - Assess citizen’s perceptions of Officer attitudes and behaviors;
    - Rate community concerns over safety and security;
    - Assess citizen’s recommendations and suggestions for improvement to service.
  - Approximately 790 persons in the community took the survey. Of those that took the survey well over three quarters responded electronically by utilizing the Survey Monkey web Site. The remaining one quarter utilized the written form of the survey.
  - HPD received consistently high remarks in customer service.
  - Property crimes were the most consistent crime issue, with traffic safety (speeding and stop signs) being the most highly rated public safety issue.
  - In questions asking if Drug Dealing and Gangs were of concern, the survey showed an almost even split for both issues with both being rated between Serious to Moderate.
  - In reviewing the demographic portion of the survey, it’s clear the overwhelming majority of survey information came from the following demographic;
    - English Speaking,
    - 45 to 63 year age range
    - Resident living in Hayward longer than 10 years
    - 2 to 4 persons in the household
    - Had contact with HPD within the last 3 years

By design, the Strategic Plan is in a state of constant review and updating. As the Department achieves one objective, a new challenge will become apparent and that challenge may very well become the next initiative of the Plan. Under that premise, the Department recognizes the importance of properly tracking the accomplishments of tasks and objectives and annually reviewing that progress.

To track progress, the Department utilizes an automated report to which command staff makes notations and entries about achievements related to specific plan strategies. Command staff then routinely reviews and updates this automated report to keep all employees informed about the organization’s progress. (See Attachment I – Strategic Plan Tracking)

## **ECONOMIC IMPACT**

The continued successful implementation of the Strategic Plan will positively impact public safety and will positively impact the Department's ability to provide services related to our community's quality of life. With an enhanced quality of life and level of public safety, families and business will then likely feel safe and secure and they will remain living and doing business in Hayward. New families and businesses will also be more likely to move to Hayward, thus contributing to the City's economic stability. As in most communities, public safety is the number one priority of our residents and business owners, followed closely by academic performance in our schools. The Strategic Plan provides the structure and direction to ensure that we are successful in improving public safety and enhancing our community's quality of life.

## **FISCAL IMPACT**

The Strategic Plan identifies which of its objectives involve a fiscal impact. Generally, those objectives that have a fiscal impact are related to an increase in staff. The successful implementation of the Strategic Plan will likely have a positive impact on the City's fiscal landscape. As the community prospers and grows, sales tax and property taxes are likely to follow suit, and as property values rise, property taxes increase commensurately. As businesses become more attracted to Hayward's safe and prosperous image, they too will contribute to the City's ability to sustain and grow.

## **PUBLIC CONTACT**

In January 2010, the Department completed a citizen survey to obtain feedback & information on the community's perception of safety and security, and their perception of the services provided by the Hayward Police Department. (See Attachment II - Results of Survey)

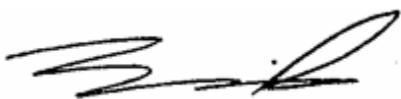
## **SCHEDULE (or NEXT STEPS)**

The Department will continue to implement the goals and objectives outlined in the Strategic Plan. As the city constantly changes, certain strategies and objectives may be modified to ensure the Department continues to meet the four established priorities.

*Prepared by:* Bob Palermini, Captain (Field Operations Division)

*Recommended by:* Ron Ace, Chief of Police

Approved by:



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Fran David, City Manager

Attachments:

Attachment I – Strategic Plan Tracking Report

Attachment II – Citizen Survey Results

**PRIORITY 1: REDUCE CRIME AND THE FEAR OF CRIME**

*Reducing the incidence of crime in Hayward is a top priority and our principle role in public safety. We also recognize that the rate of actual crime in neighborhoods and the level of fear of crime are not necessarily consistent. In addition to applying effective enforcement and prevention strategies to reduce actual crime, we must also be vigilant in partnership with the rest of the City organizations in our unified effort to address symptoms of blight and deterioration that contribute to people's fear of more crime.*

**OBJECTIVE 1.1: Continue and enhance our community policing outreach & Effectiveness**

**~ PROGRESS REPORT (1.1) ~**

1.1.1	As resources become available, expand crime prevention program designs to better serve neighborhoods	<i>District Commands have expanded our efforts towards crime prevention programs with the addition of programs like the Crime Free Multi Housing Program and the Business Academy. Established Business Academy to reach out to our business community. Continuing Community Academy's (English &amp; Spanish) and Youth Academy. '2010-Additional 20 Neighborhood Watch programs.</i>
1.1.2	Fill vacant community service positions to focus on neighborhood blight issues such as abandoned vehicles	<i>Unable to move forward with this objective due to budget issues. July '10 Added 4 District Officers</i>
1.1.3	Fund and create a community action team that focuses on long-term problem solving in neighborhoods, nuisance abatement and neighborhood self-sufficiency	<i>Unable to move forward with this objective due to budget issues. Currently utilizing Special Duty Unit to meet this objective. July '10 Added 4 District Officers</i>
1.1.4	Reinstitute a Crime Analysis program to accurately study, address, and prevent crime trends.	<p><i>10-01-08: Crime Analysis Unit resintituted. One crime analyst hired. Anticipated mid 2009 for the one-person unit to be fully up and running. Capt. McAllister</i></p> <p><i>June - October 2009:</i></p> <ul style="list-style-type: none"> <li><i>• Designed and implemented a new Crime Analysis resource intranet site</i></li> <li><i>• Gave multiple presentations to Patrol briefings and to other user groups</i></li> <li><i>• Crime analyst attends all weekly Investigations Bureau meetings</i></li> <li><i>• Purchased and installed state-of-the art mapping and tracking software</i></li> <li><i>• Enhanced monthly administrative reports of crime trends and statistics</i></li> <li><i>• Submitted grant application for a second analyst (awaiting award decision)</i></li> </ul>
1.1.5	Participate in a city-wide effort to retool the Municipal Code for as a more effective problem solving and compliance tool.	<p><i>Mar '08: Muni Code authorities rewritten and Admin Citation process approved by Council for widespread use by all City departments. Capt. McAllister ** April 2009: Sgt. Snell re-wrote the curfew ordinance and it is currently pending City Council Review. Capt. Palermiini **</i></p> <p><i>*****20 10: Lt. Keener wrote MunicCode to address Street Racers approved by council.</i></p>

1.1.6	Increase the frequency and effectiveness of multi-agency and multi-disciplinary strategies for dealing with problem properties (SMASH)	<i>Attempt to have monthly SMASH operations alternating between the Northern and Southern districts. With the assistance and cooperation from other city departments the SMASH's have been more effective. *****October 2010: HPD's SMASH Program was showcased at the 2010 Annual IACP Conference in Orlando, Florida as a model program and a "Best Practice". A 5-minute video was produced and shown at the conference.</i>
<b>OBJECTIVE 1.2: Increase safety awareness, violence reduction, and danger reduction</b>		<b>~ PROGRESS REPORT (1.2) ~</b>
1.2.1	Increase community participation in the Volunteer Ambassador Program and expand the program to neighborhoods beyond the downtown business district	<i>District Commanders will address in the future.</i>
1.2.2	As resources become available, reinstate a youth Bicycle, scooter and motorcycle safety program	<i>District Commanders will address in the future.</i>
1.2.3	Broaden the Senior Safety education program in accordance with increased staffing of crime prevention specialists	<i>District Commanders will address in the future.</i>
1.2.4	Expand the Neighborhood Alert program to include disaster preparedness training and neighborhood self-sufficiency	<i>Working with HFD to address.</i>
1.2.5	Fully implement a red light photo enforcement system to improve traffic safety	<i>Currently four intersections are operational; anticipate additional five intersections operations by November 2009. ***** May '10: additional 5 approaches added for a total of ten city wide.</i>
1.2.6	Implement a public camera security system to boost security in public places and aid field units in dealing with crime	<i>** April 2009 - HUSD installing camera systems at all schools, and will be completed by June 2010. All HS's, Brinkwitz, and two Elementary Schools have them already installed. HPD has access to the video system.</i>
1.2.7	Develop an online database for public access to crime data information and crime trends for public awareness	<i>This will proceed after the implementation of the New World CAD/RMS System is complete. ****April 2010 - The Crime Analysis Unit examined some prototype web-based applications that would enable the public to zoom in on their neighborhood via a mapping program and see icons for reported crime data, the status of the case, and any information pertaining to next steps (planned meetings, etc.) We anticipate moving forward with such a concept sometime after mid-year FY2011.</i>
1.2.8	Develop a strategy to reduce recidivism of domestic violence (x-ref: Strategy 1.5.4)	<i>Applied for DV Grant through CAL DOJ, but not awarded. Grant was designed to enhance our multidisciplinary response to DV.</i>
<b>OBJECTIVE 1.3: Continue and strengthen partnerships with schools</b>		<b>~ PROGRESS REPORT (1.3) ~</b>
1.3.1	Hire a Gang Intervention Officer to focus on redirecting at-risk kids and first-time gang-related offenders in schools	<i>04-01-09: Cal GRIP 2-year grant awarded to HPD as a collaborative with HUSD and Associated Community Action Program. HPD portion is approx 200k and funds a per diem Gang Intervention Officer, part time counselor, and intern. *****April 2010: The second year of this 2-year grant is underway. Program has thus far been successful and has yielded positive results for several at-risk youth tempted by gangs but diverted to other productive paths. Oct '10 requesting second 2 year Cal Grip Grant</i>

1.3.2	Develop a Gang Intervention Program to include alternate activities for youths (e.g. PAL program, evening sports events, and work placement assistance programs)	<i>Not necessarily a gang prevention program, HPD is co-sponsoring a Junior Giants Program, which is a summer program from June through August. HPD organizes, coaches, provide the equipment, etc. We will be handling 200-300 children this summer. FYI, two SRO's are coaches for HUSD sports teams this summer (Spillner and Pierce). HPD also has a collaborative effort with HUSD in identifying at-risk youth and diverting them as necessary.</i>
1.3.3	Continue "Our Kids" program (in partnership with HUSD) which provides on-site counseling/crisis intervention and case management at schools	<i>Program continued and broadened as a collaborative with 3 on-site HPD counselors at 6 Hayward school sites, plus counselors of the broader Our Kids county program being assigned to a total of 16 Hayward schools.</i>
1.3.4	Increase School Resource Officer positions to provide service to Elementary Schools and to meet increased service demands	<i>Unable to move forward with this objective due to budget issues.</i>
1.3.5	Develop a contractual agreement with the School District to increase problem solving accountability and consistency	<i>Mar '09. Done. HUSD and HPD representatives had a series of meetings to develop protocols for handling problem students and safety issues district-wide. Focus of the effort was to increase consistency in how the two agencies dealt with such issues. Communication between HPD and School District administrators is ongoing.</i>
1.3.6	Conduct annual training for School District administrators, teachers and safety personnel, focused on problem solving and issue identification	<i>Done, and ongoing. Several training sessions have taken place. School resource officers, officers of the Special Duty Unit, and counselors have provided gang training, parental training, and training for dealing with problem students. This effort will continue.</i>

<b>OBJECTIVE 1.4: Increase Collaboration and Interaction with the Business Community</b>	<b>~ PROGRESS REPORT (1.4) ~</b>
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1.4.1	Schedule all managers and supervisors to attend Leadership Hayward program	<i>In addition to there being several Leadership Hayward alumni at HPD, one manager recently graduated from the program in June '09. Two more enrolled as of Oct 2009. Participation in the program will continue. *****May 2010: Two more managers, Lt. Lindblom and Manager Bernie Cunha, graduated from the program. Lt. Mark Koller is enrolled in program that starts in November 2010.</i>
1.4.2	Ensure management participation on Hayward redevelopment committees and city regulatory commissions	<i>District Commanders are now part of the process concerning projects in their respective Districts.</i>
1.4.3	Develop a process for businesses, corporations and foundations to directly fund new police/community programs, or directly support existing programs	<i>No action to date.</i>
1.4.4	Increase police department level of participation in civic organizations such as the chamber of Commerce, Rotary, Economic Development, etc.	<i>Lt. Lindblom a member of Rotary. Captain McAllister serves on the St. Rose Foundation Board of Directors ; Several employees serve as youth mentors. Chief Ace and Lieutenant Boykins serve as storybook readers to school-age children;</i>

<b>OBJECTIVE 1.5: Continue and Augment Innovative Programs Focused on Youth and Families</b>		<b>~ PROGRESS REPORT (1.5) ~</b>
1.5.1	Secure continued supplemental funding from outside sources to support the counseling component of Youth and Family Services	<i>Funding from State and County continued with renewed contracts to fund the existing program for the foreseeable future.</i>
1.5.2	Establish an in-house diversion program focused on high-risk youths and their families to combat truancy, gang affiliation, and incorrigibility	<i>April 2010: Cal Grip grant addresses gang affiliation-other two unfunded</i>
1.5.3	Establish an in-house Anger Management diversion program aimed to reduce juvenile violence	<i>Unable to move forward with this objective due to budget issues.</i>
1.5.4	Revitalize the multidisciplinary domestic violence program, focused on victim advocacy, mental health, investigation and prosecution (x-ref: Strategy 1.2.8)	<i>Unable to move forward with this objective due to budget issues. Applied for a State grant to build a program, but we were not awarded.</i>
1.5.5	As resources become available, increase the number and frequency of the Community Policing Youth Academy	<i>Due to limited staffing, continuing with limited number of Youth Academies offered.</i>
1.5.6	Create a stronger alliance with Eden Area Regional Occupational Program's youth-oriented Criminal Justice program	<i>Several managers and supervisors participate as members of Eden Area ROP's Advisory Council. Our Personnel &amp; Training section has been collaborating with Eden Area ROP's Criminal Justice Program to expose students to HPD's hiring standards through mock exercises, lectures and demonstrations.</i>
<b>OBJECTIVE 1.6: Improve Measurability of Service Quality and Program Performance</b>		<b>~ PROGRESS REPORT (1.6) ~</b>
1.6.1	Review department wide performance and productivity standards to align with organizational and community priorities and expectations	<i>On-going process. *****2010 updated officer evaluation to reflect their work on neighborhood issues &amp; updated monthly Watch Commander report to reflect what issues/projects their respective officers are working on. District Commanders quarterly report.</i>
1.6.2	Solicit community participation in annual internal progress reviews of the strategic plan implementation (x-ref: Strategy 1.6.3)	<i>In progress with update presentation to Council set for 12/1/09. The community input component is underway in the form of a satisfaction survey distributed to the community.</i>
1.6.3	Conduct two-year formal customer satisfaction surveys soliciting feedback from the community about police department performance (x-ref: Strategy 1.6.2)	<i>*****Jan. 2010: Conducted community survey (CALEA)</i>
<b>OBJECTIVE 1.7: Enhance Departmental Training to Include Service-Oriented Courses</b>		<b>~ PROGRESS REPORT (1.7) ~</b>
1.7.1	Provide in-service training to sworn and civilian supervisors focusing on managing service innovations and measuring the impact of service delivery	<i>No action to date.</i>
1.7.2	Develop a customer service and interpersonal communications training program for all employees (x-ref: Strategy 4.2.3)	<i>No action to date.</i>

1.7.3	Incorporate an annual training course for line level employees focusing on service innovations and neighborhood problem solving strategies	<i>District Commanders presented training to all patrol teams regarding neighborhood problem solving and the concept of sub-beats.</i>
<b>OBJECTIVE 1.8: Re-evaluate Patrol Force Deployment Plan</b>		<b>~ PROGRESS REPORT (1.8) ~</b>
1.8.1	Evaluate existing 3/12 compressed work schedule for its pro & con effects on deployment, responsiveness, communication flow and training	<i>In Progress...Committee formed and is in research phase. *****2010: Committee completed project &amp; concluded current schedule best at this time. Capt. Palermini proposed 4/10 plan-however, current 3/12 schedule part of POA MOU and cannot be altered without POA agreement.</i>
1.8.2	Evaluate current Patrol Beat structure and its compatibility with neighborhood/district concept	<i>In Progress...Committee formed and is in research phase. On hold until information from new CAD/RMS (which is under development) is available.</i>
1.8.3	Develop an improved mechanism to monitor and reduce the need for overtime in the field	<i>Automated OT system purchased to efficiently schedule &amp; monitor OT. Field Ops</i>
<b>OBJECTIVE 1.9: Increase Cross Training among Disciplines Department</b>		<b>~ PROGRESS REPORT (1.9) ~</b>
1.9.1	Provide Animal Control Officer training to Animal Care Attendants	<i>Two employees have been trained in ACO duties in 2009</i>
1.9.2	Provide Call Taker training to Community Service Officers	<i>Unable to initiate due to staffing issues</i>
1.9.3	Establish a list of qualified employees who meet service standards in cross trained areas to fill in or supplement other job responsibilities	<i>On-going process.</i>
1.9.4	Increase Job-sharing & per diem opportunities for qualified former or retired employees	<i>Hired a retired Sgt. to work per diem as part of Gang Intervention Grant. Retired Police Records Clerk hired to help with clerical needs in the Property Room.</i>
1.9.5	Provide cross training for jailers on telephone report taking.	<i>Completed</i>
<b>OBJECTIVE 1.10: Improve Report Writing Protocols to Improve Efficiency and Service</b>		<b>~ PROGRESS REPORT (1.10) ~</b>
1.10.1	Conduct a study to determine the amount of shift time employees devote to report writing	<i>July 2009 began to address this issue. On Hold</i>
1.10.2	Revamp the department's Report Writing Manual to increase efficiency and reduce redundancy (x-ref: Strategy 2.3.3)	<i>Completed May 2009.</i>
1.10.3	Evaluate feasibility of report dictation versus officer input	<i>July 2009 began to address this issue. On Hold</i>
1.10.4	Enhance Online Reporting System to include walk-in access to the online system	<i>Two computer kiosks installed in front lobby for walk-in access to the on-line system</i>
1.10.5	Add Identity Theft as a new qualifying protocol for the online reporting system	<i>*****March 2010: HPD became the first police department in the country to establish an Identity Theft Council and join forces with the national nonprofit Identity Theft Council to offer help to identity theft victims as they navigate the complicated reporting and recovery process.</i>

## PRIORITY 2: ALIGN ORGANIZATIONAL STRUCTURE TO MEET SERVICE DEMANDS

*In accordance with the Citywide Organizational Change Initiative, we recognize the importance of being the change in the community we anticipate we will see. Our goal is to become a full-service police organization with the resources, capacity, foresight and attitude to deliver the highest quality services within a structure that makes sense. We aim to be recognized as a premiere police agency in California and a model organization.*

OBJECTIVE 2.1: Allocate and deploy adequate staffing to meet service		~ PROGRESS REPORT (2.1) ~
2.1.1	Review and adjust organizational structure to make better use of resources	<p>***** March 2010: The uniformed Street Narcotics Team was recommissioned to be an undercover narcotics unit, and was thus moved from the control of the Field Operations Division to the Special Operations Division's Criminal Investigations Bureau. This move intends to address the ever-growing need to deal with narcotic trafficking on a larger scale and better apply our resources to this issue.</p> <p>***** April 2010: Reinstated HPD participation in the County's Narcotics Task Force by devoting one detective to the operation full time for the purpose of bolstering the Task Force's activities in Hayward.</p> <p>***** July '10 added four officers to the Districts to assist District Commanders &amp; liaison with patrol officers to address community concerns. Added officer to Traffic. Added CSO to Traffic to assist with Photo redlight.</p>
2.1.2	Fill vacant community service officer positions focusing on neighborhood blight issues such as abandoned vehicles	<p><i>Due to budget issues we were not able to achieve this goal. Federal grant funding has been applied for and future hiring will be driven by economic issues.</i></p> <p style="text-align: right;"><i>Oct '09: Received word we were not awarded the federal grant that would have provided 21 new civilian support personnel, including those attributed to this strategy.</i></p>
2.1.3	After securing locations for police substations, employ full-service staffing at each with a manager and support personnel (x-ref: Strategy 2.4.3)	<p><i>Jan 29, 2009: North &amp; South substations opened. Only partial staffing due budget constraints.</i></p> <p>***** July '10 Four officers assigned to Districts</p>
2.1.4	Augment the Crime Prevention Program by adding two additional Crime Prevention Specialist positions to support a district deployment concept	<p><i>Unable to move forward with this objective due to budget issues.</i></p>
2.1.5	Add three Communications Operator positions to meet service demands	<p><i>Unable to move forward with this objective due to budget issues; however, we have applied for Federal Grant funding and are waiting for final word on funding.</i></p> <p style="text-align: right;"><i>***** Oct '09: Received word we were not awarded the federal grant that would have provided 21 new civilian support personnel, including those attributed to this strategy.</i></p>
2.1.6	Add two Detective/Inspector positions to meet service demands	<p>***** January 2010: Supported by grant monies received from the Federal Stimulus Recovery, three detectives were added to the Criminal Investigations Bureau to form a new Gang Investigations Unit. This unit adds an investigative component to the prevention and enforcement resources already in place.</p>

2.1.7	Add one Youth and Family Services Manager position to meet service demands	<i>Span of control of Civilian YFSB manager was changed eff: May '09 due to MOU conflict regarding civilian management over sworn employees. SRO program temporarily moved under command of Information &amp; Intelligence Manager until such time as sworn manager can be added to YFSB in the future. Sworn manager (YFSB Lieutenant) would reinherit management of the SRO program and oversee all safety issues at Hayward education institutions.</i>
2.1.8	Add one Crime Scene Technician to increase unit staffing to seven, to meet service demands	<i>Unable to move forward with this objective due to budget issues. *****September 2009: A new vacancy in the Crime Scene Technician rank, plus one existing vacancy, were both frozen due to budget issues, and ultimately eliminated, bringing the 6-person unit we hoped to augment by one down to a 4-person unit. *****Oct '09: Received word we were not awarded the federal grant that would have provided 21 new civilian support personnel, including those attributed to this strategy.</i>
2.1.9	Add one Police Records Clerk position to meet service demands	<i>Unable to move forward with this objective due to budget issues.</i>
2.1.10	Add five Community Service Officer positions to meet service demands	<i>Unable to move forward with this objective due to budget issues; however, we have applied for Federal Grant funding and are waiting for final word on funding.</i>
2.1.11	Add one Animal Control Officer position to meet service demands	<i>Unable to move forward with this objective due to budget issues.</i>
2.1.12	Add one Animal Care Attendant position to meet service demands	<i>Unable to move forward with this objective due to budget issues.</i>
2.1.13	Add 28 new Police Officer positions to meet future projected service demands	<i>COPS Recovery Grant for \$4 million awarded on July 28th, 2009 that funds 9 Police Officers for 3 years (Salary/benefits)</i>
2.1.14	Add one new Police Sergeant position to meet projected service demands	<i>Unable to move forward with this objective due to budget issues.</i>
2.1.15	Add one new Police Lieutenant position to meet projected service demands	<i>Unable to move forward with this objective due to budget issues.</i>
2.1.16	Add one new Secretary position to meet future projected service demands	<i>Unable to move forward with this objective due to budget issues.</i>
2.1.17	Add one new Computer Forensics Technician to meet projected service demands	<i>Unable to move forward with this objective due to budget issues; however, we have applied for Federal Grant funding and are waiting for final word on funding. Oct '09: Received word we were not awarded the federal grant that would have provided 21 new civilian support personnel, including those attributed to this strategy.</i>
2.1.18	Add two additional Crime Scene Technicians to increase the unit's staffing to 9 to meet future projected service demands	<i>Unable to move forward with this objective due to budget issues; however, we have applied for Federal Grant funding and are waiting for final word on funding. Oct '09: Received word we were not awarded the federal grant that would have provided 21 new civilian support personnel, including those attributed to this strategy. *****Oct. 2010: Hired PD IT manager.</i>
2.1.19	Add two new Property/Evidence Technicians to meet projected service demands	<i>Unable to move forward with this objective due to budget issues. Oct '09: Received word we were not awarded the federal grant that would have provided 21 new civilian support personnel, including those attributed to this strategy.</i>

2.1.20	Add three additional CSO positions to meet projected service demands	Unable to move forward with this objective due to budget issues; however, we have applied for Federal Grant funding and are waiting for final word on funding. *****Oct '09: Received word we were not awarded the federal grant that would have provided 21 new civilian support personnel, including those attributed to this strategy.
<b>OBJECTIVE 2.2: Restructure organization to align with a neighborhood</b>		<b>~ PROGRESS REPORT (2.2) ~</b>
2.2.1	Assess the deployment and service criteria for Investigations personnel and identify needed changes	July '09: Under the current configuration of civil service inspectors and rotational detectives, a system is being revised to afford longer-term investigators (inspectors) to rotate from one investigative discipline to another approximately every two years. This will broaden the expertise of inspectors and provide for better cross training with rotational detectives as we continue to address strategy 2.2.2
2.2.2	Evaluate current Civil Service rank of "Inspector" to determine feasibility for reclassification for more versatility and better investigative opportunities	July '09: Formed an ad hoc work group to research industry trends and provide arecommendation for change of the civil service inspector position. Numerous Bay Area cities now surveyed and the group is in process of compiling the information and developing recommendations for next steps. ***2010: Inspector position to phased out through attrition. When an opening occurs it will be filled with a "3-year rotation detective".
2.2.3	Evaluate all Special Service Units for expansion and/or redeployment strategies to align with neighborhood policing concept	On-going process
<b>OBJECTIVE 2.3: Modernize technology and equipment to ensure safety and</b>		<b>~ PROGRESS REPORT (2.3) ~</b>
2.3.1	Establish an ad hoc technology committee and complete a replacement needs assessment for Computer Aided Dispatch and Records Management Systems	May '09: Project launched with selected vendor, New World Systems, to completely replace CAD and RMS. *****Sept. 2010: Began build of CAD/RMS system; November 2010: Began build of RMS system
2.3.2	Create a Police Technology Services advisory group to evaluate technology needs and priorities	Group was formed to facilitate study of CAD/RMS system and will contiue with the process for implementation.
2.3.3	Fund and create a field-based report writing and citation system designed for portability and linked to internal systems (x-ref: Strategy 1.10.2, 2.3.1)	Future issue.
2.3.4	Establish safety equipment committee to continuously evaluate, and monitor wear, tear and replacement needs of existing equipment	Uniform Committee re-established and will assme this responsibility. *****Feb 2010: Completed Uniform & Safety Equipment Policy

OBJECTIVE 2.4: Improve police facilities to keep pace with space and		~ PROGRESS REPORT (2.4) ~
2.4.1	Conduct a space needs assessment of the current police facility	<i>We investigated what has worked and not worked for comparable police agencies having built new police facilities, and the cost factors associated with those projects. A report of the findings, authored by Captain Palermini, was presented to the City Manager. Our future goal will be to present a more comprehensive "Facility Concept Report" to the City Manager when the City's economic forecast supports the endeavor.</i>
2.4.2	Create a facilities master plan to address expansion needs and to develop a long-term concept for a new state-of-the-art police headquarters	<i>See 2.4.1 above</i> <span style="float: right;">*****Aug.</span> <i>'2010: In process of acquiring modular building to replace existing Reserve Officer modular.</i>
2.4.3	Lease, purchase or build neighborhood substations in the community based on a northern and southern district concept (x-ref: Strategy 2.1.3)	<i>Jan 29, '09: Northern and Southern District Offices opened.</i>
2.4.4	Design and outfit a secondary Emergency Operations Center in current Police Headquarters Facility	<i>A plan to revamp the Police Department's EOC was shelved as a result of budget issues.</i>
2.4.5	Identify alternatives for expansion, relocation, or outsourcing of the police shooting range	<i>On-going study.</i>

### PRIORITY 3: IMPROVE RESPONSIVENESS TO COMMUNITY AND EMPLOYEE NEEDS

*Responsiveness is the foundation for cooperation, coordination, collaboration and change. Effective communication among stakeholders is the key to being responsive to the needs of those who rely on our service. Our level of responsiveness—both internal and external to the organization—may mean the difference between success and failure, trust and distrust, or support and scrutiny. We will strive for level of service where our community knows we're listening and willing to serve, and a communicative environment where employees have a sense of ownership of their work, pride in the organization, and high morale.*

OBJECTIVE 3.1: Improve response times		~ PROGRESS REPORT (3.1) ~
3.1.1	Study current data regarding response times to priority calls for service, and develop a response time reduction plan as appropriate	<i>Process to retrieve necessary data developed with a start date of July 2009. Process will be on-going throughout the year and probably modified when the CAC/RMS system is implemented.</i> <i>Onhold until CAD/RMS system complete so we can retrieve timely/accurate data.</i>
3.1.2	Study current data regarding response times to public records requests, and develop a response time reduction plan as appropriate	<i>In progress. We have regularly achieved compliance with public records request requirements and that a reduction plan is being developed that will address timely release of records, including traffic-related reports that tend to be in high demand.</i>
3.1.3	Study data regarding response times for re-contacting crime victims for follow-up investigations, and develop a response time reduction plan as appropriate	<i>Occurs regularly by individual contact made by investigators following up on major cases, but due to limited resources for following up on other cases, such as property crimes, this strategy is still not yet achieved on a regular basis.</i>

3.1.4	Develop a protocol for dispatchers to re-contact reporting parties to inform them of delayed response times on priority 2 and 3 calls for service (e.g. after 30 minutes)	*****2010: Protocol being developed. Policy completed July 2010.
<b>OBJECTIVE 3.2: Improve communication with the community</b>		<b>~ PROGRESS REPORT (3.2) ~</b>
3.2.1	Maintain our present means of communication with the community through community academies and neighborhood meetings	Ongoing. Field Ops
3.2.2	Increase the frequency and size of community academy sessions as a means of sharing information with greater numbers of residents	Added Business Academy. Due to staffing issues we are maintaining our number of other community academies.
3.2.3	Fund and staff a program to maintain dedicated internet & intranet websites for sharing information with the community, and for daily internal information sharing	In-house "blog" created to address internal information sharing between officers and District Commanders.
3.2.4	Distribute an annual report to the community, containing public safety and problem solving highlights, successes and ideas of individual neighborhoods	Future issue; no action to date. Annual State of City addresses report to the community andHPD community survey available for community review on intranet.
3.2.5	Distribute a monthly report of Hayward crime statistics, each containing the prior 12-months' statistics	Apr '09: Crime Analysis began issuing a monthly crime trends report to the COP.
3.2.5	Institute in-service training on public relations and press interactions with all staff	Future issue; no action to date.
3.2.6	Create a Police Chaplaincy Program as a resource for individuals, families, and employees who seek faith-based counsel	*****October 2010: We are currently reviewing a Police Chaplain Proposal submitted by a local minister and hope to have a formalized program in place the first part of 2011.
3.2.7	Ensure the Police Department's involvement in the City's Annual Service Satisfaction Survey	Future issue; no action to date.
<b>OBJECTIVE 3.3: Broaden outreach &amp; communications to diverse cultures</b>		<b>~ PROGRESS REPORT (3.3) ~</b>
3.3.1	Renew and revise the comprehensive Cultural Awareness Training Program	Future issue; no action to date.
3.3.2	Develop a core of multilingual community members to volunteer as routine translators, outreach ambassadors, or recruiters.	Future issue; no action to date.
3.3.3	Expand the Annual Police Department Open House to reach out to more cultures	Due to budget constraints we did not have an Open House in 2009 nor 2010. ***** 2010: We hope to have an open-house in May 2010 in conjunction with National Police Week and to formally recognize our National Accreditation.

## PRIORITY 4: PROMOTE PROFESSIONALISM, LEADERSHIP AND ORGANIZATIONAL EXCELLENCE

*In police work, our greatest asset to service delivery is our people. The quality of the service we deliver is tied directly to the talent, attitude, and commitment of our employees. To attract and retain talent it is crucial that our future leaders be at the forefront of bringing new talent, while current leaders identify and develop those who will eventually rise in the organization. Professional and leadership development are key components of our success as a police agency.*

OBJECTIVE 4.1: Enhance leadership training for supervisors and managers		~ PROGRESS REPORT (3.1) ~
4.1.1	Continue sworn first-line supervisors' participation in the Supervisory Leadership Institute.	<i>As of early 2010, nearly 1/2 the contingent of sergeants have attended or are in the process of attending SLI.</i>
4.1.2	Revise and implement a comprehensive orientation and field training program for new supervisors	<i>Orientation completed. Finalized FTO for sergeants. Field Ops.</i>
4.1.3	Continue development opportunities for mid and upper-level managers (Command College, FBI Academy, Executive Development Course)	<i>April 2009: Lt. Mosier completed a CALEA Accreditation Assessors Course and is not able to assess other police agencies across the country. ***** As of May 2010, five upper level managers have completed Command College, and two have attended the FBI Academy. Captain McAllister is attending the FBI Academy beginning September 2010.</i>
OBJECTIVE 4.2: Increase career development, mentoring & succession		~ PROGRESS REPORT (3.2) ~
4.2.1	Implement a six-month employee performance evaluation system to align with the semi-annual shift selection process	<i>Implemented July '08. Field Ops</i>
4.2.2	Develop an automated tracking system that ensures performance evaluations of all personnel are provided consistently and in timely fashion	<i>Future issue; no action to date.</i>
4.2.3	Develop a customer service and interpersonal communications training program for all employees (xref: Strategy 1.7.2)	<i>Future issue; no action to date.</i>
4.2.4	Increase police employee participation in citywide training opportunities	<i>Process on-going.</i>
4.2.5	Improve the department's media library to include a wide range of materials on leadership, self-improvement, and organizational development	<i>Process on-going.</i>
4.2.6	Develop an Individual Development Plan (IDP) process designed to identify all employees' professional development needs and career objectives.	<i>Process on-going.</i>
4.2.7	Continue and enhance coaching and training opportunities for employees aspiring promotion	<i>Process on-going.</i>

<b>OBJECTIVE 4.3: Enhance internal flow of communication</b>		<b>~ PROGRESS REPORT (3.3) ~</b>
4.3.1	Establish and maintain a daily or weekly internal bulletin to increase the flow of internal communication across shift, bureau and division lines	<i>Chiefs' Newsletter developed and will be distributed monthly starting July 2009.</i>
4.3.2	Establish a monthly departmental meeting where the Chief of Police and Command Staff share information and update employees on <u>organizational progress</u>	<i>Done and ongoing.</i>
4.3.3	Establish regular meetings among supervisory and management personnel across shift and division lines	<i>Jan 2009: Established a bi-weekly meeting of all immediate managers, sworn and civilian, throughout the department, for the purpose of information sharing.</i>
4.3.4	Create and maintain an internal "blog" electronic bulletin board for all supervisors and managers to electronically discuss operational issues	<i>Completed May 2009. In addition to the "blog" being used as a tool for supervisors/managers, it is also being used fby the officers to "post" issues/complaints they are working on and to communicate those issues with their fellow beat officers.</i>
4.3.5	Create and distribute an annual Year-End Recap to all employees, compiling and highlighting the accomplishments and significant events of the year	<i>High-lights of Department's Year-End Report will be distributed.</i>
<b>OBJECTIVE 4.4: Enhance organizational accountabilityh and standards</b>		<b>~ PROGRESS REPORT (3.3) ~</b>
4.4.1	Sign a formal agreement with the Commission on Accreditation for Law Enforcement Agencies (CALEA) to seek national accreditation status	<i>CALEA contract signed on November 14, 2008.</i>
4.4.2	Successfully receive accreditation award from the Commission on Accreditation for Law Enforcement Agencies (CALEA)	<i>In Progress; anticipated Accreditation Award - March 2011. *****April 2010: Successfully completed a mock assessment in preparation for the formal assessment scheduled at the end of the calendar year. *****December 2010: Official CALEA on-site assessment completed. Accreditation expected to be formally awarded in March 2011 at the CALEA Conference.</i>
4.4.3	Successfully pass a formal audit of the Property & Evidence Bureau, performed by the Commission on Peace Officers Standards and Training	<i>Formal audit completed by POST in March 2007. June 2009: Property &amp; Evidence Bureau restructure to increase standards and accountability</i>
4.4.4	Submit the Youth and Family Services Bureau Program for evaluation and program award consideration by the National League of Cities	<i>YFSB submitted for recognition and award February 2009. Program recognized but not a recipient of the award this year.</i>
4.4.5	Study current data regarding use of overtime throughout the organization, and develop strategies geared to reduce overtime usage	<i>On-going process with all Divisions; \$750,000 OT savings realized for FY 2008/2009. \$658,000 OT savings realized for FY 2009/2010</i>

## Hayward Police Department

# Memo

To: Chief Ron Ace, Hayward Police Department Police Chief  
Via Captain Bob Palermini, Field Operations Division Commander

From: Lieutenant Reid Lindblom, Northern District Commander

Date: January 31, 2010

Re: Compliance to CALEA standards – Community Policing

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### CALEA Standards Addressed by memo;

- 1) 45.2.4 A documented survey of citizen attitudes and opinions is conducted at least once every three years with respect to;
  - a. Overall agency performance
  - b. Overall competence of agency employees
  - c. Citizens' perceptions of officers' attitudes and behaviors
  - d. Community concerns over safety and security within the agency's service area
  - e. Citizens recommendations and suggestions for improvements
- 2) 45.2.5 If the Agency conducts a survey in compliance with 45.2.4, the results are compiled, with a written summary provided to the agency's chief executive officer

### Memo Summary;

This memo will provide a description of the Hayward Police Departments latest citizen's survey, which was administered by Northern and Southern District Offices at the end of 2009.

The result of the survey is summarized.

## Citizen Survey – October 2009 through January 2010

In September 2009 a work group was formed to study the feasibility of conducting a short term survey of residents and businesses within Hayward. The work group consisted of both District Commanders (Lieutenant Reid Lindblom & Lieutenant Sheryl Boykins) and Lieutenant Mark Mosier. The focus of the survey was to; 1) Capture basic information on Demographics 2) Access overall Agency Performance 3) Access overall competence of agency employees 4) Access citizens perceptions of Officer's attitudes and behaviors 5) Rate community concerns over safety and security 6) Access citizens recommendations and suggestions for improvements to service. The work group was concerned about capturing information from persons who had a stake in Hayward either as a resident or as the city where they were employed or attended school.

The survey would be run for a three month period, through the months of October 2009 through January 2010. It was the work groups' opinion that running the survey in the winter months (to include the Holidays) would have the potential for a higher participation by the public. Most residents are "home for the holidays" and are less likely to be absent due to vacations out of the area. From a business owners or employees perspective, the holiday winter season is a very busy time for most retail and service driven enterprise.

The work group decided the survey would be conducted electronically via the Internet, with provisions made for persons who didn't have access to the internet or preferred not to utilize it to take the survey. It was expected that the vast majority of persons would seek out and take the survey online if given the opportunity. The City of Hayward Information Services department maintains a subscription to the internet service "Survey Monkey" (see <http://www.surveymonkey.com/>). Survey Monkey allows users to set custom questionnaires on their web site. When directed to the correct link, any internet user is led through the survey one question at a time. Survey Monkey will keep a running assessment of the questionnaire, keeping track of; 1) How many persons took the survey 2) How many persons answered each question 3) The results of each question (by percentage of response). The survey had no narrative response built into any of the questions that were asked and relied upon YES / NO and numerically graded responses to its questions. A numerically driven survey allows for a percentage break out of the data supplied.

Knowing that not all citizens are comfortable with or have access to the internet, we developed a paper version of the survey. The paper version was printed on one 8 ½ by 11 sheet of paper, using both front and back. The same questions and range of response was used as that posted on Survey Monkey. Persons utilizing the paper survey were asked to mark the survey using black ink pen and to clearly mark only one response per question. Where the Survey Monkey survey was available 24/7 on the Internet, the paper survey was made available at key public buildings throughout the city (see listing below). Citizens wanting to use the paper survey were instructed to obtain a survey at one of the public buildings, fill it out and return it to same public building. Every three weeks any completed

paper surveys were collected by District Office personnel. The information on the paper surveys was then put into the Survey Monkey web site, by district office volunteers. Each paper survey represented one person completing the Survey Monkey questionnaire. It should be noted that the paper survey was printed in both English and Spanish versions. Both language versions of the survey were made available in all the same locations.

The paper version of the survey was made available in the following public buildings:

- 1) Hayward Police Department (300 W Winton Av)
- 2) Hayward Police Department Northern District Office (1190 B St)
- 3) Hayward Police Department Southern District Office (28200 Ruus Av)
- 4) Hayward Fire Station #1 (22700 Main St)
- 5) Hayward Fire Station #2 ( 360 W Harder)
- 6) Hayward Fire Station #3 (31982 Medinah St)
- 7) Hayward Fire Station #4 (27836 Loyola Av)
- 8) Hayward Fire Station #5 (28595 Hayward Blvd)
- 9) Hayward Fire Station #6 (1401 W Winton Av)
- 10) Hayward Fire Station #7 (28270 Huntwood Av)
- 11) Hayward Fire Station #8 (25862 Five Canyons Pkwy)
- 12) Hayward Fire Station #9 (24912 Second St)
- 13) Hayward City Clerk's Office (777 B St)
- 14) Hayward City Manager's Office (777 B St)
- 15) Hayward Public Library – Main Branch (835 C St)
- 16) Hayward Public Library – Weeks Branch (27300 Patrick)

## Survey Marketing – Reaching the Public

The primary issue in conducting any public survey is reaching a wide swath of the populace and in seeking their input. The work group determined that a mass mailing of a flier designed to call attention to the survey and seeking the public's involvement would be the base line for initiating the marketing process. As a mechanism to accomplish the mailing of fliers to residents and businesses throughout the city; the work group decided to "stuff" the monthly water service billing issued by the City Water Department. The Water billing reaches all homes and business and by the nature of its information is opened and viewed.

A flier was produced advertising the survey and referred the reader to take the survey online or to utilize the paper version available at public buildings. The flier was printed on a single piece of 8 ½ by 11 paper with an English version on one side and a Spanish version on the opposite side. 37,700 of the fliers were produced using a commercial printing company. These fliers were delivered to the City Water Department and one flier was included in all

water bills sent out in the October 2009 billing cycle. The city currently issues 36789 water bills per billing cycle.

Hayward has a significant number of apartment and mobile home communities. It was determined that a significant number of these apartment and mobile home communities, have one water bill distributed to the property management / owner. In this situation residents pay for water use communally, meaning each resident would not receive a water bill. To counter this short fall in our marketing efforts we had volunteers deliver and distribute fliers to a random representation of apartment and mobile home communities. Each apartment or mobile home community targeted for this effort had fliers put in all residents' mail boxes and posted the flier in public places (i.e. mail rooms, laundry rooms, community rooms and onsite offices).

The work group recognized that not all segments of the community would properly be notified of our survey effort by relying on water service billing to be the sole mechanism in our community outreach. Both District offices made a concerted effort to market the survey in our normal community outreach programs conducted throughout the three month period. The survey was discussed and the flier was made available to the public in the following programs;

- Neighborhood Partnership Program
  - Downtown
  - West Palma Cia
  - Upper B St
  - South Hayward
- Hayward Neighborhood Watch (Monthly Public Meeting)
- Hayward Neighborhood Watch (individual Block Captain Meetings)
  - Waterford
  - Hillcrest
  - Eden Shores
  - Wyndham Terrace
  - Spanish Ranch I
  - New England Village
- Chamber of Commerce Monthly Meeting
- Latino Business Roundtable Monthly Meeting
- HPD Community Academy (10/6 – 12/3 session)
- Crime Free Multi Housing Training
- Cops and Coffee
- Library Safety Program
- St Rose Health Education Fair

## Survey Questions

As previously noted the Surveys questions were broken into the following six categories; 1) Demographics 2) Overall Agency Performance 3) Overall Competence of Agency Employees 4) Citizens Perceptions of Officer's Attitudes and Behaviors 5) Community Concern Over Safety and Security 6) Citizen's Recommendations and Suggestions for Improvements. By design the categories and questions were utilized to satisfy CALEA requirements under 45.2.4.

See Section Below for details concerning questions and corresponding ratings;

### Demographics

- 1) Do you live in Hayward? – Yes or No  
786 persons responded (4 skipped the question - STQ)
  - Yes - 89.6%
  - No - 10.4%
  
- 2) If Yes for how long? - <2yrs 2-5 yrs 6-10 yrs >10 yrs  
675 persons responded (115 STQ)
  - <2 yrs – 8.4 %
  - 2-5 yrs – 12.9%
  - 6-10 yrs – 12.9 %
  - >10 yrs – 65.8 %
  
- 3) How many people live in your household? – 1 2 3-4 5-6 +7  
705 persons responded (85 STQ)
  - 1 person – 14.8 %
  - 2 persons – 35.3 %
  - 3-4 persons – 36.3 %
  - 5-6 persons – 10.8 %
  - + 7 persons – 2.8 %
  
- 4) What Age Group are you in? – 18 yrs 18-24 yrs 25-44 yrs 45-64 yrs +65 yrs  
713 persons responded (77 STQ)
  - 18 yrs – 1.3 %
  - 18-24 yrs – 4.2 %
  - 25-44 yrs – 34.2 %
  - 45-64 yrs – 43.6 %
  - + 65 yrs – 16.7 %
  
- 5) Do you work in Hayward? – Yes or No  
724 persons responded (66 STQ)
  - Yes – 31.8 %
  - No – 68.2 %
  
- 6) Are you Male or Female? – Male or Female

722 persons responded (68 STQ)

- Male – 53.3 %
- Female – 46.7 %
- 

### **Overall Agency Performance**

- 1) Have you had contact with the Hayward Police Department within the last 3 years – Yes or No  
786 persons responded (4 STQ)
  - Yes – 74.8 %
  - No – 25.2 %
  
- 2) How courteous and professional are the officers in your neighborhood? – Very Somewhat Not at all  
624 persons responded (166 STQ)
  - Very – 56.9 %
  - Somewhat – 33.5 %
  - Not at all – 9.6 %
  
- 3) How effective are Police in dealing with crime in your neighborhood? – Very Somewhat Not at all  
637 persons responded (153 STQ)
  - a. Very – 35.2%
  - b. Somewhat – 49.3%
  - c. Not at all – 15.5%
  
- 4) Do you think the Hayward Police are doing a good job? – Very Somewhat Not at all  
643 persons responded (147 STQ)
  - Very – 38.4%
  - Somewhat – 47.3%
  - Not at all – 14.3%
  
- 5) How satisfied are you with the frequency of police patrols? – Very Somewhat Not at all  
648 persons responded (142 STQ)
  - Very – 17.3%
  - Somewhat – 46.5%
  - Not at all – 36.3%

### **Overall Competence of Agency Employees**

- 1) Do you feel that the Police Department has control on criminal activities? – Very Somewhat Not at all  
651 persons responded (139 STQ)
  - Very – 11.8%
  - Somewhat - 64.4%
  - Not at all – 23.8%
  
- 2) When reporting a crime do you feel like you are being taken seriously? – Very Somewhat Not at all  
592 persons responded (198 STQ)
  - Very – 46.3%

- Somewhat – 37.8%
  - Not at all – 15.9%
- 3) When calling the Police Department was the person who answered the phone courteous? – Very Somewhat Not at all 590 persons responded (200 STQ)
- Very – 57.3%
  - Somewhat – 35.3%
  - Not at all – 7.5%
- 4) Officers in my neighborhood are fair when dealing with citizens? – Very Somewhat Not at all 569 persons responded (221 STQ)
- Very – 52.7%
  - Somewhat – 38.0%
  - Not at all – 9.3%
- 5) Officers in my neighborhood are professional and helpful? – Very Somewhat Not at all 572 persons responded (218 STQ)
- Very – 53.0%
  - Somewhat – 38.1%
  - Not at all – 8.9%
- 6) The police try to provide the services I want in my neighborhood? – Very Somewhat Not at all 582 persons responded (208 STQ)
- Very – 33.8%
  - Somewhat – 45.7%
  - Not at all – 20.4%
- 7) Overall, I am satisfied with the police services in my neighborhood? – Very Somewhat Not at all 593 persons responded (197 STQ)
- Very – 34.6%
  - Somewhat – 43.0%
  - Not at all – 22.4%

### **Community Concern over Safety and Security**

- 1) Homes are being broken into? – Serious Moderately Not at all Not sure 585 persons responded (205 STQ)
- Serious – 16.2%
  - Moderately – 36.6%
  - Not at all – 15.0%
  - Not sure – 32.1%
- 2) Being robbed/ items taken by fear or force? – Serious Moderately Not at all Not sure 589 persons responded (201 STQ)
- Serious – 14.1%
  - Moderately – 28.2%
  - Not at all – 26.7%
  - Not sure – 31.1%

- 3) Vehicles being broken into? Serious Moderately Not at all Not sure  
591 persons responded (199 STQ)
- Serious – 24.7%
  - Moderately – 40.4%
  - Not at all – 10.7%
  - Not sure – 24.2%
- 4) Vehicles being stolen? – Serious Moderately Not at all Not sure  
580 persons responded (210 STQ)
- Very – 14.0%
  - Moderately – 32.2%
  - Not at all – 17.4%
  - Not sure – 36.4%
- 5) People being attacked/ fighting? – Serious Moderately Not at all Not sure  
582 persons responded (208 STQ)
- Serious – 14.9%
  - Moderately – 26.1%
  - Not at all – 28.4%
  - Not sure – 30.6%
- 6) Domestic violence? – Serious Moderately Not at all Not sure  
584 persons responded (206 STQ)
- Serious – 8.7%
  - Moderately – 21.7%
  - Not at all – 18.8%
  - Not sure – 50.7%
- 7) Drunk drivers? – Serious Moderately Not at all Not sure  
589 persons responded (201 STQ)
- Serious – 13.9%
  - Moderately – 25.6%
  - Not at all – 19.0%
  - Not sure – 41.4%
- 8) Teenagers or others hanging out/ harassing people? – Serious Moderately Not at all Not sure  
590 persons responded (200 STQ)
- Serious – 25.8%
  - Moderately – 29.3%
  - Not at all – 24.7%
  - Not sure – 20.2%
- 9) Gangs? – Serious Moderately Not at all Not sure  
586 persons responded (204 STQ)
- Serious – 27.5%
  - Moderately – 27.1%
  - Not at all – 19.6%

- Not sure – 25.8%
- 10) Drug use (in school)? – Serious Moderately Not at all Not sure  
572 persons responded (218 STQ)
- Serious – 17.8%
  - Moderately – 17.7%
  - Not at all – 8.4%
  - Not sure – 56.1%
- 11) Drug use (not in school)? – Serious Moderately Not at all Not sure  
575 persons responded ( 215 STQ)
- Serious – 24.7%
  - Moderately – 26.8%
  - Not at all – 6.8%
  - Not sure – 41.7%
- 12) Street dealing/ drug houses? – Serious Moderately Not at all Not sure  
576 persons responded (214 STQ)
- Serious – 25.5%
  - Moderately – 22.0%
  - Not at all – 17.7%
  - Not sure – 34.7%
- 13) Graffiti or damaged property? – Serious Moderately Not at all Not sure  
588 persons responded (202 STQ)
- Serious – 32.3%
  - Moderately – 43.9%
  - Not at all – 13.1%
  - Not sure – 10.7%
- 14) Abandoned vehicles? – Serious Moderately Not at all Not sure  
571 persons responded (219 STQ)
- Serious – 12.4%
  - Moderately – 40.5%
  - Not at all – 29.9%
  - Not sure – 17.2%
- 15) Rundown buildings or houses? – Serious Moderately Not at all Not sure  
568 persons responded (222 STQ)
- Serious – 15.3%
  - Moderately – 34.7%
  - Not at all – 35.6%
  - Not sure – 14.4%
- 16) Crimes against elderly people? – Serious Moderately Not at all Not sure  
565 persons responded (225 STQ)
- Serious – 7.3%
  - Moderately – 17.3%

- Not at all – 23.5%
  - Not sure – 51.9%
- 17) Lack of community interest in crime prevention activities? – Serious Moderately Not at all Not sure  
566 persons responded (224 STQ)
- Serious – 24.4%
  - Moderately – 29.2%
  - Not at all – 18.0%
  - Not sure – 28.4%
- 18) Garbage/ litter on streets? – Serious Moderately Not at all Not sure  
561 persons responded (229 STQ)
- Serious – 19.4%
  - Moderately – 45.3%
  - Not at all – 30.1%
  - Not sure – 5.2%
- 19) Lack of curbs, gutters, and sidewalks? – Serious Moderately Not at all Not sure  
559 persons responded (231 STQ)
- Serious – 12.3%
  - Moderately – 19.0%
  - Not at all – 56.7%
  - Not sure – 12.0%
- 20) Poor street conditions? – Serious Moderately Not at all Not sure  
562 persons responded (228 STQ)
- Serious – 16.0%
  - Moderately – 34.3%
  - Not at all – 42.0%
  - Not sure – 7.7%
- 21) Parking problems? – Serious Moderately Not at all Not sure  
562 persons responded (228 STQ)
- Serious – 19.4%
  - Moderately – 32.2%
  - Not at all – 40.2%
  - Not sure – 8.2%
- 22) Stray animals? – Serious Moderately Not at all Not sure  
561 persons responded (229 STQ)
- Serious – 8.2%
  - Moderately – 32.1%
  - Not at all – 41.4%
  - Not sure – 18.4%
- 23) Traffic control violations (running red lights, stop signs)? – Serious Moderately Not at all Not sure  
564 persons responded (226 STQ)

- Serious – 33.3%
- Moderately – 34.4%
- Not at all – 17.2%
- Not sure – 15.1%

24) Speeding in your neighborhood? – Serious Moderately Not at all Not sure  
564 persons responded (226 STQ)

- Serious – 43.8%
- Moderately – 40.1%
- Not at all – 10.8%
- Not sure – 5.3%

25) Noise- Loud parties, barking dogs? – Serious Moderately Not at all Not sure  
566 persons responded (224 STQ)

- Serious – 17.0%
- Moderately – 46.1%
- Not at all – 29.5%
- Not sure – 7.4%

26) Noise from vehicles? – Serious Moderately Not at all Not sure  
565 persons responded (225 STQ)

- Serious – 23.2%
- Moderately – 48.1%
- Not at all – 22.8%
- Not sure – 5.8%

### **Citizen's Recommendations and Suggestions for Improvements**

1) Please select your Top 5 answers in order of importance to you with 1 being "Most Important" and 5 being the "Least Important". If the answer does not apply, please select "Not Important"

A) Increase Community Activities

- 1 - Most Important – 11.3%
- 2 - 12.5%
- 3 – 19.1 %
- 4 – 19.5 %
- 5 – Least Important – 22.2 %
- 6 – Not Important – 15.6 %

B) Improve Officer response time

- 1 Most Important – 25.1%
- 2 – 29.2%
- 3 – 19.4%
- 4 – 14.4%
- 5 – Least Important – 9.7%
- 6 – Not Important – 2.2%

C) Officers patrol your neighborhood more often

- 1 Most Important – 46.4%
  - 2 – 26.6%
  - 3 – 15.9%
  - 4 – 6.2%
  - 5 – Least Important – 4.5%
  - 6 – Not Important – 0.5%
- D) Increase police staffing (non sworn)
- 1 Most Important – 5.6%
  - 2 – 15.0%
  - 3 – 25.4%
  - 4 – 18.8%
  - 5 – Least Important – 20.2%
  - 6 – Not Important – 15.0%
- E) Youth Drug/ gang awareness programs
- 1 Most Important – 19.3%
  - 2 – 22.9%
  - 3 – 21.8%
  - 4 – 21.8%
  - 5 – Least Important – 12.0%
  - 6 – Not Important – 2.2%
- F) Increase on-line accessibility for public concerns
- 1 Most Important – 3.9%
  - 2 – 10.7%
  - 3 – 15.0%
  - 4 – 21.4%
  - 5 – Least Important – 34.0%
  - 6 – Not Important – 15.0%
- G) Improve the public trust with Police
- 1 Most Important – 25.6%
  - 2 – 16.1%
  - 3 – 17.0%
  - 4 – 20.6%
  - 5 – Least Important – 15.2%
  - 6 – Not Important – 5.4%
- H) Increase School Resources Officers
- 1 Most Important – 11.6%
  - 2 – 16.8%
  - 3 – 21.4%
  - 4 – 24.9%
  - 5 – Least Important – 15.6%
  - 6 – Not Important – 9.8%
- I) More traffic enforcement
- 1 Most Important – 19.9%

- 2 – 19.6%
  - 3 – 20.9%
  - 4 – 18.6%
  - 5 – Least Important – 16.2%
  - 6 – Not Important – 4.7%
- J) More parking enforcement
- 1 Most Important – 8.0%
  - 2 – 9.4%
  - 3 – 16.0%
  - 4 – 9.4%
  - 5 – Least Important – 21.7%
  - 6 – Not Important – 35.4%

### **Conclusion:**

HPD received consistently high remarks in customer service. Property crimes were the most consistent crime issue, with traffic safety (speeding and stop signs) being the most highly rated public safety issue. In questions asking if Drug Dealing and Gangs were of concern, the survey showed an almost even split for both issues with them being rated between Serious to Moderate. Of note however was the response to the question of “Do you feel that the Police Department has control of criminal activities”. HPD received an overwhelming rating of “Somewhat”.

Approximately 790 persons in the community took the survey. Of those that took the survey well over three quarters responded electronically by utilizing the Survey Monkey web Site. The remaining one quarter utilized the written form of the survey. In reviewing the demographic portion of the survey it's clear the overwhelming majority of survey information came from the following demographic;

- 1) English Speaking,
- 2) 45 to 63 year age range
- 3) Resident, living in Hayward longer than 10 years
- 4) 2 to 4 persons in the household
- 5) Had contact with HPD within the last 3 years

While this is a good start in learning what concerns the community, it's clear we captured a very narrow slice of the true demographics present in the community. There is no doubt Hayward is a highly diverse community with many segments of the community not adequately represented in our data. Where this survey touched upon approximately .5 % of the population, it needs to have a larger return to validate the data that's received. The survey work group felt that any future survey should have a return in the range of 10 % to 15 % by populace. The return should also show a more diverse representation of city's demographic.

CALEA standards require a community survey be conducted every 3 years to remain in compliance with the standard. The survey work group recommended that when this survey is administered again

in the future it be conducted by an outside entity that specializes in conducting public surveys. To adequately conduct a survey of this magnitude in the future will require 9 to 12 months to plan and implement the study.



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**MEETING**

The Special Meeting of the City Council/Library Commission was called to order by Mayor Pro Tempore Zermeño at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Henson.

**ROLL CALL**

Present: COUNCIL MEMBERS, Quirk, Halliday, Peixoto, Salinas, Henson  
MAYOR PRO TEMPORE Zermeño  
Absent: MAYOR Sweeney

**PRESENTATION**

Business Recognition Award

The City of Hayward presented the Business Recognition Award for November 2010 to Floormasters, Inc., located at 1678 Delta Court, Hayward. In operation since 1987, Floormasters, Inc. has been highlighted in the San Francisco Business Times as the 8<sup>th</sup> largest woman-owned business in the East Bay. Their annual sales are currently in excess of \$25 million. The award was given in recognition of the contributions this company has made to the community by: locating their corporate headquarters in Hayward; providing job opportunities to local residents; developing an eco-friendly business model; and contributing to the overall economic well being of the Hayward community. Chief Executive Officer Rick Curbelo accepted the award on behalf of Floormasters, Inc.

**PUBLIC COMMENTS**

Ms. Lisa Brunner, Hayward resident, referred to documents she submitted regarding the, "Extra Credit Teacher Home Purchase Program," which helps teachers finance home purchases. Ms. Brunner mentioned that the State's program can be used in conjunction with the City's First Time Homebuyer Program. She also provided information about housing assistance for San Francisco Unified School District teachers.

Ms. Deisy Bates, Ambrose Court resident and parent of Mt. Eden High School students, thanked Council Member Salinas for funding the logo for the Hayward Youth Coalition. Ms. Bates asked for police presence at Mt. Eden High School because she is concerned about students and the exposure to drugs during school hours.

## **SPECIAL JOINT CITY COUNCIL/LIBRARY COMMISSION WORK SESSION**

### **1. Review and Consideration of Design Options for a New Library and Community Learning Center**

Staff report submitted by Library and Community Services Director Reinhart, dated November 9, 2010, was filed.

Library and Community Services Director Reinhart acknowledged the presence of the project team: Mr. Chris Noll, Ms. Janet Tam, and Mr. Abraham Jason, of Noll and Tam Architects, Mr. Aditya Advani of RHAA Landscape Design, and Public Works staff. Mr. Reinhart provided a synopsis of the report and members of the team presented a PowerPoint presentation outlining the preliminary building design options.

Council Member Quirk agreed with the recommendation to pursue the acquisition of the 50-foot wide by 175-foot long, unused parking space from the United States Postal Service (USPS) and favored plans to narrow C Street. Mr. Quirk reiterated previous discussions regarding the Leadership in Energy & Environmental Design (LEED) Silver Certification for City buildings with the goal of energy self-sufficiency suggesting the use of solar panels on the roof of the parking structure.

Council Member Henson acknowledged the need for the modifications to narrow C Street and expressed preference for the “Heart of the City” building design concept because it compliments City Hall, the fairly new Fire Station, and the Cinemark Theatre and also retains the nexus to the park. Mr. Henson encouraged staff to stay open to the possibility of seeking the higher LEED Platinum Certification as the higher certification can open doors to additional funding sources. Library and Community Services Director Reinhart noted the goal is to build a sustainable and energy efficient building. In response to Council Member Henson’s query regarding reasoning behind the proposed footprint of 58,000 square feet, Mr. Reinhart noted that the proposal also considered having branch libraries in other sectors of the community. City Manager David noted that the footprint of the building is also defined by the available land.

Council Member Halliday expressed preference for the “Heart of the City” building design concept because it conforms to existing buildings. Ms. Halliday mentioned that the building’s façade from Mission Boulevard needs to denote that of a library. She agreed with the importance of additional meeting room space. She asked for consideration of a store where Hayward souvenirs could be sold as a revenue producer. Ms. Halliday agreed with the recommendation to narrow C Street to obtain additional space. Ms. Halliday said that retaining the park is a good idea and agreed that the design concept should include utilizing the park for community activities such as the farmers’ markets, entertainment and other events with an additional element alluding to the history of Hayward. She suggested that staff pursue funding for environmental projects and funding sources that promote education.

Council Member Peixoto confirmed that \$1 million is available from Capital Improvement Projects (CIP) funding and there is an anticipated donation of \$10 million from Calpine, but expressed concern for additional funding for the construction. He added that the initial estimated cost was



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\$30,000 and now the cost has increased to \$51,619 and there were no solid funding sources. In terms of design options, Mr. Peixoto commented that the three designs did not have a connection with architectural elements in existing buildings and felt this factor was not given proper consideration. He liked the proposed traffic calming measures along C Street, but expressed concern that the intersection with the proposed “loop” may pose a safety hazard on Mission Boulevard.

Council Member Salinas, also Council liaison to the Library Commission, agreed with Library and Community Services Director Reinhart that this project is a once in a lifetime opportunity to build a signature building. Mr. Salinas noted that the new library should be a symbol evoking Hayward as an educational city that promotes art, culture, and literacy. Mr. Salinas favored transforming the park into a center of culture, arts and music. He emphasized that the new library and park should be distinct designs that will set them apart from existing architecture. Mr. Salinas favored the “Common Ground” building design concept because the elements of the building stand out and denote a signature building that dignifies schools and learning. He also noted that the “Park Connection” was also a good design.

Library Commission Chair Green gave Library Commissioners the opportunity to provide input.

Library Commissioner Harrison expressed support for the “Heart of the City” building design due to its art deco elements. Ms. Harrison would like to see a space dedicated for the Friends of the Library bookstore, in order to support library programs.

Library Commissioner Bennett expressed some disappointment that the three designs did not include any elements of the old City Hall. Ms. Bennett said that the Mission Boulevard side of the building should indicate the building’s purpose, and was pleased with the proposed community meeting rooms. She mentioned common topics brought up at community meetings, which included lighting, safety, meeting spaces, C Street issues and classic design elements. She hoped for a larger footprint, but was overall satisfied with the proposal.

Library Commissioner Brunner favored the “Heart of the City” design concept because it incorporated natural light and blended with the new City Hall, the Post Office, and the traditional art deco exterior of the old City Hall. Ms. Brunner noted the need for a new library because the city has outgrown the existing library, especially in the area of computer access. She suggested that when narrowing C Street, consideration should be given to moving the bus stop to the other side of Mission Boulevard in order to avoid traffic problems.

Library Commissioner Schultz favored the “Heart of the City” design concept because of the natural lighting and the uniqueness of the building design. Ms. Schultz suggested a bookstore at the entrance of the library for the Friends of the Library because of the approximately \$35,000 per year they contribute to support library programs. Ms. Schultz suggested, as a tool for marketing, an electronic sign that can announce activities at the library. As far as the park connection, she spoke against shaded samples for the windows.

Library Commissioner Ayala preferred the “Common Ground” building design because it was a modern design, a better fit for the location, and would help symbolize that Hayward is technologically advanced. Ms. Ayala noted that one of the most important aspects of the new library is that it will serve the needs of students who have no other access to computers. Ms. Ayala said that the City deserves a new library.

Library Commissioner McAllister preferred the “Heart of the City” design concept and suggested incorporating the spine with the word “Library” from the “Common Ground” design. Ms. McAllister shared the concern that the side of the building facing Mission Boulevard is plain. She supported closing C Street to promote a pedestrian traffic community, but expressed concern that it would pose traffic problems on the other streets. Ms. McAllister said the design for the park is a wonderful opportunity to explore arts and culture, but cautioned that the wear and tear on the property from the farmers’ markets would be excessive.

Library Commission Chair Greene noted that she was a dissenting vote as she preferred the alternative of a facility at the present location. Ms. Greene expressed concern about a larger footprint, earthquake safe measures, and that she did not want a “boxy” look. Ms. Greene commended Noll and Tam on the three interior designs, but was concerned with the practical aspects of the designs including the cleaning of the curved glass. Ms. Greene noted the importance of having a design plan ready in case the funds become available. She felt that a new library could revitalize the downtown area and suggested including the Chamber of Commerce in discussions.

Mayor Pro Tempore Zermeño expressed concern that the recommended building size of 58,000 square feet may be too small to meet Hayward’s growing needs and noted the San Leandro Library, at 75,000 square feet, served a smaller population than Hayward. Library and Community Services Director Reinhart concurred with Mr. Zermeño that a larger building would be better utilized by the community, but also noted the need to establish branch libraries in neighborhoods where there is limited library services. Mr. Zermeño favored closing C Street and further suggested eliminating parking on C Street and only allow for a bus route. In response to Mr. Zermeño’s suggestion for a fourth floor to increase square footage, Public Works Director Bauman noted that none of the designs included a fourth floor. Mr. Zermeño suggested solar panels on the roof and/or a roof garden be included to contribute to energy efficiency and sustainability. He was pleased that the City was looking for a landmark signature building and noted that there was consensus for the “Heart of the City” building design. He also added that it would be a good idea to incorporate a bookstore in the library design.

Council Member Quirk noted that the “Heart of the City” is a signature design concept that ties in well with City Hall and added that the interior design works best. Mr. Quirk agreed with having a bookstore and suggested a combination of a bookstore with a café. He mentioned it is important to maintain the goal of sustainability and noted that not all aspects of the LEED specifications are necessary for this project. As far as the cost, he noted that the estimated \$30,000 mentioned before was not based on solid calculations and he was also concerned about finding additional funding sources.



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Council Member Henson reiterated that there was not a significant difference between LEED Gold and Platinum Certification, but noted the higher certification could open doors to additional funding. He said he was also concerned with the lack of funding associated with the project. He agreed with Mayor Pro Tempore Zermeño regarding the growth of the City and the recommended 58,000 square feet building size, but also acknowledged the constraints of the site.

City Manager David noted that any increase to the proposed 58,000 square feet would be for community meeting space and noted that staff would keep that in mind. Ms. David stated that it was critical to keep in mind that the new building would also be a community learning center to serve the community. Ms. David acknowledged that funding would be a challenge, but emphasized the importance of having a plan design ready to attract funding sources.

## **CONSENT**

2. Approval of Minutes of the City Council Meeting on October 19, 2010

It was moved by Council Member Henson, seconded by Council Member Halliday, and carried with Mayor Sweeney absent, to approve the minutes of the City Council Meeting of October 19, 2010.

3. Approval of Minutes of the Special Joint City Council/Redevelopment Agency Meeting on October 26, 2010

It was moved by Council/RA Member Henson, seconded by Council/RA Member Halliday, and carried with Mayor/Chair Sweeney absent, to approve the minutes of the Special Joint City Council/Redevelopment Agency Meeting of October 26, 2010.

4. Hayward Fire Department Video Conferencing System

Staff report submitted by Director of Development Services Rizk and Fire Chief Bueno, dated November 9, 2010, was filed.

It was moved by Council Member Henson, seconded by Council Member Halliday, and carried with Mayor Sweeney absent, to adopt the following:

Resolution 10-167, "Resolution Authorizing the City Manager to Enter into a Memorandum of Understanding (MOU) with the City and County of San Francisco for Distribution of Fiscal Year 2009 Urban Area Security Initiative (UASI) Regional Funds to Procure and Implement a Cisco TelePresence Video Conferencing System for the Hayward Fire Department"

## **LEGISLATIVE BUSINESS**

**DRAFT**

5. Introduction of Ordinances to Adopt the 2010 California Fire Code, 2010 California Building Code (CBC), 2010 California Historical Building Code, 2010 California Existing Building Code, 2010 California Green Building Code, 2010 California Residential Code, 2009 International Code for Property Maintenance, 2010 California Mechanical Code, 2010 California Electrical Code, 2010 California Plumbing Code, and to Amend Hayward's Green Building Ordinance for Private Development

Staff report submitted by Director of Development Services Rizk and Fire Chief Bueno, dated November 9, 2010, was filed.

Director of Development Services Rizk provided a synopsis of the report. Fire Marshall Giel provided a brief overview of the additional local amendments to the 2010 California Fire Code.

In response to Mayor Pro Tempore Zermeño's inquiry related to any major hazardous fires, Fire Marshall Giel confirmed that there have been no major fires.

In response to Council Member Henson's inquiry about the Hazardous Fire Area, Fire Marshall Giel explained that the Area covers south of D Street and east of Mission Boulevard. Ms. Giel explained that the Hazardous Fire Area is designated Urban Wild Land Interface Area. Fire Chief Bueno noted that the Hazardous Fire Area interfaces with the East Bay Regional Park Area and that the Hayward Fire Department is the primary responder.

Director of Development Services Rizk expanded on the additional amendments to the codes.

In response to Council Member Halliday's question related to the Historic Preservation Ordinance, Director of Development Services Rizk responded that revision to the Historic Preservation Ordinance, adopted in June, did not contradict the Historic Building Code requirements.

In response to Council Member Zermeño's inquiry related to plastic pipes, Building Official Martinez noted that Hayward is maintaining the prohibition of plastic piping for buildings.

Mayor Pro Tempore Zermeño opened the public hearing at 9:12 p.m.

Mr. David Mann, Livermore resident and business representative for Plumbers and Steamfitters Local 342, urged Council to vote yes on the proposed ordinances, including the prohibition of plastic pipes.

Mayor Pro Tempore Zermeño closed the public hearing at 9:13 p.m.

Council Member Henson made a motion per staff recommendation, including the prohibition of plastic pipes. Council Member Quirk seconded the motion.

It was moved by Council Member Henson, seconded by Council Member Quirk, and carried with Mayor Sweeney absent, to adopt the following:



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Resolution 10-168, “Resolution Finding and Determining the Need for Changes or Modification to the California Fire Code, 2010 Edition”

Introduction Ordinance 10-\_, “An Ordinance Establishing a Fire Prevention Code for the City of Hayward; Adopting the California Fire Code, 2010 Edition, Prescribing Regulations Governing Conditions Hazardous to Life and Property from Fire or Explosion; Providing for the Issuance of Permits and Collection of Fees; Providing for Penalties for Violation, and Repealing Ordinance No. 07-19, as Amended, and All Other Ordinances and Parts of Ordinances in Conflict Therewith”

Resolution 10-169, “Resolution Finding and Determining the Need for Changes or Modification to the 2010 California Building Code”

Introduction Ordinance 10-\_, “An Ordinance Establishing a Building Code for the City of Hayward; Regulating the Construction, Alteration, Repair, and Maintenance of Structures; Providing for the Issuance of Permits and Collection of Fees; and Repealing Ordinance No. 07-17, and All Amendments Thereto”

Resolution 10-170, “Resolution Finding and Determining the Need for Changes or Modification to the 2010 California Mechanical Code”

Introduction Ordinance 10-\_, “An Ordinance Establishing a Mechanical Code for the City of Hayward, Regulating the Alteration, Construction, Installation and Repair of Ventilating, Refrigeration, and Heat Producing Equipment (Mechanical Equipment); Providing for the Issuance of Permits and Collections of Fees and Prescribing Penalties for Violation of Said Mechanical Code; and Repealing Ordinance No. 07-20 and All Amendments Thereto”

Resolution 10-171, “Resolution Finding and Determining the Need for Changes or Modification to the 2010 California Electrical Code”

Introduction Ordinance 10-\_, “An Ordinance to be Known and Designated As The Electrical Code of the City of Hayward, Regulating the Installation, Alteration, Repair, and Maintenance of Electrical Wiring, Electrical Fixtures, and Other Electrical

Appliances and Equipment; Providing for the Issuance of Permits and Collection of Fees; and Repealing Ordinance No. 07-21 and All Amendments Thereto”

Resolution 10-172, “Resolution Finding and Determining the Need for Changes or Modification to the 2010 California Plumbing Code”

Introduction Ordinance 10-\_, “An Ordinance Repealing Ordinance No. 07-22 and All Amendments Thereto, and Establishing a Plumbing Code for the City of Hayward, Regulating the Construction, Alteration, Repair, and Maintenance of Plumbing; Providing for the Issuance of Permits and Collection of Fees”

Resolution 10-173, “Resolution Finding that the Adoption of the Amendment to the Commercial Covered Projects Section of the Private Development Green Building Ordinance is Categorically Exempt from Environmental Review Under the California Environmental Quality Act”

Introduction Ordinance 10-\_, “An Ordinance Amending Section 10-22.140(d) Commercial Covered Projects Section of Ordinance 09-15 Green Building Requirements for Private Development”

## **COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS**

Council Member Salinas acknowledged his attendance at the San Leandro Marine Corp League Annual Breakfast - 235<sup>th</sup> Birthday Celebration of the U.S. Marine Corp. Mr. Salinas also attended the Hayward Police Department’s Gun Buy-Back Program and was pleased to report that over 200 guns were relinquished. He also congratulated the Alameda County Supervisor and Hayward Unified School Board candidates for their successful campaigns in the November 2010 Election.

Council Member Henson acknowledged the passage of Alameda County Measure F - Alameda County Vehicle Registration Fee, and noted that the additional funding will be used for local street projects.

Council Member Halliday noted her attendance at the Hayward Public Library’s Literacy Plus 25<sup>th</sup> Year of Service Celebration on November 3, 2010. She commended the program for its accomplishments and mentioned the successful stories of adult learners and volunteer tutors.

Mayor Pro Tempore Zermeño mentioned that, via Facebook, he thanked those who voted yes on Proposition 22- Funds for Transportation and Local Government. Mr. Zermeño noted that the City took a step forward in reducing carbon footprint by implementing a paperless agenda packet project, which was led by City Clerk Lens. He thanked his colleagues for making his experience as Mayor Pro Tempore a good one and also wished Mayor Sweeney a prompt recovery.

## **ADJOURNMENT**



**MINUTES OF THE SPECIAL CITY COUNCIL/  
LIBRARY COMMISSION MEETING OF  
THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, November 9, 2010, 7:00 p.m.**

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Mayor Pro Tempore Zermeño adjourned the meeting at 9:23 p.m.

**APPROVED:**

\_\_\_\_\_  
Francisco Zermeño, Mayor Pro Tempore, City of Hayward

**ATTEST:**

\_\_\_\_\_  
Miriam Lens, City Clerk, City of Hayward



**MINUTES OF THE CITY COUNCIL MEETING OF  
THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, November 16, 2010, 7:00 p.m.**

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**MEETING**

The meeting of the City Council was called to order by Mayor Sweeney at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Zermeño.

**ROLL CALL**

Present: COUNCIL MEMBERS Zermeño, Quirk, Halliday, Peixoto, Salinas,  
Henson  
MAYOR Sweeney  
Absent: COUNCIL MEMBER None

**CLOSED SESSION ANNOUNCEMENT**

City Attorney Lawson reported that Council met with Legal Counsel, pursuant to Government Code 54956.9, pertaining to a pending litigation, William Shirley v. City of Hayward, WCAB No. SFO 0448905. Mr. Lawson noted that Council unanimously approved the decision.

**PUBLIC COMMENTS**

Ms. Wynn Grich, Industrial Parkway SW resident, read a portion of the book by Paul Connett, "The Case Against Fluoride: How Hazardous Waste Ended Up in Our Drinking Water and the Bad Science and Powerful Politics That Keep It There." Ms. Grich also referred to other materials that highlighted that drinking water contains sulfuryl fluoride, which is an ingredient in the poison used to fumigate termites, and Agenda 21, which is an alleged plan to reduce the population.

Mr. Jim Drake, Franklin Avenue resident, thanked Council for the proposed amendments to the Noise Ordinance, but noted that while the proposed amendments enable enforcement, they take away the rights of residents living near commercial businesses. He inquired about the upcoming community meeting and City Attorney Lawson announced that the community meeting to discuss the proposed revisions to the Noise Ordinance is scheduled for December 9, 2010, at 7:30 p.m. at City Hall. It was noted that a public hearing would follow that meeting.

Mr. Charlie Peters, Main Street resident and member of the Clean Air Performance Professionals, referred to materials he submitted prior to the meeting. Mr. Peters petitioned Council to give consideration to the mandate to have cars smog-checked. He noted that emission reduction is important to the local economy and the health. Mayor Sweeney asked City Manager David to look into this.

## CONSENT

1. Seismic Retrofit of D Street Reservoir Project: Approval of Plans and Specifications and Call for Bids

Staff report submitted by Deputy Director of Public Works Ameri, dated November 16, 2010, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Henson, and carried unanimously, to adopt the following:

Resolution 10-174, “Resolution Approving Plans and Specifications for the Seismic Retrofit of D Street Reservoir Project, Project No. 7161, and Call for Bids”

2. Installation of Sudden Loss Valves at Various Locations Project: Approval of Plans and Specifications and Call for Bids

Staff report submitted by Deputy Director of Public Works Ameri, dated November 16, 2010, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Henson, and carried unanimously, to adopt the following:

Resolution 10-175, “Resolution Approving Plans and Specifications for Installation of Sudden Loss Valves At Various Locations Project, Project No. 7023, and Calling for Bids”

3. Authorize the City Manager to Negotiate and Execute Agreements with Plan Check Consultants

Staff report submitted by Building Official Martinez, dated November 16, 2010, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Henson, and carried unanimously, to adopt the following:

Resolution 10-176, “Resolution Authorizing the City Manager to Negotiate and Execute Agreements with Plan Check Consultants”

4. Authorize the City Manager to Negotiate and Execute a Contract Extension with Quantum Energy Services & Technologies, Inc., to Provide Sustainability Coordinator Services for Calendar Years 2011 and 2012

Staff report submitted by Senior Planner Pearson, dated November 16, 2010, was filed.



**MINUTES OF THE CITY COUNCIL MEETING OF  
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It was moved by Council Member Zermeño, seconded by Council Member Henson, and carried unanimously, to adopt the following:

Resolution 10-177, “Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Quantum Energy Services and Technologies, Incorporated, to Provide Sustainability Coordinator Services for Calendar Years 2011 and 2012”

5. An Ordinance Establishing a Fire Prevention Code for the City of Hayward; Adopting the California Fire Code, 2010 Edition, Prescribing Regulations Governing Conditions Hazardous to Life and Property from Fire or Explosion; Providing for the Issuance of Permits and Collection of Fees; Providing for Penalties for Violation, and Repealing Ordinance No. 07-19, as Amended, and All Other Ordinances and Parts of Ordinances in Conflict Therewith

Staff report submitted by City Clerk Lens, dated November 16, 2010, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Henson, and carried unanimously, to adopt the following:

Ordinance 10-14, “An Ordinance Establishing a Fire Prevention Code for the City of Hayward; Adopting the California Fire Code, 2010 Edition, Prescribing Regulations Governing Conditions Hazardous to Life and Property from Fire or Explosion; Providing for the Issuance of Permits and Collection of Fees; Providing for Penalties for Violation, and Repealing Ordinance No. 07-19, as Amended, and All Other Ordinances and Parts of Ordinances in Conflict Therewith”

6. An Ordinance Establishing a Building Code for the City of Hayward; Regulating the Construction, Alteration, Repair, and Maintenance of Structures; Providing for the Issuance of Permits and Collection of Fees; and Repealing Ordinance No. 07-17, and All Amendments Thereto

Staff report submitted by City Clerk Lens, dated November 16, 2010, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Henson, and carried unanimously, to adopt the following:

Ordinance 10-15, “An Ordinance Establishing a Building Code for the City of Hayward; Regulating the Construction, Alteration, Repair, and Maintenance of Structures; Providing for the Issuance of Permits and Collection of Fees; and Repealing Ordinance No. 07-17, and All Amendments Thereto”

7. An Ordinance Establishing a Mechanical Code for the City of Hayward, Regulating the Alteration, Construction, Installation and Repair of Ventilating, Refrigeration, and Heat Producing Equipment (Mechanical Equipment); Providing for the Issuance of Permits and Collections of Fees and Prescribing Penalties for Violation of Said Mechanical Code; and Repealing Ordinance No. 07-20 and All Amendments Thereto

Staff report submitted by City Clerk Lens, dated November 16, 2010, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Henson, and carried unanimously, to adopt the following:

Ordinance 10-16, “An Ordinance Establishing a Mechanical Code for the City of Hayward, Regulating the Alteration, Construction, Installation and Repair of Ventilating, Refrigeration, and Heat Producing Equipment (Mechanical Equipment); Providing for the Issuance of Permits and Collections of Fees and Prescribing Penalties for Violation of Said Mechanical Code; and Repealing Ordinance No. 07-20 and All Amendments Thereto”

8. An Ordinance to be Known and Designated As The Electrical Code of the City of Hayward, Regulating the Installation, Alteration, Repair, and Maintenance of Electrical Wiring, Electrical Fixtures, and Other Electrical Appliances and Equipment; Providing for the Issuance of Permits and Collection of Fees; and Repealing Ordinance No. 07-21 and All Amendments Thereto

Staff report submitted by City Clerk Lens, dated November 16, 2010, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Henson, and carried unanimously, to adopt the following:

Ordinance 10-17, “An Ordinance to be Known and Designated As The Electrical Code of the City of Hayward, Regulating the Installation, Alteration, Repair, and Maintenance of Electrical Wiring, Electrical Fixtures, and Other Electrical Appliances and Equipment; Providing for the Issuance of Permits and Collection of Fees; and Repealing Ordinance No. 07-21 and All Amendments Thereto”



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9. An Ordinance Repealing Ordinance No. 07-22 and All Amendments Thereto, and Establishing a Plumbing Code for the City of Hayward, Regulating the Construction, Alteration, Repair, and Maintenance of Plumbing; Providing for the Issuance of Permits and Collection of Fees

Staff report submitted by City Clerk Lens, dated November 16, 2010, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Henson, and carried unanimously, to adopt the following:

Ordinance 10-18, “An Ordinance Repealing Ordinance No. 07-22 and All Amendments Thereto, and Establishing a Plumbing Code for the City of Hayward, Regulating the Construction, Alteration, Repair, and Maintenance of Plumbing; Providing for the Issuance of Permits and Collection of Fees”

10. An Ordinance Amending Section 10-22.140(d) Commercial Covered Projects Section of Ordinance 09-15 Green Building Requirements for Private Development

Staff report submitted by City Clerk Lens, dated November 16, 2010, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Henson, and carried unanimously, to adopt the following:

Ordinance 10-19, “An Ordinance Amending Section 10-22.140(d) Commercial Covered Projects Section of Ordinance 09-15 Green Building Requirements for Private Development”

## **PUBLIC HEARING**

11. Zone Change Application No. PL–2010–0120 - Anderson Pugash for Simeon Commercial Properties (Applicant) / Sim First LLC (Owner) - A Request to Modify a Planned Development District to Allow a Neighborhood-Serving Retail Center including a Drive-Thru Coffee Shop and Neighborhood Serving Retail Uses on a 1.5-Acre Parcel at the Mt. Eden Business Park

Staff report submitted by Associate Planner Camire, dated November 16, 2010, was filed.

Director of Development Services Rizk provided a synopsis of the report.

Council Member Henson noted there is a need for services that the modified development would bring to the Mt. Eden Business Park area and surrounding neighborhoods. Mr. Henson noted that a full-service restaurant was the original intent for the area. Mr. Henson would like the security aspect addressed because the location is remote with the potential for criminal activity.

Council Member Peixoto noted that the applicant exercised due diligence in seeking prospective tenants for a sit-down restaurant and added that the inability to secure such a tenant was a reflection of market conditions. Mr. Peixoto noted that the owner of the Fairfield Inn Hotel was concerned that a convenience store could affect his business by creating loitering nuisance.

Council Member Halliday commented that she received complaints about the traffic on Cryer Street and asked about the traffic impact of the proposed project on the Eden Gardens area, especially the residential homes at the end of Cryer Street. Director of Development Services Rizk noted that any additional traffic to the neighborhood would be minimal. Ms. Halliday suggested that item #15 on Attachment VIII, Revised Negative Declaration, be removed since it did not apply to the proposed modification as confirmed by Mr. Rizk. Ms. Halliday noted that hotel guests are visitors to the City and suggested additional landscaping for the proposed development to improve the view from the hotel. Mr. Rizk said that the landscaping plans would help mitigate the fact that the back of the proposed development faces the hotel.

Council Member Zermeño also suggested additional landscaping to improve the back of the proposed retail center and enhance the view from the hotel. Mr. Zermeño favored the proposed modification to the Planned Development District.

In response to Council Member Salinas' inquiry about potential tenants, Director of Development Services Rizk mentioned the only secured tenant is Starbucks. Mr. Salinas suggested having the center promoted to potential tenants as catering to nearby educational institutions with uses such as bookstore, coffee shop, breakfast/lunch house. In response to Mr. Salinas' question if the city had analyzed the potential revenue generation from an education economy, City Manager David noted that no analysis was conducted. She added that the cost of services to support such institutions would also need to be considered. Mr. Salinas suggested including in the modification to the Planned Development District a preference for quality businesses that support education economies.

In response to Mayor Sweeney's inquiry about the probability of allowing a stand-alone tobacco shop, Director of Development Services Rizk confirmed that it is not allowed in the proposed development, but the sale of tobacco would be allowed at a convenience store. Mayor Sweeney noted the lack of limitation on service hours and questioned the benefits of a 24-hour convenience store, especially when the location is across from the Eden Gardens neighborhood. Mayor Sweeney expressed concern that ultimately there will be a convenience store at the proposed development rather than a sit-down restaurant as was preferred for the location.

Mayor Sweeney opened the public hearing at 7:46 p.m.

Mr. Dilip Dahya, co-owner of the Fairfield Inn and Suites, favored a drive-thru coffee shop, a deli,



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a hair salon, or a business office, but opposed any convenience market, such as 7-Eleven, that will sell alcohol and be open 24 hours, seven days a week. He expressed concern for the safety of the hotel guests and mentioned that a convenience store could potentially encourage loitering, graffiti, car break-ins, and could drive prospective patrons to other cities.

Mr. Dahya responded to questions from Council indicating he was amenable to a convenience store that prohibited the sale of alcohol and had hours of operation limited to 6:00 a.m. to 10:00 p.m. He favored establishments that would cater to students at nearby educational institutions and full-service restaurants. Mr. Dahya also mentioned that there is a recorded deed that gives Fairfield Inn the right to retain their signage.

Mr. Jim Drake, Franklin Avenue resident, said he opposed any convenience store that operates 24 hours because guests staying at the hotel could be disturbed by noise generated by the convenience store patrons. He suggested that if plans for a convenience store are approved, the opening time should be changed to 7:00 a.m.

Mr. Mike Kim, representing Simeon Commercial Properties, clarified that the applicant is not requesting approval of a convenience store, but a viable community-oriented retail center. Mr. Kim noted that efforts to secure a sit-down restaurant were unsuccessful and prospective tenants would not submit a letter of intent without having the project approved.

In response to Council Member Peixoto, Mr. Kim listed the restaurants that the applicant has had discussions with and noted that it has been financially challenging to involve desired tenants. Mr. Kim expressed interest in continuing the search for a sit-down restaurant. Mr. Kim noted that the building designs have not been solidified and the applicant is sensitive to the need for a multi-sided architectural building that takes into consideration the hotel, the landscaping, and the ingress and egress.

Council Member Halliday was pleased to learn that Simeon Properties will pay attention to the view from the hotel side. In response to Ms. Halliday's inquiry related to the impact the limitation of hours will have on the project, Mr. Kim noted that more limitations placed on the project, the more difficult it will be to attract prospective tenants. He asked for the flexibility to discuss the hours of operation depending on the type of tenant. Mr. Kim said it would be a liability for Simeon Properties to have the type of tenants that attract vandalism and crime.

Mr. Kim concurred with Council Member Salinas in identifying common goals and added that Simeon Properties was not economically incentivized to bring tenants that have the potential to be harmful to the property.

Council Member Henson reiterated the importance of serving the needs of business, industrial and student communities and addressing safety and security concerns. Mr. Henson commented that limiting the hours of operation will attract a neighborhood food store and not a store that will attract

negative activities.

Mayor Sweeney closed the public hearing at 8:20 p.m.

Mayor Sweeney allowed Council Member Peixoto to solicit input from Planning Commission Chair Loché. Chair Loché indicated that the Planning Commission had a difficult time coming to an agreement regarding the hours of operation for a convenience store because Commissioners also had concerns about loitering and inadequate security.

Council Member Zermeño favored approval of the modification to the zoning and allowable uses, but expressed concern that a convenience store would attract negative activity and asked if additional language could be included. Director of Development Services Rizk noted that Council could eliminate the convenience market option as an allowed use, or add conditions that would restrict hours of operation, or further address potential criminal activity. Mr. Zermeño also mentioned his preference for a sit-down restaurant in the downtown area. Mr. Zermeño made a motion per staff recommendation. Council Member Quirk seconded the motion.

Council Member Quirk noted that the site needs to be developed and expressed concern that if too many restrictions are placed on the proposed development, it will never be fully occupied. He noted that there was Council consensus regarding concerns surrounding the negative aspects of a convenience store and asked input from the City Manager David. City Manager David suggested that the item could be approved as is with the condition that staff would bring back a report when a tenant is identified with the understanding of the issues related to hours of operation, security risk, and synergy between the existing Fairfield Inn and prospective tenants. Discussion ensued as to how to change the motion on the floor.

Council Member Zermeño noted that his motion did not need to be amended.

Council Member Halliday noted that the limitation on hours of operation at the proposed site was necessary and offered a friendly amendment to restrict hours of operation from 6:00 a.m. to 10:00 p.m.

Council Members Zermeño and Quirk were amenable to the amendment.

Council Member Henson concurred with the restriction of hours of operation and the suggestion offered by City Manager David.

Council Member Salinas agreed that the applicant needed flexibility, but was concerned with the type of prospective tenants that the applicant would solicit, such as tattoo parlors, cigarette store, or check cashing stores.

Council Member Peixoto noted that a tattoo parlor would require a conditional use permit, but was concerned with the prospect of a cigarette store. Director of Development Services Rizk clarified that a cigarette store was not on the list of allowable uses. Mr. Peixoto was confident the applicant had exercised due diligence and was amenable with the motion, including the amendment to restrict hours of operation.



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Council Member Halliday offered a friendly amendment for the developer to work with hotel representatives and staff regarding the rear view design of the proposed retail center and the signage issue. Director of Development Services Rizk noted that staff could exercise due diligence to make sure that the hotel concerns are appropriately addressed. Council Members Zermeño and Quirk did not accept the friendly amendment.

Council Member Henson offered a friendly amendment to allow for enhanced security. Council Member Zermeño did not think the amendment was necessary.

Mayor Sweeney opposed the motion because convenience store was listed as an allowable use on the modification of uses in the Planned Development District. He added that such uses create problems. He was amenable to other uses such as coffee/espresso shops.

It was moved by Council Member Zermeño, seconded by Council Member Quirk, and carried with Mayor Sweeney and Council Member Henson voting against, per the staff recommendation with a friendly amendment to limit hours of operation for all uses, seven days a week, to 6:00 a.m. to 10:00 p.m.:

Resolution 10-178, "Resolution Adopting the Revised Negative Declaration and Approving Zone Change Application No. PL 2010-0120"

Introduction Ordinance 10-\_, "An Ordinance Amending Chapter 10, Article 1 of the Hayward Municipal Code by Modifying a Planned Development District to Allow Additional Uses Pursuant to Zone Change Application No. PL-2010-0120"

**12. Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing for Financing of Airport Development Improvement by Airport Property Partners, LLC**

Staff report submitted by Airport Manager Partin, dated November 16, 2010, was filed.

Public Works Director Bauman provided a synopsis of the report and acknowledged that Mr. Michael Chin of the California Statewide Communities Development Authority was in attendance.

Council Member Henson, also Chair of the Airport Committee, asked Director of Public Works Bauman to discuss the Airport Property Partners' track record. Director of Public Works Bauman mentioned that the applicant has worked diligently to get the necessary approvals, which included the construction of the new fuel storage facility and the new hanger space.

Council Member Quirk disclosed that he had a number of lunches with Mr. Thom Harrow, Chief Executive Officer and owner of Airport Property Partners, LLC, and a Columbia University graduate. He noted that they only discussed where the fuel storage facility would go and Mr. Harrow did not have a preference.

There being no public comments, Mayor Sweeney opened and closed the public hearing at 9:02 p.m.

It was moved by Council Member Henson, seconded by Council Member Quirk, and carried unanimously, to adopt the following:

Resolution 10-179, “A Resolution of the City Council of the City of Hayward Approving the Issuance by California Statewide Communities Development Authority of Tax-Exempt Obligations in an Aggregate Principal Amount not to Exceed \$5,000,000, for the Project (As Defined Below), and Authorizing Related Actions”

### **COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS**

Council Member Salinas encouraged Hayward citizens to get involved and volunteer, especially during the holiday season.

Mayor Sweeney noted that City Hall will be closed the week of November 22, 2010, due to furlough for three days and two days in observance of the Thanksgiving holiday. He also mentioned the Keep Hayward Clean and Green Task Force Clean-Up Event scheduled for Saturday, November 20, 2010.

Council Member Zermeño encouraged folks to spend money in Hayward during the holiday season.

### **ADJOURNMENT**

Mayor Sweeney adjourned the meeting at 9:09 p.m., in memory of Johnnie Lacy, a remarkable leader, longtime Hayward resident, early Community Resources for Independent Living leader, and former Personnel Affirmative Action Commissioner. Council Member Henson added that Ms. Lacy was the Personnel Affirmative Action Commission Chair and was an advocate for access to universal health care. Mayor Sweeney asked staff to work with her family to find a suitable place to plant a tree in her memory.

Mayor Sweeney also gave Council Member Henson the opportunity to adjourn the meeting in memory of John Thorpe, a longtime Hayward attorney and a legend in the legal community, who passed away on November 10, 2010.

**APPROVED:**

**DRAFT**



**MINUTES OF THE CITY COUNCIL MEETING OF  
THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, November 16, 2010, 7:00 p.m.**

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\_\_\_\_\_  
Michael Sweeney, Mayor, City of Hayward

**ATTEST:**

\_\_\_\_\_  
Miriam Lens, City Clerk, City of Hayward

**DATE:** December 7, 2010

**TO:** Mayor and City Council

**FROM:** Director of Finance

**SUBJECT:** Authorize the City Manager to enter into a contract with Government Finance Officers Association to provide consulting services to assist the City with the selection of an Enterprise Resource Planning System

### **RECOMMENDATION**

That the Council adopts a Resolution authorizing the City Manager to negotiate and execute a contract with Government Finance Officers Association in an amount not to exceed \$236,000 to provide specialized services to assist in the evaluation and selection of an Enterprise Resource Planning System.

### **BACKGROUND**

In September 2009, the Council approved a Technology Strategic Plan. One of the top priorities identified in the plan was to replace the existing financial system with an Enterprise Resource Planning (ERP) System. The current financial system is limited in its ability to interconnect and provide bidirectional data transfer with the City's other diverse systems. There are barriers within the system that are not conducive to integration with various other mission critical systems. ERP is a way to integrate the data and processes of an organization into one single system. Usually, ERP systems will have many components including hardware and software and will provide that ability to transfer, share, and warehouse data.

To efficiently move this goal forward, staff has recommended hiring a Project Manager with extensive experience in assessing ERP systems and the knowledge to assist the City with analyzing needs and business process analysis. This is the first step in the overall process of selecting and ultimately implementing a new ERP system. Staff issued a Professional Services Solicitation (PSS) on October 29, 2010 for ERP Selection Consulting Services. Staff sent the PSS to nine firms and the City received three proposals. Staff reviewed these three proposals, and then a City team composed of the Assistant City Manager, Director of Finance, Purchasing and Services Manager, Information Systems Manager, and Technology Services Director interviewed the three firms on November 18, 2010.. Based on this evaluation process, the staff team selected Government Finance Officers Association as the most qualified firm, and is recommending that the Council authorize the City Manager to enter into a contract with them.

## **DISCUSSION**

As noted above, the City identified the need to replace the City's current financial system and ancillary data collection systems with a new City-wide ERP system. Work has already begun related to this major goal including the following:

- The Technology Services Department has performed a preliminary inventory of all technology data collection processes;
- The Finance Department is developing an inventory of all financial related systems;
- Several vendor demonstrations have been held for City staff to begin to assess the technologies that exist in the market;
- A preliminary budget of \$3.5 million has been identified for a new ERP system, of which \$2.5 million of funding has been identified;
- A project team has been established including, the Assistant City Manager, Technology Services Director, Director of Finance, Human Resources Director, Purchasing and Services Manager, and Information Systems Manager.

Scope of work - (See Attachment II for a copy of the PSS) – ERP Selection Consulting Services will include:

- Analysis for, and the development of an RFP to procure an ERP solution;
- Assistance throughout the procurement process, business process review and business process design;
- Business process review, analysis and documentation;
- Assistance in the assessment, and selection of an ERP system;
- Contract negotiation with the selected ERP vendor;
- Assistance in strategy development for training, phasing, and execution of implementation;
- Direction in the development and implementation of change management process as it addresses the various challenges in building a management team, communication strategy, and support for staff;
- Identification of business problems before establishing requirements.

## **FISCAL IMPACT**

The total amount of this contract will not exceed \$236,000 for the consulting services outlined above. These consultant fees are budgeted as part of the FY 2011 CIP Budget earmarked for the ERP project.

## **SCHEDULE**

Upon approval of the contract, the Consultant will begin immediately. Staff expects that the ERP Request for Proposal will be complete and issued by July 2011. Highlights of the anticipated schedule are below:

<b>Task</b>	<b>Anticipated Timeframe</b>
Business process review and preparation of the RFP	Six month process
RFP for ERP System issued to vendors	July 2011
Evaluation and vendor selection	September through October 2011
Recommend vendor to City Council for approval	October 2011
Contract negotiations	November through December 2011
Implementation begins	January 2012

This schedule allows for the necessary business process review, analysis, and reengineering, which is needed because the City will be migrating from a labor intensive legacy system to a new state of the art enterprise-wide system.

*Prepared by:* Debra C. Auken, Director of Finance  
Clancy Priest, Technology Services Director

Approved by:




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Fran David, City Manager

Attachments:

- Attachment I Resolution
- Attachment II Professional Service Solicitation (PSS)

HAYWARD CITY COUNCIL

RESOLUTION NO. 10-

Introduced by Council Member

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA), TO ASSIST THE CITY WITH THE SELECTION OF AN ENTERPRISE RESOURCE PLANNING SYSTEM

BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to negotiate and execute a professional services agreement with Government Finance Officers Association, to assist with the selection of an Enterprise Resource Planning (ERP) System for an amount not to exceed \$236,000, in a form to be approved by the City Attorney.

HAYWARD, CALIFORNIA \_\_\_\_\_, 2010

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

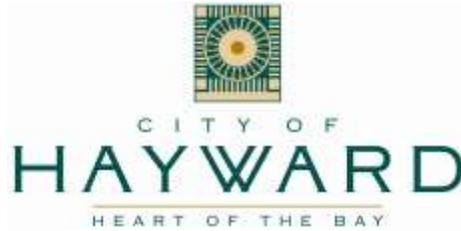
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward



## Professional Services Solicitation

For

## Enterprise Resource Planning (ERP) Selection Consulting Services

Must be received no later than:

**Friday, November 12, 2010 @ 3:00 pm**

Deliver or Email bids to the office of:  
Jasmine R. Gacusan, Purchasing Manager  
[Jasmine.Gacusan@hayward-ca.gov](mailto:Jasmine.Gacusan@hayward-ca.gov)  
777 B Street (3<sup>rd</sup> Floor)  
Hayward, CA 94541

Attachments to be completed and returned along with the proposal:

1. Designation of Subcontractors
2. Acknowledgment of Addenda
3. Signature Affidavit for Non-Collusion
4. Contractor's Certificate Regarding Worker's Compensation
5. Non-Discriminatory Employment Provision

Department of Finance  
Purchasing Division

777 B Street, Hayward, CA 94541-5007  
Tel: 510-583-4800 Fax: 510-583-3600



CITY OF  
**HAYWARD**  
HEART OF THE BAY

**PROFESSIONAL SERVICES SOLICITATION**

**FOR**

**ENTERPRISE RESOURCE PLANNING (ERP) SELECTION CONSULTING SERVICES**

**INTRODUCTION**

The City of Hayward (the “City”) is seeking experienced and qualified consultant to provide consulting services to aid the City in the development of a fully integrated Enterprise Resource Planning (ERP) solution. This solicitation is not for the software or system procurement. There will be a subsequent procurement for ERP software and system integration services. The City seeks a vendor with extensive ERP selection consulting experience and skills, with a particular emphasis on ERP as it relates to municipal agency implementations. This “experience” must be for a local government with an annual budget of at least \$100 million and the ERP project must have complex functional areas.

**SERVICES REQUIRED**

The City of Hayward is seeking a consultant to provide:

- Analysis for, and the development of an RFP to procure an ERP solution for the City;
- Detailed list of all of functional requirements of the ERP solution, which will be included in the RFP;
- Assistance throughout the procurement process, business process review and business process design;
- Assistance in the assessment, selection and contract negotiation;
- Direction on the appropriate timeline as it applies to the procurement schedule, project implementation, go-live dates, and receipt all deliverables;
- Assistance in strategy development for training, phasing, and execution of implementation;
- Direction in the development and implementation of change management process as it address the various challenges in building a management team, communication strategy, and support for staff;
- Assistance in evaluation of the deliverables and vendor performance;
- Assistance in the negotiation of “findings and gaps” along with the cost of modifications and bridging current environment with the deliverables;

Consultant will also assist in pre-RFP phase:

- Identification of business problems before establishing requirements;
- Business mapping;
- Coordinate with the City and an outside training consultant on scheduling of business process analysis, training for staff in conjunction with deliverables.

Department of Finance  
Purchasing Division

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777 B Street, Hayward, CA 94541-5007  
Tel: 510-583-4800 Fax: 510-583-3600



**The successful vendor receiving the award for consulting services may not consult with, or advise any potential vendor, on any City RFP issued to develop and/or procure the ERP solution.**

Additional information regarding the City of Hayward may be obtained at: <http://www.hayward-ca.gov/about.shtm>

### SCHEDULE

<b>Event</b>	<b>Date/Time</b>
Issue Date of Solicitation	Friday, Oct 29, 2010
Last Day for Questions	Friday, Nov 5, 2010 @ 3 pm
Deadline for Receipt of Proposal	Friday, Nov 12, 2010 @ 3 pm
Review Period of Proposals	Nov 15 – Nov 23, 2010
Interview (finalist)	Nov 18, 2010
Vendor Selection Date	Nov 29, 2010
Recommendation to Counsel	Dec 7, 2010

### CONTACTS

Any administrative questions regarding bidding procedures should be directed to:

Jasmine R. Gacusan, Purchasing Manager (510) 583-4802; [Jasmine.Gacusan@Hayward-ca.gov](mailto:Jasmine.Gacusan@Hayward-ca.gov)

Maria Carrillo, Purchasing Assistant (510) 583-4800; [Maria.Carrillo@Hayward-ca.gov](mailto:Maria.Carrillo@Hayward-ca.gov).

Questions relating to the project management may be directed to:

Clancy Priest, Technology Services Director (510)583-4861; [Clancy.Priest@Hayward-ca.gov](mailto:Clancy.Priest@Hayward-ca.gov)

Mark Guenther, Information Systems Manager (510) 583-4857; [Mark.Guenther@Hayward-ca.gov](mailto:Mark.Guenther@Hayward-ca.gov)

### LAST DAY FOR QUESTIONS

The last day to submit questions to the Purchasing Department is **Friday, November 5, 2010 @ 3 pm.**

This will allow sufficient time for any addenda to be issued by the City to all bidders. All questions must be submitted in writing via email to the Purchasing Manager, Jasmine Gacusan -

[jasmine.gacusan@hayward-ca.gov](mailto:jasmine.gacusan@hayward-ca.gov)

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**AWARD OF CONTRACT**

The City reserves the right to reject any and all proposals, to contract work with whomever and in whatever manner the City decides, to abandon the work entirely and to waive any informality or non substantive irregularity as the interest of the City may require and to be the sole judge of selection process. The City also reserves the right to negotiate separately in any manner to serve the best interest of the City. The City retains the right at its sole discretion to select a successful vendor.

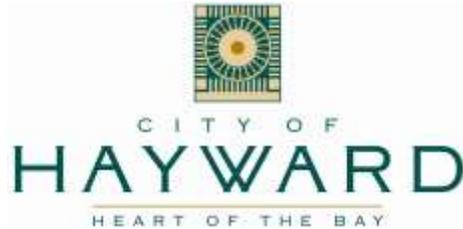
**SELECTION PROCESS**

A review committee will evaluate all responses to the RFP that meet the submittal requirements and deadline. Submittals that do not meet the requirement or deadline will not be considered. The review committee will rank the proposals and arrange interviews with the finalist prior to selection. The review committee will consider the following criteria equally when evaluating the proposals: quality and thoroughness of the proposal; quality and thoroughness of the interview; references (including at least 3 municipalities); and cost proposal.

**SPECIAL INSTRUCTIONS TO BIDDERS**

- I. Submission Requirements and Instructions  
All bidder requirements in this section are **mandatory**. The City reserves the right to waive any non-material variation.
  - a) Bidders may submit their proposal via electronic transmission/email to the Purchasing Manager ONLY: [Jasmine.Gacusan@Hayward-ca.gov](mailto:Jasmine.Gacusan@Hayward-ca.gov)  
OR  
Submit one (1) original proposal package AND three (3) complete copies for each proposal, under sealed envelope, by mail or hand-delivery to the address shown on the front. Each submission must be marked on the outside with the Company’s name and the name of the project. Postmarks are NOT acceptable.

Any bid received after the schedule closing time for receipt of bids will be returned to the bidder unopened.



- b) Proposals and required attachments shall be submitted as specified and must be signed by officials authorized to bind the bidder to the provisions. All costs incurred in the preparation of a proposal will be the responsibility of the bidder and will not be reimbursed by the City.
- c) All required submittals attached to this solicitation must accompany bid proposal (see cover).

II. Proposal Outline and Content

Assemble and submit each proposal in the order below and address the required content/questions. The order in which items are presented is important, as proposal evaluators will follow this order

**IT IS HIGHLY RECOMMENDED THAT ALL INFORMATION IN THE PROPOSAL IS PRESENTED IN THE FOLLOWING SEQUENCE:**

- a) Table of Contents
- b) Cover Sheet. This sheet will serve as the cover of your proposal. **Signed by an officer authorized to bind the company.**
- c) One-Page Project Summary. Begin with a brief summary of the proposal. This summary should concisely describe the project, its goals, and the proposed plan of implementation.
- d) Company Description/Capability (not to exceed 3 pages)
  - Brief history of the company that includes the date of establishment and examples of relevant prior bids and current customers of similar attributes to the City of Hayward.
  - Describe your experience and capacity to manage projects of the size and scope proposed.
- e) Project Description and detailed approach (not to exceed 20 pages)
  - Describe the proposed approach for selection of an ERP solution and the rationale for the approach. You may provide evidence that indicate this approach is the industry's "best practice".
  - Briefly describe the overall goals and the key activities of the proposed project.
  - Describe City's required resource and time commitments.
  - Discuss timeline for each phase of service and milestone dates.
- f) Informational content
  - A list of project team and their professional profile/credentials/experience.
  - Specific assignment of project team
- g) References (minimum 3) specifically in local/municipal/county/state agencies
  - Name of agency
  - Contact name to include: title, phone number and email
  - Population of jurisdiction
  - Number of employees
  - Project start and completion date
  - Brief summary of project

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h) Cost

- Detailed information on the deliverables and the FIXED FEE (including all or any travel costs)  
*Suggested phases on the deliverables:*
  - i) Need assessment/business process/analysis/training*
  - ii) Project Change Management*
  - iii) RFP development*
  - iv) Evaluation*
  - v) Vendor selection*
  - vi) Contract negotiations*
- Hourly charges of the consulting team members if additional work is necessary to be performed outside of the scope of the proposed project.
- Identify which areas of proposal you deem as OPTIONAL with a reference to the pricing for optional services.

**Requests for Supplemental Information**

The City reserves the right to require the submittal of additional information that supplements or explains proposal materials.

Department of Finance  
Purchasing Division

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777 B Street, Hayward, CA 94541-5007  
Tel: 510-583-4800 Fax: 510-583-3600

**DATE:** December 7, 2010

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Authorization for the City Manager to Execute a Professional Services Agreement with TJKM Transportation Consultants for Traffic Signal Timing Design Services and to Appropriate Funds from Transportation for Clean Air (TFCA) Grant, and to Execute a TFCA Fund Transfer Agreement

#### **RECOMMENDATION**

That Council adopts the attached resolution:

1. Appropriating \$614,000 in the Transportation System Improvement Fund for a new Citywide Signal Timing and Controller Replacement Program project.
2. Authorizing the City Manager to execute a Transportation Fund for Clean Air fund transfer agreement with the Alameda County Transportation Commission; and
3. Authorizing the City Manager to execute a Professional Services Agreement with TJKM Transportation Consultants for an amount not to exceed \$100,000.

#### **SUMMARY**

For FY 2011, the City has received approval from the Alameda County Transportation Commission (Alameda CTC) for grant applications totaling \$614,000 for a traffic signal timing and controller replacement program on three major transportation corridors – Hesperian Boulevard, Tennyson Road and Winton Avenue. The Transportation Fund for Clean Air (TFCA) is a grant program funded by a four dollar surcharge on motor vehicles registered in the Bay Area. This generates approximately \$22 million per year in revenues for the nine-county Bay Area, which is used to fund cost effective projects to improve air quality. The transportation consulting firm of TJKM Associates worked with staff on the grant applications and is the firm that is most qualified to design this project. Staff requests that the City Council authorize the City Manager to execute a professional services agreement with TJKM Transportation Consultants for project design in an amount not to exceed \$100,000.

## **BACKGROUND**

Every year, the Bay Area Air Quality Management District allocates Transportation for Clean Air Funds to local agencies through the Alameda County Transportation Commission (Alameda CTC; formerly the Alameda County Congestion Management Agency). Although a portion of these funds are allocated on the basis of population, the Alameda CTC will approve projects in excess of a city's share, if funds are available. This is because the County's TFCA funds must be fully programmed by December or they are returned to the Air District.

In June, Public Works staff submitted an application for signal timing and controller replacement for the Hesperian Boulevard corridor (A Street south to City Limits) and the Tennyson Road corridor (I-880 to Mission Boulevard). This project will tie into the Traffic Management Center presently being developed as part of the Route 238 Corridor Improvement Project. On July 22, the Alameda CTC Board approved the City's application for \$528,000.

Subsequent to the Board's action, Alameda CTC staff advised local jurisdictions that an additional amount of approximately \$320,000 was available for programming, or it would be returned to the Air District. Staff again worked to develop a project that would be able to strongly compete for TFCA funds and would be a logical additional segment to the Traffic Management Center. On October 28, the Alameda CTC Board approved staff's application for \$86,000 of TFCA funds for signal retiming and controller replacement on Winton Avenue (Southland Drive to Clawiter Road).

## **DISCUSSION**

The proposed project will upgrade signal controllers at 30 intersections (not including the two intersections controlled and maintained by Caltrans on Hesperian Boulevard at Route 92) and will provide signal interconnect along each corridor to enable communication with the Traffic Management Center (TMC) in City Hall. The project will also install video detection at seven critical intersections. Video detection eliminates the need for loops in the asphalt to identify the number of cars approaching the signal. Staff has been using video detection rather than loops at most new signals because it is not affected by repaving projects and tends to be more reliable. Staff has tentatively identified locations for the video detection along Hesperian Boulevard at Industrial Parkway, Depot Road, and Tennyson Road; along Tennyson Road at Whitman Street, Huntwood Avenue, and Patrick Avenue; and on Winton Avenue at Southland Drive. Furthermore, the project will install GPS clocks to synchronize signal operation between signals maintained by the City and the two signals maintained by Caltrans.

Once the upgrades required for the signal coordination are complete, all thirty-two intersections on the three major corridors will be optimized and coordinated to reduce traffic congestion, thereby improving traffic flow, decreasing fuel consumption, and ultimately reducing greenhouse gas emissions. This is consistent with the goals of the City's Climate Action Plan. More specifically, this project will go a long way to accomplishing action item 1.8 of the Climate Action Plan to improve traffic flow management practices throughout the city, when coupled with the Advanced Signal Timing System being installed with the Route 238 Corridor Improvement Project and similar systems planned for the remaining portions of Mission Boulevard and Jackson Street.

In addition to improving vehicle movement along commute corridors, reducing delays to AC Transit buses, and enhancing safety, this project will also allow proper intersection clearance time to accommodate bicycle and pedestrian activities and will enable bicycle detection at the seven critical intersections noted above. All project corridors are complete or partial bicycle corridors as identified in the City's Bicycle Master Plan. See Attachment II for a map of the project corridors.

TJKM Consultants assisted staff by preparing the technical documentation necessary to gain approval of the TFCA application. In addition, TJKM has been working closely with the City on the traffic signal timing and signal coordination aspects of the City's Route 238 Corridor Improvement project as a sub-consultant to Mark Thomas and Company. As a result, TJKM has developed a unique knowledge and understanding of the relationship of the proposed project to the Route 238 Corridor Improvement Project. Therefore, staff requested a proposal for design of this project from TJKM.

TJKM has submitted a scope of work and a proposal to prepare the design for the corridor improvements described above for \$88,475. Staff has reviewed this proposal and finds it acceptable. Staff recommends that Council authorize the City Manager to execute a professional services agreement with TJKM in an amount not to exceed \$100,000, which includes \$11,525 for possible additional services if needed.

The next step in this process will be the execution of a fund transfer agreement between the City and the Alameda CTC to enable work to be charged against the TFCA funds. Staff recommends that the City Manager be authorized to execute this agreement on behalf of the City.

## **FISCAL IMPACT**

As noted above, the City has received approval for \$614,000 in TFCA funds. The total project cost (including design and construction) is estimated at approximately \$648,000. The City may need to provide funding of about \$34,000 to complete the project. However, if that is the case, after design and receipt of bids, staff will request an additional appropriation from the Transportation System Improvement Fund at that time. At this time, staff is recommending appropriation of just the \$614,000 included in the grant for a new Citywide Retiming and Controller Replacement Program project in the Transportation System Improvement Fund.

## **PUBLIC CONTACT**

The Alameda CTC Board approved the City's applications at public meetings on July 22 and October 28, 2010. Prior to construction of the project, public notices will go out to those who may be affected by the work to replace the controllers and install cameras at the various signals, noting that some traffic delays are possible.

## SCHEDULE

The tentative schedule for this project:

Begin Design	January 2011
Complete Design	April 2011
Start Construction	July 2011
Complete Construction	November 2011

*Prepared by:* Morad Fakhrai, Deputy Director of Public Works/City Engineer

*Recommended by:* Robert Bauman, Director of Public Works

Approved by:



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Fran David, City Manager

Attachments:

- Attachment I: Resolution
- Attachment II: Project Corridors Map

HAYWARD CITY COUNCIL

RESOLUTION NO. 10-\_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH TJKM TRANSPORTATION CONSULTANTS FOR TRAFFIC SIGNAL TIMING DESIGN SERVICES, AUTHORIZING THE CITY MANAGER TO EXECUTE A TRANSPORTATION FOR CLEAN AIR FUND TRANSFER AGREEMENT WITH THE ALAMEDA COUNTY TRANSPORTATION COMMISSION AND APPROPRIATING FUNDS

BE IT RESOLVED by the City Council of the City of Hayward as follows:

WHEREAS, the City of Hayward submitted two Transportation for Clean Air (TFCA) grant applications for signal timing and controller replacement along Hesperian Boulevard, Winton Avenue and Tennyson Road; and

WHEREAS, the City's applications totaling \$614,000 have been approved by the Alameda County Transportation Commission; and

WHEREAS, the City plans to use these funds to replace traffic signal controllers, time signals and install cameras along three major corridors: Hesperian Boulevard, Tennyson Road and Winton Avenue; and

WHEREAS, these corridors will be incorporated into the Traffic Management Center that is being developed by TJKM as part of the Route 238 Corridor Improvement Project; and

WHEREAS, the transportation consulting firm of TJKM worked with the City on the successful grant applications; and

WHEREAS, TJKM has a unique knowledge and understanding of the relationship of this TFCA project to the Route 238 Corridor Improvement Project, and has presented to the City an acceptable proposal and scope of work for providing design services for the above stated project; and

WHEREAS, the City will need to execute a TFCA fund transfer agreement with the Alameda County Transportation Commission; and

WHEREAS, funds need to be appropriated in order to utilize these funds.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the City Council authorizes the City Manager to negotiate a Professional Services Agreement with TJKM in an amount not to exceed \$100,000.

BE IT FURTHER RESOLVED by the City Council that the City Manager is authorized to execute a TFCA fund transfer agreement with the Alameda County Transportation Commission.

BE IT FURTHER RESOLVED by the City Council appropriates \$614,000 in the Transportation System Improvement Fund for a Citywide Signal Timing and Controller Replacement Program project.

IN COUNCIL, HAYWARD, CALIFORNIA December 7, 2010

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

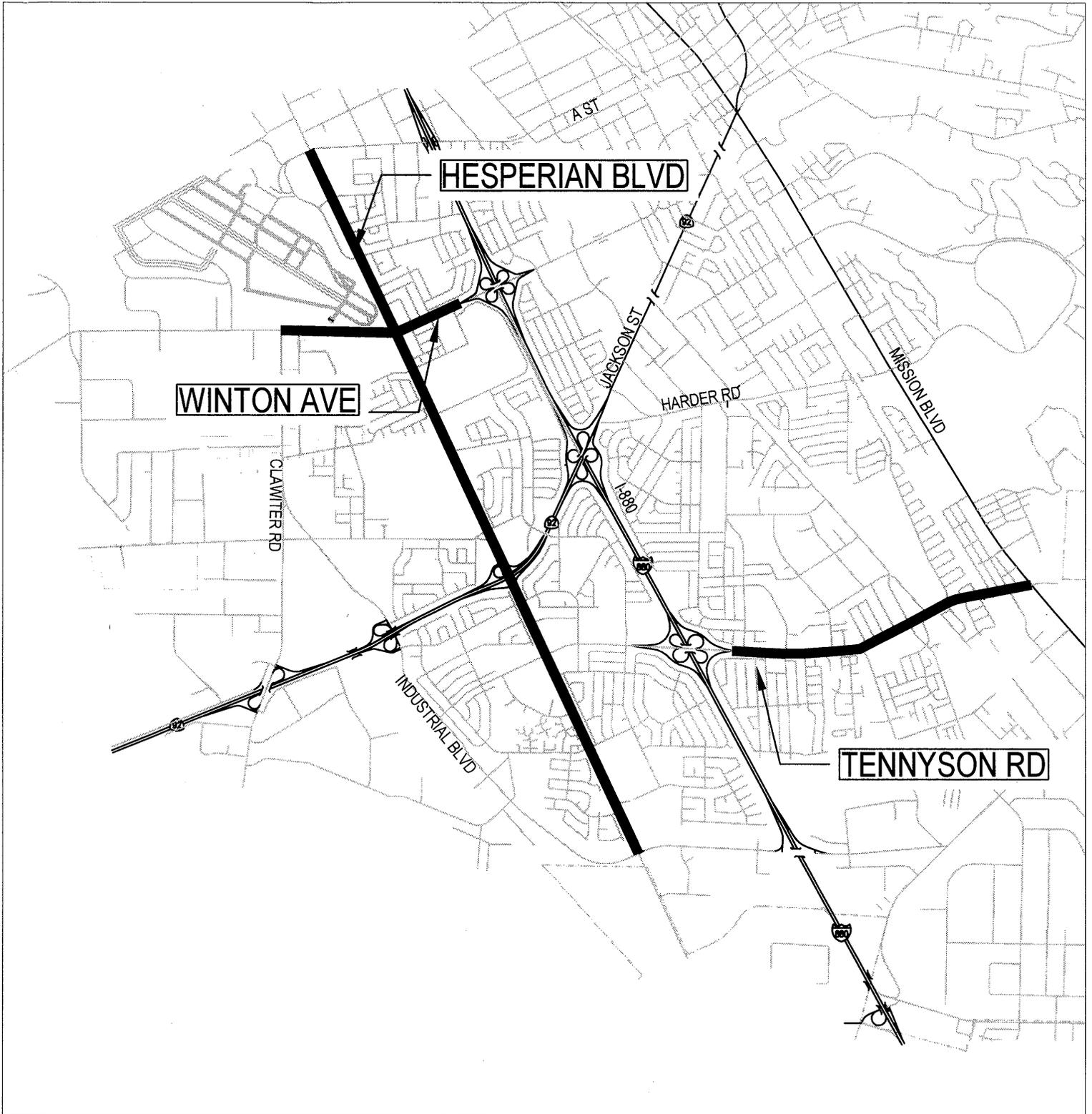
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward



**PROJECT CORRIDORS**

**DATE:** December 7, 2010

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Emergency Wells Supervisory Control and Data Acquisition (SCADA)  
Installation Project: Approval of Plans and Specifications and Call for Bids

### **RECOMMENDATION**

That Council adopts the attached resolution approving the plans and specifications for the Emergency Wells Supervisory Control and Data Acquisition (SCADA) Installation Project, and calling for bids to be received on January 18, 2011.

### **BACKGROUND**

In 1994, the City implemented a SCADA system to monitor, gather data, and assist in control of water distribution, wastewater collection, and wastewater treatment. The heart of a typical SCADA system is a computer that monitors measurable parameters such as pressure, temperature, flow rates, and the like, and performs operations such as turning pumps on or off, and opening and closing valves. The industrial design of SCADA computers requires special components not typically found in personal computers.

Hayward's five emergency wells are a critical component of the City's water system and the City will rely upon these to provide about half the City's water supply in an emergency, such as an earthquake. The wells currently are operated manually by a worker visiting the site. A SCADA system at each well would improve efficiency and increase data collection and transmission capabilities.

In March 2010, the City entered into a professional service agreement with consultant Carollo Engineers for design and construction administration services for this project.

### **DISCUSSION**

This project will add the necessary equipment for remotely operating each of the five well sites from the City's SCADA Operations Room at the Utilities Center on Soto Road. The equipment to be added to each well site generally consists of a programmable logic controller (PLC), a radio, an

antenna, wiring, and a motorized operator for the valve that isolates each well from the distribution system. The SCADA interface in the Operations Room would also need to be reprogrammed to show the wells' operation. Adding the wells into the City's SCADA system would provide benefits of allowing the wells to be activated more quickly in an emergency and allowing staff to more easily monitor well operational data, such as groundwater levels, over time.

All SCADA programming will be performed by SCADA Support Group (SSG), the firm that currently does all the SCADA programming for the water and wastewater systems. SSG's scope of work and budget will be negotiated once the design approach is finalized. The programming of the PLCs at each well site will be done by Telstar, a second firm who has performed similar services for the City in the recent past and is familiar with the City's PLC and SCADA systems.

**FISCAL IMPACT**

The estimated project costs are as follows:

Design and Construction Administration Services – Consultant	\$ 73,000
SCADA Programming (SSG)	56,000
PLC Programming (Telstar)	20,000
Design Administration – City Staff	20,000
Construction Contract	377,000
Inspection and Testing	<u>22,000</u>
Total	\$568,000

The FY 2011 Water System Capital Improvement Fund includes \$425,000 for the Emergency Wells SCADA Installation Project. Staff will request an additional appropriation, if necessary, at the time of award.

Per an agreement between the City of Hayward and the East Bay Municipal Utility District (EBMUD) related to EBMUD's development of the Bayside well field in San Lorenzo, EBMUD has contributed \$50,000 towards the project as mitigation for potential impacts on the City's emergency wells from their project.

**PUBLIC CONTACT**

Staff is not planning any additional public contact for the project. All work will be done inside Utilities facilities, located in industrial or commercial areas. There will be no impact on the neighbors or the public.

**SCHEDULE**

Open Bids	January 18, 2011
Award Contract	February 15, 2011
Begin Work	March 1, 2011
Complete Work	September 1, 2011

*Prepared by:* Alex Ameri, Deputy Director of Public Works

*Recommended by:* Robert A. Bauman, Director of Public Works

Approved by:



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Frances David, City Manager

Attachments:

- Attachment I: Draft Resolution
- Attachment II: Project Location Map

HAYWARD CITY COUNCIL

RESOLUTION NO. 10-

Introduced by Council Member \_\_\_\_\_

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE  
EMERGENCY WELLS SUPERVISORY CONTROL AND DATA  
ACQUISITION (SCADA) INSTALLATION PROJECT, PROJECT NO. 7171,  
AND CALL FOR BIDS

BE IT RESOLVED by the City Council of the City of Hayward as follows:

1. That those certain plans and specifications for the Emergency Wells Supervisory Control and Data Acquisition (SCADA) Installation Project, Project No. 7171, on file in the office of the City Clerk, are hereby adopted as the plans and specifications for the project;
2. That the City Clerk is hereby directed to cause a notice calling for bids for the required work and material to be made in the form and manner provided by law;
3. That sealed bids therefor will be received by the City Clerk's office at City Hall, 777 B Street, Hayward, California 94541, up to the hour of 2:00 p.m. on Tuesday, January 18, 2011, and immediately thereafter publicly opened and declared by the City Clerk in Conference Room 4D, City Hall, Hayward, California;
4. That the City Council will consider a report on the bids at a regular meeting following the aforesaid opening and declaration of same.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2010

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

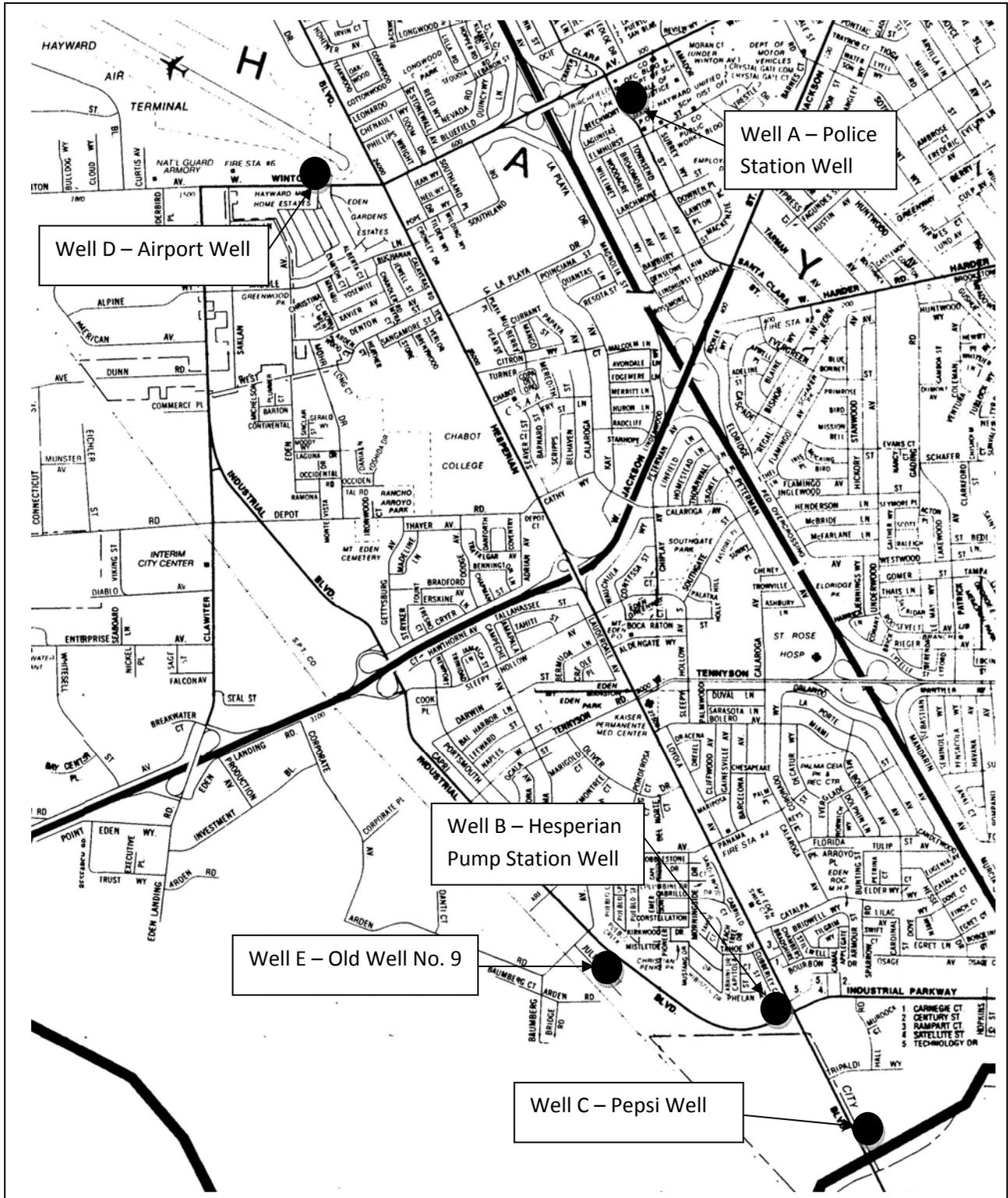
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward



**EMERGENCY WELL SCADA IMPROVEMENTS - PROJECT NO. 622-7171  
LOCATION MAP**

**DATE:** December 7, 2010

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Underground District No. 29 for Mission Boulevard from A Street to the North City Limit: Adoption of a Resolution to Establish and Introduction of Ordinance

### **RECOMMENDATION**

That Council conducts a public hearing and adopts the attached resolution to establish Underground District No. 29 for Mission Boulevard from A Street to the north City Limit, and introduces the attached ordinance relating to the establishment of Underground District No. 29.

### **BACKGROUND**

On June 30, 2010, the California Transportation Commission (CTC) approved the City's Local Alternative Transportation Improvement Program (LATIP) Advance Funding Request for an expanded Route 238 Corridor Improvement Project scope. The expanded scope includes the remaining parts of Mission Boulevard within the City limits north of A Street and south of Industrial Boulevard. The City had previously agreed to accept relinquishment of these highway segments from Caltrans sometime after completion of the Route 238 project when sufficient LATIP funding might be available to improve these highway segments.

The City of Hayward often uses the California Public Utilities Commission (CPUC) Rule 20A - Underground Utility District program allocations to leverage the work that can be done with and the benefits derived from its capital improvement projects. This rule requires that Pacific Gas & Electric Company (PG&E) annually allocate funds to each city having overhead wires. Allocation is based on a calculation that takes into account the number of existing overhead distribution facilities, and funds are only expended on underground conversion work within City-established underground districts. The authority for the City to establish underground districts comes from the Improvement Act of 1911. The other utility companies, such as Comcast and AT&T, do not have a similar allocation process, but they are required to budget for their costs associated with Rule 20A work. Each underground district also requires a commitment of capital funds to install new streetlights, poles, conduit, and conductor, as wood poles supporting the overhead utility lines also support City street lights. These new lighting systems must be installed before the wood poles can be removed.

For the past several years, the City's Rule 20A program has focused on the Mission Boulevard corridor. The City established four districts, Underground District Nos. 24 – 27, to underground overhead wiring on Mission Boulevard from a point 700 feet south of Arrowhead Way to Sycamore Avenue. Work on two of these districts is complete and work on the remaining districts has started and is scheduled for completion before the end of 2011.

The two remaining Mission Boulevard segments within the City of Hayward, north of A Street and south of Arrowhead Way, have overhead utilities within the right-of-way. On August 16, 2010, staff walked both of these segments with a PG&E representative and located the proposed district boundaries as shown on the attached exhibit (See Attachment III).

At its October 26 2010 meeting, Council adopted a Resolution of Intention to consider the establishment of Underground District No. 29 for Mission Boulevard, from A Street to the north City limit, as shown on the attached map (see Attachment III), and set a hearing date for December 7, 2010. It is now appropriate for Council to conduct the public hearing on the establishment of this district. On November 12, 2010, staff sent a notice of this public hearing to all affected property owners and utility companies.

## **DISCUSSION**

Under the Improvement Act of 1911, the City Council may establish an underground district and use the Rule 20A funds allocated each year to the City by PG&E for the cost to replace existing overhead distribution facilities with underground or at grade facilities along public streets. The City may elect to have the utility companies pay for service conversion costs on private property, although this is usually the responsibility of private property owners. For large projects, the service conversion cost is generally offset by savings realized by reduced construction time and overhead charges otherwise added to the project cost by PG&E, while waiting for property owners to complete their relatively minor piece of the work. The proposed Underground District No. 29 includes sixty-one properties, consisting of eleven residential, thirty-seven commercial, and thirteen vacant lots. Staff recommends that the utility companies perform the service conversion work outside the right-of-way to each of these properties.

The current annual Rule 20A allocation to the City is approximately \$844,000. Approximately one-half of the City's 2010 allocation and all of prior the year's allocation have been committed to established districts. A rough estimate of cost for Underground District No. 29 is \$2,200,000, with a more accurate forecast to be determined after completion of the project design. If the Rule 20A allocations continue at the current annual rate, the City's formation of this district would commit future allocations through 2016.

The Route 238 project is currently scheduled for completion by December 2012. If Caltrans relinquishes the remaining segments of Mission Boulevard and the Council approves Underground District No. 29, the undergrounding for this district could begin in spring 2013, at the earliest. This assumes that the City takes the role of lead agency for designing the composite joint trench plans for the undergrounding work, coordinating this effort with the design of the other right-of-way improvements, and administers the construction contract for all of the work. It makes sense to

combine undergrounding with the next phase of the Route 238 improvement project in order to minimize overall disruption to the public.

Based on coordination with the City's project and past experience with various utility companies, staff estimates that the conversion to an underground wiring system could be complete by June 2014, and the removal of all poles and overhead wires could be complete by December 2014. The City may accelerate or postpone these dates upon notification to affected property owners.

## **FISCAL AND ECONOMIC IMPACT**

The estimated project cost for just the undergrounding work is as follows:

Rule 20A allocation from PG&E	\$2,200,000
Streetlight replacement	<u>\$ 600,000</u>
TOTAL	\$2,800,000

AT&T and Comcast will pay for their share of the undergrounding work in the joint trench. The City will pay additional costs for converting the existing street lighting on metal distribution poles to more cost efficient LED streetlights mounted on new metal streetlight poles from the LATIP allocation for street improvements.

Additional work not included in this estimate will be required to improve curbs, gutters, sidewalks, traffic signals, medians, pavement, landscaping, and other infrastructure within the roadway segment. Staff will prepare a cost estimate and appropriate environmental review for this other work with the preliminary design effort for the next phase of the Route 238 improvements.

## **SCHEDULE**

Subject to the availability of LATIP funds, the estimated schedule for this project is as follows:

Public hearing on district boundary	December 7, 2010
Begin design	Spring 2011
Complete design	Winter 2012
Begin conversion	Spring 2013
Complete conversion to underground system	December 2014

## **PUBLIC CONTACT**

Staff has discussed the proposed district boundaries with PG&E. A notice of public hearing was published in the *Daily Review Newspaper*, mailed to property owners in the affected areas, and posted within the project's boundaries. Notices include staff point of contact for any questions.

*Prepared by:* Morad Fakhrai Deputy Director of Public Works

*Recommended by:* Robert A Bauman Director of Public Works

Approved by:



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Fran David, City Manager

Attachments:

- Attachment I: Draft Resolution
- Attachment II: Ordinance
- Attachment III: Boundary Map

HAYWARD CITY COUNCIL

RESOLUTION NO. 10-\_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION TO ESTABLISH UNDERGROUND DISTRICT NO. 29 FOR MISSION BOULEVARD FROM A STREET TO THE NORTH CITY LIMIT

WHEREAS, by Resolution No. 10-162 dated October 26, 2010, the City Council declared its intention to establish an underground wiring district for Mission Boulevard from A Street to the north City limit; and

WHEREAS, December 7, 2010, at the hour of 7:00 p.m., in the Council Chambers, City Hall, 777 B Street, Hayward, California, was fixed as the time and place for hearing protests to the proposed underground wiring district; and

WHEREAS, a copy of the resolution of intention was published, posted, and mailed as directed; and

WHEREAS, the City Council of the City of Hayward hereby finds and determines that the streets are used extensively by the general public and carry a heavy volume of pedestrian or vehicular traffic, and therefore the public peace, safety, comfort, convenience, interest, and welfare require the establishment of the underground wiring district.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby orders the establishment of an underground wiring district for certain portions of Mission Boulevard, as follows:

UNDERGROUND DISTRICT NO. 29. Mission Boulevard from A Street to the north City limit

as indicated on those certain maps entitled:

UNDERGROUNDING DISTRICT NO. 29 BOUNDARY MAP

The maps delineating the boundaries of said district are attached hereto as Attachment "III" and incorporated herein as if set forth in full.

BE IT FURTHER RESOLVED that the following exceptions in Underground Utility District No. 29 are hereby authorized:

- (a) Any municipal facilities or equipment installed under the supervision and to the satisfaction of the City Engineer.
- (b) Overhead wires (exclusive of supporting structures) crossing any portion of a District within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a District, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited.
- (c) Antennae, associated equipment and supporting structures, used by a utility for furnishing communication service.
- (d) Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts.
- (e) Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.

BE IT FURTHER RESOLVED that the underground wiring system hereby approved and the connections to be made to the system shall be completed by June 30, 2014, and the removal of all poles and overhead wires shall be completed by December 1, 2014. These dates may be postponed by the City upon notification to the affected property owners.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2010

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward

ORDINANCE NO. 10-\_\_\_\_\_

AN ORDINANCE AMENDING ARTICLE 4, CHAPTER 11 OF THE HAYWARD MUNICIPAL CODE BY ADDING SECTION 11-4, 29 THERETO RELATING TO UNDERGROUND STRICT NO. 29

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Article 4, Chapter 11 of the Hayward Municipal Code is hereby amended by adding thereto Section 11-4.29, to read in full as follows:

“SEC. 11-4.29 UNDERGROUND DISTRICT NO. 29. The following described area in the City of Hayward is hereby designated as an underground district, to-wit:

Mission Boulevard from A Street to the north City limit

The following exceptions apply to this District:

- (a) Any municipal facilities or equipment installed under the supervision and to the satisfaction of the City Engineer.
- (b) Overhead wires (exclusive of supporting structures) crossing any portion of a District within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a District, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited.
- (c) Antennae, associated equipment and supporting structures, used by utility for furnishing communication service.
- (d) Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts.
- (e) Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.

The underground system hereby approved and the connection to be made to the system shall be completed by June 1, 2014, and the removal of all poles and overhead wires shall be completed by December 1, 2014. These dates may be moved up or postponed by the City upon notification to the affected property owners.

Section 2. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective 30 days from and after the date of its adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the \_\_\_\_\_ day of \_\_\_\_\_, 2010, by Council member \_\_\_\_\_.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the \_\_\_\_\_ day of \_\_\_\_\_, 2010, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSET: COUNCIL MEMBERS:

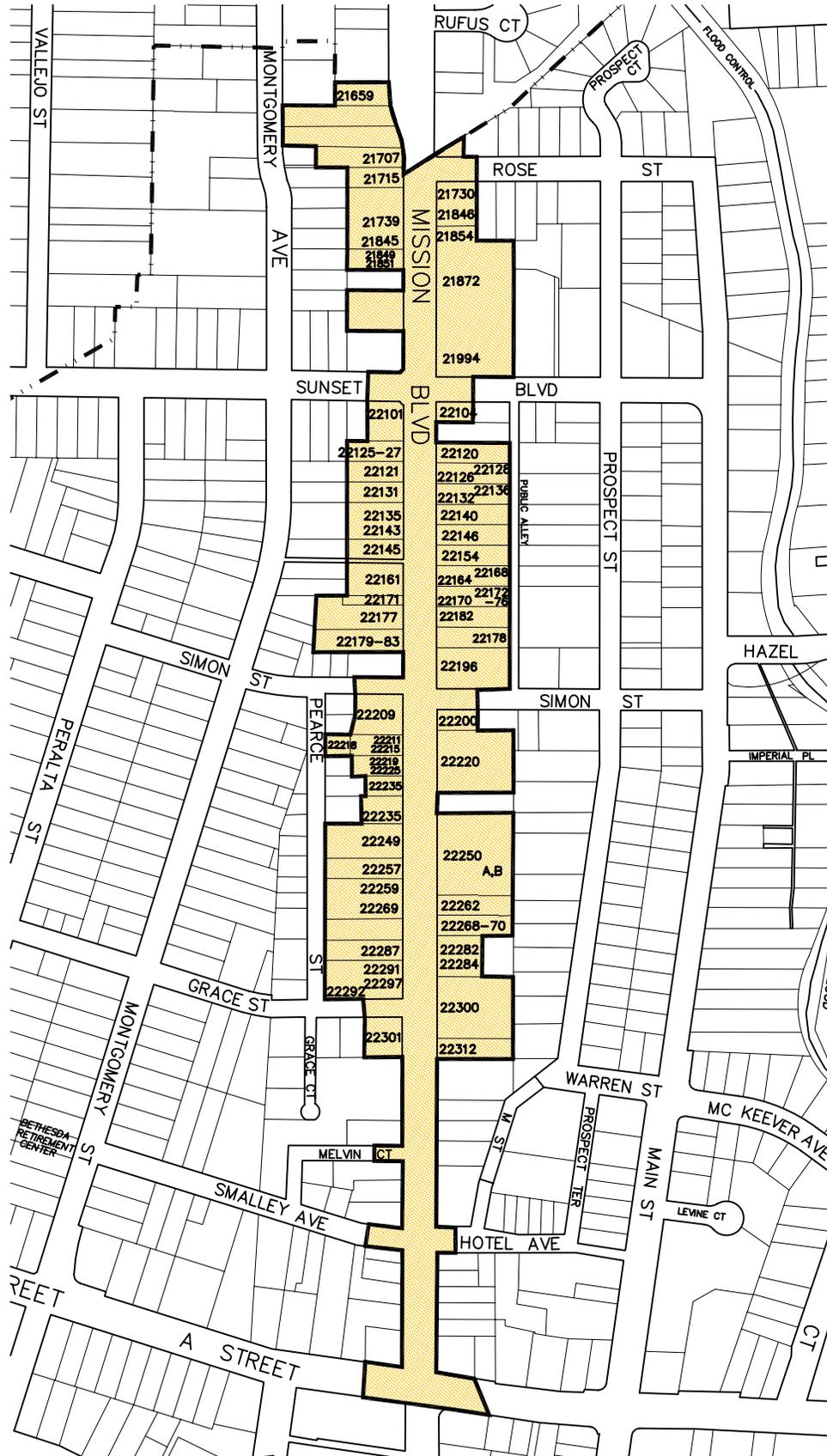
APPROVED: \_\_\_\_\_  
Mayor of the City of Hayward

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward



Vicinity Map for Underground District No. 29

**DATE:** December 7, 2010

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Underground District No. 30 for Mission Boulevard from 700 Feet South of Arrowhead Way to the South City Limit: Adoption of a Resolution and Introduction of an Ordinance to Establish; and Approval of the Underground District Priority List

### **RECOMMENDATION**

That Council conducts a public hearing, adopts the attached resolution to establish Underground District No. 30 for Mission Boulevard from 700 feet south of Arrowhead Way to the south City Limit, introduces the attached ordinance relating to the establishment of Underground District No. 30, and approves the Underground District Priority List.

### **BACKGROUND**

On June 30, 2010, the California Transportation Commission (CTC) approved the City's Local Alternative Transportation Improvement Program (LATIP) Advance Funding Request for an expanded Route 238 Corridor Improvement Project scope. The expanded scope includes the remaining parts of Mission Boulevard within the City limits north of A Street and south of Industrial. The City had previously agreed to accept relinquishment of these highway segments from Caltrans sometime after completion of the Route 238 project when sufficient LATIP funding might be available to improve these highway segments.

The City of Hayward often uses the California Public Utilities Commission (CPUC) Rule 20A - Underground Utility District program allocations to leverage the work that can be done with and the benefits derived from its capital improvement projects. This rule requires that Pacific Gas & Electric Company (PG&E) annually allocate funds to each city having overhead wires. Allocation is based on a calculation that takes into account the number of existing overhead distribution facilities and funds are only expended on underground conversion work within City-established underground districts. The authority for the City to establish underground districts comes from the Improvement Act of 1911. The other utility companies such as Comcast and AT&T do not have a similar allocation process, but they are required to budget for their costs associated with Rule 20A work. Each underground district also requires a commitment of capital funds to install new streetlights, poles, conduit, and conductor, as wood poles supporting the overhead utility lines also

support City street lights. These new lighting systems must be installed before the wood poles can be removed.

For the past several years, the City's Rule 20A program has focused on the Mission Boulevard corridor. The City established four districts, Underground District Nos. 24 – 27, to underground overhead wiring on Mission Boulevard from a point 700 feet south of Arrowhead Way to Sycamore Avenue. Work on two of these districts is complete and work on the remaining districts has started and is scheduled for completion before the end of 2011.

The two remaining Mission Boulevard segments within the City of Hayward, north of A Street and south of Arrowhead Way, have overhead utilities within the right-of-way. On August 16, 2010, staff walked both of these segments with a PG&E representative and located the proposed district boundaries as shown on the attached exhibit (See Attachment III).

At its October 26, 2010 meeting, Council adopted a Resolution of Intention to consider the establishment of Underground District No. 30 for Mission Boulevard, from 700 feet south of Arrowhead Way to the south City limit, as shown on the attached map (see Attachment III), and set a hearing date for December 7, 2010. It is now appropriate for Council to conduct the public hearing on the establishment of this district. On November 12, 2010, staff sent a notice of this public hearing to all affected property owners and utility companies.

## **DISCUSSION**

Under the Improvement Act of 1911, the City Council may establish an underground district and use the Rule 20A funds allocated each year to the City by PG&E for the cost to replace existing overhead distribution facilities with underground or at grade facilities along public streets. The City may elect to have the utility companies pay for service conversion costs on private property, although this is usually the responsibility of private property owners. For large projects, the service conversion cost is generally offset by savings realized by reduced construction time and overhead charges otherwise added to the project cost by PG&E, while waiting for property owners to complete their relatively minor piece of the work. The proposed Underground District No. 30 includes twenty-seven properties, consisting of twenty-three residential, three commercial, and one fire station uses. Staff recommends that the utility companies perform the service conversion work outside the right-of-way to each of these properties.

The current annual Rule 20A allocation to the City is approximately \$844,000. Approximately one-half of the City's 2010 allocation and all of prior year's allocation have been committed to established districts. A rough estimate of cost for Underground District No. 30 is \$3,700,000, with a more accurate forecast to be determined after completion of the project design. If the Rule 20A allocations continue at the current annual rate, the City's formation of this district would commit future allocations through 2016.

The Route 238 project is currently scheduled for completion by December 2012. If Caltrans relinquishes the remaining segments of Mission Boulevard and the Council approves Underground District No. 30, the undergrounding for this district could begin in spring 2013, at the earliest. This assumes that the City takes the role of lead agency for designing the composite joint trench plans for

the undergrounding work, coordinating this effort with the design of the other right-of-way improvements and administers the construction contract for all of the work. It makes sense to combine undergrounding with the next phase of the Route 238 improvement project, in order to minimize overall disruption to the public.

Based on coordination with the City's project and past experience with various utility companies, staff estimates that the conversion to an underground wiring system could be complete by June 2014, and the removal of all poles and overhead wires could be complete by December 2014. The City may accelerate or postpone these dates upon notification to affected property owners.

Underground District Priority List - Staff originally established a priority list for underground utility districts in the early 1990's, and the list has been followed in programming undergrounding projects (Attachment IV). However, the Council has never formally established or approved the list. As residents have sometimes questioned staff on the City's undergrounding priorities, staff is providing the list for Council review and approval. Underground District Nos. 29 and 30 are listed as the top two priorities. In order to ensure that PG&E will make funds available to design and construct these more critical projects in a timely manner, Underground District No. 28, the existing district on Watkins Street, from D Street to Jackson Avenue, has been listed as a third priority. Upon Council approval of the priority list, staff will send a letter to PG&E regarding Underground District No. 28 being put on hold. Staff prioritized the remaining candidate streets on the list with an emphasis on completing undergrounding utilities in the downtown area, followed by major arterial streets, and then the more heavily travelled collector streets.

## **FISCAL AND ECONOMIC IMPACT**

The estimated project cost for just the undergrounding work is as follows:

Rule 20A allocation from PG&E	\$3,700,000
Streetlight replacement	<u>\$1,000,000</u>
TOTAL	\$4,700,000

AT&T and Comcast will pay for their share of the undergrounding work in the joint trench. The City will pay the additional costs for converting the existing street lighting on wood distribution poles to more cost efficient LED streetlights mounted on metal street lighting poles from the LATIP allocation for street improvements.

Additional work not included in this estimate will be required to improve curbs, gutters, sidewalks, traffic signals, medians, pavement, landscaping, and other infrastructure within the roadway segment. Staff will prepare a cost estimate and appropriate environmental review for this additional improvement work with the preliminary design effort for the next phase of the Route 238 improvements.

## SCHEDULE

Subject to the availability of LATIP funds, the estimated schedule for this project is as follows:

Public hearing on district boundary	December 7, 2010
Begin design	Spring 2011
Complete design	Winter 2012
Begin conversion	Spring 2013
Complete conversion to underground system	December 2014

## PUBLIC CONTACT

Staff has discussed the proposed district boundaries with PG&E. A notice of public hearing was published in the *Daily Review Newspaper*, mailed to property owners in the affected areas, and posted within the project's boundaries. Notices include staff point of contact for any questions.

*Prepared by:* Morad Fakhrai, Deputy Director of Public Works

*Recommended by:* Robert A. Bauman, Director of Public Works

Approved by:



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Fran David, City Manager

Attachments:

- Attachment I: Resolution
- Attachment II: Ordinance
- Attachment III: Boundary Map
- Attachment IV: Citywide Priority List for Undergrounding

HAYWARD CITY COUNCIL

RESOLUTION NO. 10-\_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION TO ESTABLISH UNDERGROUND DISTRICT NO. 30 FOR MISSION BOULEVARD FROM 700 FEET SOUTH OF ARROWHEAD WAY TO THE SOUTH CITY LIMIT

WHEREAS, by Resolution No. 10-163 dated October 26, 2010, the City Council declared its intention to establish an underground wiring district for Mission Boulevard from 700 feet south of Arrowhead Way to the south City limit; and

WHEREAS, December 7, 2010, at the hour of 7:00 p.m., in the Council Chambers, City Hall, 777 B Street, Hayward, California, was fixed as the time and place for hearing protests to the proposed underground wiring district; and

WHEREAS, a copy of the resolution of intention was published, posted, and mailed as directed; and

WHEREAS, the City Council of the City of Hayward hereby finds and determines that the streets are used extensively by the general public and carry a heavy volume of pedestrian or vehicular traffic, and therefore the public peace, safety, comfort, convenience, interest, and welfare require the establishment of the underground wiring district.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby orders the establishment of an underground wiring district for certain portions of Mission Boulevard, as follows:

UNDERGROUND DISTRICT NO. 30. Mission Boulevard from 700 feet south of Arrowhead Way to the south City limit

as indicated on those certain maps entitled:

UNDERGROUNDING DISTRICT NO. 30 BOUNDARY MAP

The maps delineating the boundaries of said district are attached hereto as Attachment "III" and incorporated herein as if set forth in full.

BE IT FURTHER RESOLVED that the following exceptions in Underground

Utility District No. 30 are hereby authorized:

- (a) Any municipal facilities or equipment installed under the supervision and to the satisfaction of the City Engineer.
- (b) Overhead wires (exclusive of supporting structures) crossing any portion of a District within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a District, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited.
- (c) Antennae, associated equipment and supporting structures, used by a utility for furnishing communication service.
- (d) Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts.
- (e) Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.

BE IT FURTHER RESOLVED that the underground wiring system hereby approved and the connections to be made to the system shall be completed by June 30, 2014, and the removal of all poles and overhead wires shall be completed by December 1, 2014. These dates may be postponed by the City upon notification to the affected property owners.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2010

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward

ORDINANCE NO. 10-\_\_\_\_\_

AN ORDINANCE AMENDING ARTICLE 4, CHAPTER 11 OF THE HAYWARD MUNICIPAL CODE BY ADDING SECTION 11-4, 30 THERETO RELATING TO UNDERGROUND DISTRICT NO. 30

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Article 4, Chapter 11 of the Hayward Municipal Code is hereby amended by adding thereto Section 11-4.30, to read in full as follows:

“SEC. 11-4.30 UNDERGROUND DISTRICT NO. 30. The following described area in the City of Hayward is hereby designated as an underground district, to-wit:

Mission Boulevard from 700 feet south of Arrowhead Way to the south City limit

The following exceptions apply to this District:

- (a) Any municipal facilities or equipment installed under the supervision and to the satisfaction of the City Engineer.
- (b) Overhead wires (exclusive of supporting structures) crossing any portion of a District within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a District, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited.
- (c) Antennae, associated equipment and supporting structures, used by utility for furnishing communication service.
- (d) Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts.
- (e) Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.

The underground system hereby approved and the connection to be made to the system shall be completed by June 1, 2014, and the removal of all poles and overhead wires shall be completed by December 1, 2014. These dates may be moved up or postponed by the City upon notification to the affected property owners.

Section 2. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective 30 days from and after the date of its adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the \_\_\_\_\_ day of \_\_\_\_\_, 2010, by Council member \_\_\_\_\_.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the \_\_\_\_\_ day of \_\_\_\_\_, 2010, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSET: COUNCIL MEMBERS:

APPROVED: \_\_\_\_\_  
Mayor of the City of Hayward

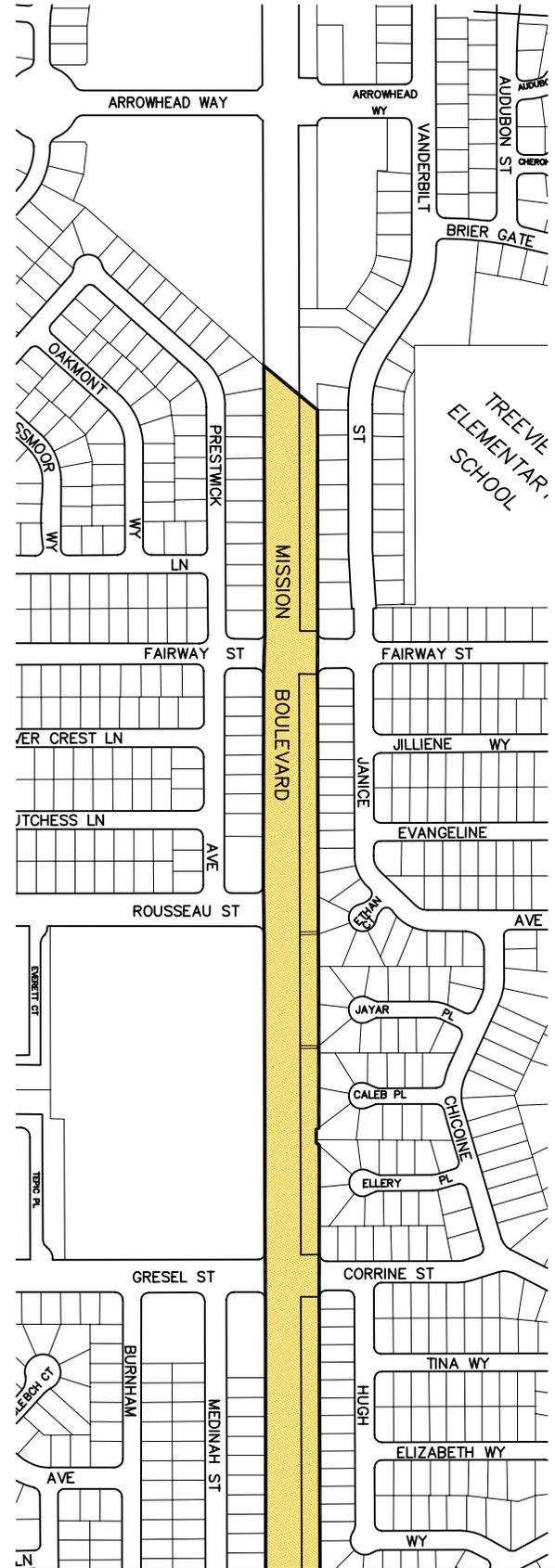
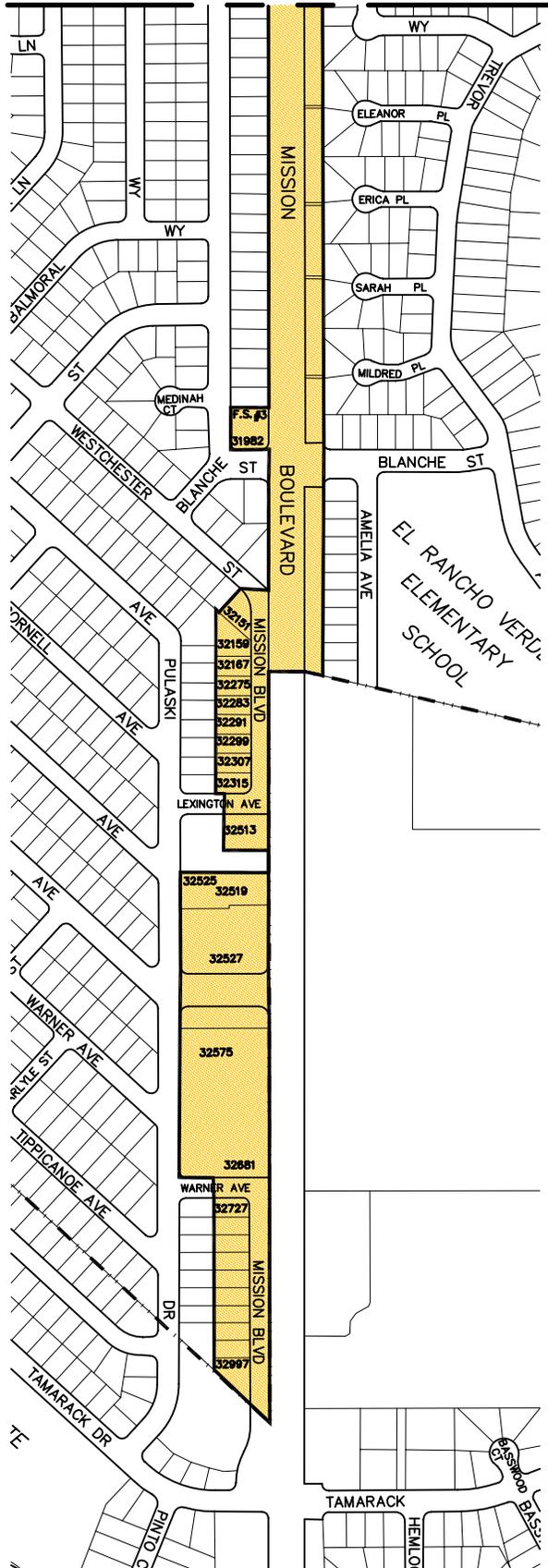
DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward

FOR CONTINUATION, SEE ABOVE



FOR CONTINUATION, SEE BELOW

CITYWIDE PRIORITY LIST FOR UNDERGROUNDING

October 26, 2010

Placement of PG&E wires, AT&T wires, and television cables in underground conduits at:

PRIORITY	STREET	SECTION
1	Mission Boulevard (UD 29)	North City Limit to A Street
2	Mission Boulevard (UD 30)	Arrowhead Way to South City Limit
3	Watkins Street (UD 28)	D Street to Jackson
4	Jackson Street	Cypress to Soto
5	Jackson Street	Santa Clara to Cypress
6	Atherton Street	D Street to Jackson
7	Willis Street	Atherton to Francisco
8	Francisco Street	D Street to Willis
9	Grand Street	B Street to D Street
10	Grand Street	Winton to D Street
11	Winton Avenue	Soto to Grand
12	B Street	Foothill to Second
13	C Street	Foothill to Second
14	First Street	C Street to D Street
15	Winton Avenue	I-880 to Amador
16	Tennyson Road	Mission to 200' East of Hesperian
17	Tennyson Road	Portsmouth to Industrial Blvd
18	Harder Road	Mission to Dollar
19	Harder Road	500' West of Dollar to Santa Clara
20	Winton Avenue	Hesperian to I-880
21	Hesperian Boulevard	North City Limit to Turner
22	Santa Clara Street	300' South of A Street to 200 South of Winton
23	Santa Clara Street	Elmhurst to Jackson
24	Huntwood	Harder to Harris
25	Huntwood	800' North of Tennyson to Tennyson
26	Huntwood	Panjon to Folsom
27	Gading Road	400' South of Harder to Roosevelt
28	Calaroga Avenue	La Playa to Skokie
29	Calaroga Avenue	Cheney to Catalpa
30	Depot Road	Industrial Blvd to Hesperian
31	Second Street	E Street to 100' West of Sylvan Glen Court (City Limit)
32	Hayward Boulevard	Campus Drive to 300' East of Farmhill
33	Whitman Street	Sycamore to Sparling
34	Whitman Street	White to Tennyson
35	Soto Road	

HAYWARD UNDERGROUND DISTRICTS PRIORITIZATION

Placement of PG&E wires, AT&T wires, and television cables in underground conduits at:  
 (Does not include unfunded cost to install City streetlights.)

PRIORITY	STREET	SECTION	FY 11/12 Rule 20	Streetlight	Total 11/12 Cost
1	Mission Boulevard	North City Limit to A Street	2,222,000	526,000	2,748,000
2	Mission Boulevard	Arrowhead Way to South City Limit	3,696,000	1,061,000	4,757,000
3	Watkins Street	D Street to Jackson	193,000	8,000	201,000
4	Jackson Street	Cypress to Soto	487,000	19,000	506,000
5	Jackson Street	I-880 to Cypress	672,000	27,000	699,000
6	Atherton Street	D Street to Jackson	132,000	5,000	137,000
7	Willis Street	Atherton to Francisco	33,000	1,000	34,000
8	Francisco Street	D Street to Willis	171,000	7,000	178,000
9	Grand Street	B Street to D Street	400,000	16,000	416,000
10	Grand Street	Winton to D Street	476,000	19,000	495,000
11	Winton Avenue	Soto to Grand	460,000	18,000	478,000
12	B Street	Foothill to Second	373,000	15,000	388,000
13	C Street	Foothill to Second	299,000	12,000	311,000
14	First Street	C Street to D Street	132,000	5,000	137,000
15	Winton Avenue	I-880 to Amador	445,000	17,000	462,000
16	Tennyson Road	Mission to 200' East of Hesperian	4,000,000	160,000	4,160,000
17	Tennyson Road	Portsmouth to Industrial Blvd	120,000	5,000	125,000
18	Harder Road	Mission to Dollar	126,000	5,000	131,000
19	Harder Road	500' West of Dollar to Santa Clara	1,584,000	63,000	1,647,000
20	Winton Avenue	Hesperian to I-880	700,000	28,000	728,000
21	Hesperian Boulevard	North City Limit to Turner	2,940,000	118,000	3,058,000
22	Santa Clara Street	300' South of A Street to 200 South of Winton	1,155,000	46,000	1,201,000
23	Santa Clara Street	Elmhurst to Jackson	841,000	34,000	875,000
24	Huntwood	Harder to Harris	2,700,000	108,000	2,808,000
25	Huntwood	800' North of Tennyson to Tennyson	240,000	10,000	250,000
26	Huntwood	Panjon to Folsom	600,000	24,000	624,000
27	Gading Road	400' South of Harder to Roosevelt	1,530,000	61,000	1,591,000
28	Calaroga Avenue	La Playa to Skokie	1,665,000	117,000	1,782,000
29	Calaroga Avenue	Cheney to Catalpa	1,590,000	64,000	1,654,000
30	Depot Road	Industrial Blvd to Hesperian	1,335,000	53,000	1,388,000
31	Second Street	E Street to 100' West of Sylvan Glen Court (City Limit)	960,000	38,000	998,000
32	Hayward Boulevard	Campus Drive to 300' East of Farmhill	2,760,000	110,000	2,870,000
33	Whitman Street	Sycamore to Sparling	2,820,000	113,000	2,933,000
34	Whitman Street	White to Tennyson	255,000	10,000	265,000
35	Soto Road		1,760,000	70,000	1,830,000
			<u>39,872,000</u>	<u>2,993,000</u>	<u>42,865,000</u>

**DATE:** December 7, 2010  
**TO:** Mayor and City Council  
**FROM:** City Clerk  
**SUBJECT:** Adoption of Ordinance Amending Chapter 10, Article 1 of the Hayward Municipal Code by Modifying a Planned Development District to Allow Additional Uses Pursuant to Zone Change Application No. PL-2010-0120

**RECOMMENDATION**

That the City Council adopts the Ordinance introduced on November 16, 2010. The Ordinance was introduced with an added condition that the hours of operation for all uses at the 1.5-acre, located at 26251 Industrial Boulevard, be limited to 6:00 am to 10:00 pm.

**BACKGROUND**

The ordinance was introduced by Council Member Zermeño at the November 16, 2010, meeting of the City Council with the following vote:

AYES:	Council Members:	Zermeño, Quirk, Halliday, Peixoto, Salinas
NOES:	Council Members:	Henson
	Mayor	Sweeney
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

The ordinance was published in the Hayward Daily Review on Saturday, December 4, 2010. Adoption at this time is therefore appropriate.

*Recommended by:* Miriam Lens, City Clerk

Approved by:



Fran David, City Manager

Attachment I: Draft Ordinance Published on December 4, 2010

**PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE  
BY THE CITY COUNCIL OF THE CITY OF HAYWARD**

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 1 OF THE HAYWARD MUNICIPAL CODE BY MODIFYING A PLANNED DEVELOPMENT DISTRICT TO ALLOW ADDITIONAL USES PURSUANT TO ZONE CHANGE APPLICATION NO. PL-2010-0120

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Modification of Uses in Planned Development District. Chapter 10, Article 1 of the Hayward Municipal Code is hereby amended to modify a Planned Development District to allow the following uses on a 1.5-acre parcel located at 26251 Industrial Boulevard adjacent to and north of Highway 92 at the southeast corner of Mt. Eden Business Park. The sale of alcoholic beverages for off-premises consumption is prohibited. Hours of operation are limited to 6:00 am to 10:00 pm for all uses.

Section 2. Effective Date. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective upon adoption.

Introduced at a meeting of the Hayward City Council held November 16, 2010, the above-entitled ordinance was introduced by Council Member Zermeño.

This ordinance will be considered for adoption at the next regular meeting of the Hayward City Council, to be held on December 7, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California.

The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

Dated: December 4, 2010  
Miriam Lens, City Clerk  
City of Hayward