



CITY OF
HAYWARD
HEART OF THE BAY

CITY COUNCIL AGENDA
SEPTEMBER 11, 2012

MAYOR MICHAEL SWEENEY
MAYOR PRO TEMPORE MARVIN PEIXOTO
COUNCIL MEMBER BARBARA HALLIDAY
COUNCIL MEMBER FRANCISCO ZERMEÑO
COUNCIL MEMBER MARK SALINAS
COUNCIL MEMBER GREG JONES
COUNCIL MEMBER AL MENDALL

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CITY COUNCIL MEETING FOR SEPTEMBER 11, 2012
777 B STREET, HAYWARD CA 94541
WWW.HAYWARD-CA.GOV

CLOSED SESSION
Closed Session Room 2B – 5:30 PM

1. **PUBLIC COMMENTS**
 2. Conference with Labor Negotiators
Pursuant to Government Code 54957.6
 - Lead Negotiators: City Manager David, City Attorney Lawson, Assistant City Manager Morariu, Human Resources Director Robustelli, and Finance Director Vesely.
 - Under Negotiation: SEIU Clerical, Local 21
 3. Adjourn to City Council Meeting
-

CITY COUNCIL MEETING

CALL TO ORDER Pledge of Allegiance Council Member Zermeño

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATIONS

Statement of Sentiment - September 11th
Business Recognition Award - Western State Design, Inc.
State of the County by Alameda County Supervisor Richard Valle

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.)*

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.)*

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.)*

BOARD, COMMISSIONS, COMMITTEE, AND TASK FORCE

1. Appointments and Reappointments to the Council’s Appointed Bodies and Swearing-In Ceremony of New Members (Report from City Clerk Lens)
[Staff Report](#)
[Attachment I Resolution](#)

WORK SESSION (60-Minute Limit)

2. Presentation of ABAG’s Draft Regional Housing Needs Allocation (RHNA) and Update on Preparation of Priority Development Area Investment and Growth Strategy (Report from Development Services Director Rizk)
[Staff Report](#)
[Attachment I List of Acronyms](#)
[Attachment II Letter to ABAG and MTC dated 2/10/2012](#)
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[Attachment VII RHNA Comparison Table](#)
3. Overview of Crime Mapping Services for City of Hayward (Presentation by Police Chief Urban)
[Staff Report](#)
[Attachment I Overview of CrimeMappingcom](#)

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.)*



CONSENT

4. Approval of Minutes of the Special Joint City Council/Redevelopment Successor Agency/Housing Authority Meeting on July 17, 2012
[Draft Minutes](#)
5. Approval of Minutes of the Special City Council Meeting on July 24, 2012
[Draft Minutes](#)
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7. Adoption of Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2013
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8. Appointment of a City Council Member to the Board of the South Hayward BART Station Access Joint Powers Authority
[Staff Report](#)
[Attachment I](#)
9. Council's Appointed Officials Handbook
[Staff Report](#)
[Attachment I Resolution](#)
[Attachment II Draft Handbook](#)

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*
-



LEGISLATIVE BUSINESS

10. Introduction of an Ordinance Amending Building Abatement Code, Chapter 9 - Article 3 of Hayward Municipal Code (Report from City Attorney Lawson and Development Services Director Rizk)

[Staff Report](#)

[Attachment I Ordinance](#)

[Attachment II Existing Code](#)

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

NEXT REGULAR MEETING, 7:00 PM, TUESDAY, SEPTEMBER 18, 2012

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 Card must be completed by each speaker and is available from the City Clerk at the meeting.*

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.

***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, 4th Floor, Hayward, during normal business hours. An online version of this agenda and staff reports are available on the City's website. Written comments submitted to the Council in connection with agenda items will be posted on the City's website. All Council Meetings are broadcast simultaneously on the website and on Cable Channel 15, KHRT. ***

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.

Please visit us on:



SEPTEMBER 11, 2012



DATE: September 11, 2012

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Appointments and Reappointments to Council’s Appointed Bodies

RECOMMENDATION

That the City Council adopts the attached resolution confirming eleven appointments and seven reappointments to the City’s Boards, Commissions, and Task Force as follows: Community Services Commission (2); Council Economic Development Committee (1); Downtown Business Improvement Area Advisory Board (3); the Keep Hayward Clean and Green Task Force (6); the Library Commission (2); the Personnel Commission (2); and the Planning Commission (2).

BACKGROUND

Recruitment was conducted from June 6 through July 18, 2012 to fill vacancies on the Community Services Commission, Council Economic Development Committee, Downtown Business Improvement Area Advisory Board, Keep Hayward Clean and Green Task Force, Library Commission, Personnel Commission, and Planning Commission. On July 24, 2012, the City Council conducted twenty interviews resulting in the following recommended appointments and reappointments.

MEMBERS	STATUS	SUCCEEDS	TERM EXPIRES
<i>Community Services Commission</i>			
Sai Manapragada	New Appointment	Jossda Yip	September 2016
Heather Enders	New Appointment	Beverly Reliford	September 2016
<i>Council Economic Development Committee</i>			
Alan Parso	New Appointment	Teresa (Terri) Swartz	September 2014
<i>Downtown Business Improvements Area Advisory Board</i>			
Benjamin Schweng	Reappointment		September 2016
Alfredo Rodriguez Jr.	New Appointment	Ellie Goldstein	September 2016
May Shay	New Appointment	Nicole Reams	September 2016

MEMBERS	STATUS	SUCCEEDS	TERM EXPIRES
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Keep Hayward Clean and Green Task Force

Florine Banks	Reappointment		September 2016
Blytha Bowers	Reappointment		September 2016
Suzanne Gayle	Reappointment		September 2016
Muhammad Irfan	New Appointment	Jennifer Ong	September 2016
Radonna Foley-Scott	New Appointment	Heather Enders	September 2016
Dana E. Caines	New Appointment	Vishal Trivedi	September 2015

Library

Monica Schultz	Reappointment		September 2016
Peter Bufete	New Appointment	Isabel Sanchez	September 2013

Personnel Commission

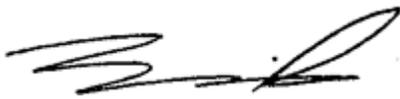
Crystal Porter	Reappointment		September 2016
Marie DeLeon	New Appointment	Gurjit Kaur	September 2015

Planning Commission

Elisa Márquez	Reappointment		September 2016
Vishal Trivedi	New Appointment	Al Mendall	September 2014

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:



Fran David, City Manager

Attachments:

Attachment I Resolution Establishing Appointments and Reappointments

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-

Introduced by Council Member _____

RESOLUTION CONFIRMING THE APPOINTMENT AND
REAPPOINTMENT OF MEMBERS OF VARIOUS BOARDS,
COMMISSIONS, COMMITTEES AND TASK FORCES

BE IT RESOLVED that the City Council of the City of Hayward does hereby confirm the appointment and re-appointment of the following as members of the boards, commissions, committees and task forces so designated:

APPOINTMENTS

Community Services Commission

Sai Manapragada	(succeeds Jossda Yip)	September 30, 2016
Heather Enders	(succeeds Beverly Reliford)	September 30, 2016

Council Economic Development Committee

Alan Parso	(succeeds Teresa Swartz)	September 30, 2014
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Downtown Business Improvement Area Advisory Board

Alfredo Rodriguez Jr.	(succeeds Ellie Goldstein)	September 30, 2016
May Shay	(succeeds Nicole Reams)	September 30, 2016

Keep Hayward Clean and Green Task Force

Muhammad Irfan	(succeeds Jennifer Ong)	September 30, 2016
Radonna Foley-Scott	(succeeds Heather Enders)	September 30, 2016
Dana E. Caines	(succeeds Vishal Trivedi)	September 30, 2015

Library Commission

Peter Bufete	(succeeds Isabel Sanchez)	September 30, 2013
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Personnel Commission

Marie DeLeon	(succeeds Gurjit Kaur)	September 30, 2015
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Planning Commission

Vishal Trivedi (succeeds Al Mendall) September 30, 2014

REAPPOINTMENTS

Downtown Business Improvement Area Advisory Board

Benjamin Schweng September 30, 2016

Keep Hayward Clean and Green Task Force

Florine Banks September 30, 2016

Blytha Bowers September 30, 2016

Suzanne Gayle September 30, 2016

Library Commission

Monica Schultz September 30, 2016

Personnel Commission

Crystal Porter September 30, 2016

Planning Commission

Elisa Márquez September 30, 2016

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012.

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

DATE: September 11, 2012

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Presentation of ABAG's Draft Regional Housing Needs Allocation (RHNA) and Update on Preparation of Priority Development Area Investment and Growth Strategy

RECOMMENDATION

That Council reads and comments on this informational report, provides comments regarding the draft Regional Housing Need Allocation (RHNA) prepared by the Association of Bay Area Governments (ABAG), and provides comments regarding the Priority Development Area Investment and Growth Strategy to be prepared by the Alameda County Transportation Commission (ACTC).

SUMMARY

This report presents the draft RHNA that has been adopted by ABAG and provides an overview of the interrelated processes of the regional Sustainable Communities Strategy (SCS), the housing allocations for individual jurisdictions, the requirements of the grant program intended to implement the SCS, and the Hayward General Plan. Senate Bill 375 (SB 375) requires the preparation of the SCS, which is the Bay Area's first comprehensive effort to simultaneously plan for housing and transportation at a regional scale. The goal of SB 375 is to focus new housing and transportation investments in such a way to reduce per capita greenhouse gas emissions associated with passenger vehicles and light trucks. ABAG is accepting comments on the draft RHNA through September 18, 2012. The SCS is scheduled to be adopted by ABAG in March 2013 and the final RHNA is scheduled to be adopted in April 2013. A list of acronyms used in this report is provided as Attachment I.

BACKGROUND

The Bay Area's housing needs are determined by the California Department of Housing and Community Development (HCD). ABAG is responsible for distributing housing needs to each city and county in the nine-county Bay Area. Each city and county is required to demonstrate the ability to accommodate its RHNA in their housing element, which is a required element of a general plan. Housing allocations are determined, in part, by the housing projected in the draft Sustainable Communities Strategy (SCS).

The regional SCS, which is required by SB 375, will identify where projected population and job growth through 2040 will occur, and requires coordination of regional housing and transportation planning efforts. SB 375 gives joint responsibility for development of the SCS in the Bay Area to the Metropolitan Transportation Commission (MTC) and ABAG, who have formed a partnership called “One Bay Area” (www.onebayarea.org) to spearhead the process. The Countywide response to the SCS is being led by ACTC and Hayward staff has been actively involved in this process.

Several drafts of the SCS have been released by ABAG and MTC and staff has presented these to the Council and Planning Commission. Staff provided an overview of SB 375 and the development of the SCS to Council on January 18, 2011¹ and to the Planning Commission on January 27, 2011². The Initial Vision Scenario, the first draft of the SCS, was presented to Council and the Planning Commission during a joint work session on April 19, 2011³. On May 17, 2011, Council adopted a resolution summarizing the comments made by the Commission and Council, which was forwarded to ABAG and MTC on May 20, 2011.

On January 24, 2012⁴, during a joint work session with the Council and Planning Commission, staff presented the Alternative Scenarios for the SCS, which included three scenarios released by ABAG and MTC and a fourth Locally Preferred scenario prepared by ACTC in collaboration with Alameda County and its 14 cities. On February 7, 2012, Council adopted a resolution containing comments made during the January 24 meeting, which emphasized the need for adequate funding to support projected growth, and on February 10, 2012, staff forwarded the resolution to ABAG and MTC (see Attachment II).

The *Jobs-Housing Connection Scenario*, released by ABAG in May 2012, is the most recent draft of the SCS. It projects growth of 2.1 million people and 1.1 million jobs for the Bay Area over the next 30 years. Alameda County is projected to accommodate 23 percent of the new households and jobs. The *Jobs-Housing Connection Scenario* focuses much of the region’s growth near transit stations and corridors. Throughout the Bay Area, Priority Development Areas (PDAs) are anticipated to accommodate approximately 70% of the household growth. In Hayward, 79 percent of new housing units are projected to be built in PDAs. Table 1 below shows the housing growth projected for Hayward during this thirty-year period by PDA. A map of Hayward’s PDAs accompanies this report as Attachment III. Housing and job projections for all Bay Area cities are included as Attachment IV.

¹ See Item # 1 at <http://www.hayward-ca.gov/CITY-GOVERNMENT/CITY-COUNCIL-MEETINGS/2011/CCA11PDF/cca011811full.pdf>

² See Item #1 at <http://www.hayward-ca.gov/CITY-GOVERNMENT/BOARDS-COMMISSIONS-COMMITTEES/PLANNING-COMMISSION/2011/PCA11PDF/pca012711full.pdf>

³ See Item #1 at <http://www.hayward-ca.gov/CITY-GOVERNMENT/CITY-COUNCIL-MEETINGS/2011/CCA11PDF/cca041911full.pdf>

⁴ See Item #2 at <http://www.hayward-ca.gov/CITY-GOVERNMENT/CITY-COUNCIL-MEETINGS/2012/CCA12PDF/cca012412full.pdf>

Table 1 – Housing Growth Projected by ABAG

Area (Place Type assigned by ABAG)	Housing Units			Households		
	2010	2040	Growth	2010	2040	Growth
Downtown (City Center)	2,290	5,510	3,220	2,100	5,370	3,280
South Hayward BART (Mixed-Use Corridor)	180	1,360	1,170	170	1,330	1,160
South Hayward BART (Urban Neighborhood)	1,800	4,490	2,700	1,660	4,400	2,740
The Cannery (Transit Neighborhood)	340	1,090	750	330	1,070	740
Mission Corridor (Mixed-Use Corridor)	1,480	3,320	1,840	1,230	3,210	1,980
PDA Total	6,090	15,770	9,680	5,490	15,380	9,900
Non-PDA Growth	42,210	44,810	2,610	39,880	43,440	3,560
Hayward Total	48,300	60,580	12,290	45,370	58,820	13,460
Percent in PDAs	12.6%	26.0%	78.8%	12.1%	26.1%	73.6%

Hayward’s current Housing Element was adopted by the City Council in June 2010. It addresses the RHNA for 2007 through 2014. State law had required local jurisdictions to update housing elements every five years; however, with the passage of SB 375, the required interval for updating the housing element changes to every eight years. SB 375 also requires that an updated eight-year Regional Housing Need Allocation (RHNA) prepared by ABAG be consistent with the SCS. ABAG administers the state-required RHNA, which must follow the development pattern specified in the SCS. ABAG will adopt the next RHNA at the same time that the Regional Transportation Plan (RTP) is adopted. As noted above, SB 375 requires coordination of housing and transportation planning. The RTP is adopted every four years by MTC and guides the region’s transportation development for a 25-year period. In order for MTC to receive and distribute federal funds, it must maintain a current RTP.

SB 375 also states that local governments are required to adopt their revised housing element no later than 18 months after the adoption of the RTP. The RTP and the SCS are scheduled to be adopted in March 2013. Therefore, Hayward’s Housing Element must be revised by October 2014. This will be accomplished with the comprehensive General Plan update, which is scheduled to be completed by June 2014.

DISCUSSION

Regional Housing Needs Allocation – The current draft RHNA was adopted by the ABAG Executive Board on July 19, 2012. Each jurisdiction’s RHNA is broken into four affordability categories: Very Low (affordable to households with incomes below 50 percent of area median income), Low (<80 percent of area median income), Moderate (<120 percent of area median income), and Above Moderate (≥120 percent of area median income). An important fact to note is that each city and county is not required to actually have built the housing units allocated, but must demonstrate that sufficiently zoned land is available to accommodate the housing allocated. Table 2

below shows Hayward’s current and previous allocations by affordability level, which indicates that proportionately, Hayward’s RNHA has decreased for very low and low income units over time.

Table 2 – Hayward’s RHNA (current and previous cycles)

Allocation Period	Very Low	% of Total	Low	% of Total	Mod-erate	% of Total	Above Mod-erate	% of Total	TOTALS
2014-2022	862	21.4%	490	12.2%	625	15.5%	2,044	50.8%	4,021
2007-2014	768	22.6%	483	14.2%	569	16.8%	1,573	46.4%	3,393
1999-2006	625	22.0%	344	12.1%	834	29.4%	1,032	36.4%	2,835

Each city’s allocation is based on the following factors:

- **Sustainability** – to meet the goals of SB 375, housing allocations are based on those included in the Jobs-Housing Connection (a draft of the Sustainable Communities Strategy). To reduce the region’s energy use, 70 percent of new housing will be allocated to PDAs.
- **Fair Share** – Cities that had strong transit networks, high employment rates, and performed poorly on the 1999-2006 RHNA cycle for very-low and low income units received higher allocations.
- **Income Allocation** – Jurisdictions that already supply a large amount of affordable housing receive lower affordable housing allocations. The affordability of existing housing is determined by a jurisdiction’s number of households in a particular income category.

More information about the RHNA methodology is included in Attachment V.

Past RHNA Performance – For the planning cycle covering 1999 through 2006, Hayward produced relatively few housing units in the very low and low affordability categories, but overall housing production exceeded the RHNA (see Table 3 below). In order for housing to be counted in the Very Low and Low categories, there must be restrictions controlling sales prices or rents recorded against the deed. The following table includes data from an ABAG publication titled “A Place to Call Home” (available at http://www.abag.ca.gov/planning/housingneeds/pdf/resources/A_Place_to_Call_Home_2007.pdf). Attachment VI to this report is an excerpt from this document showing production for all of Alameda County.

Staff recently found that some of Hayward’s housing produced in 2006 is not included in ABAG’s data. Specifically, Walker Landing, an affordable housing project located at Saklan Road and North Lane, created 77 units in the Very Low category. As indicated below, Hayward actually produced 19 percent, not 6 percent, of its Very Low RHNA in the 1999 – 2006 cycle. Staff is currently in discussions with ABAG to resolve this error and get clarification on how this correction may impact Hayward’s RHNA. As noted above, performance on the 1999-2006 RHNA cycle in part determines the current draft RHNA, so Hayward’s current allocation may be decreased.

Table 3 – RHNA Performance for 1999 – 2006

	1999 - 2006				
Income Level	RHNA Allocation by Income Level	According to ABAG		Per City Records	
		Permits Issued	Percent of Allocation Permitted	Permits Issued	Percent of Allocation Permitted
Very Low	625	40	6%	117	18.7%
Low	344	17	5%	24	7.0%
Moderate	834	818	98%	833	99.9%
Above Moderate	1,032	1,727	167%	1,876	181.8%
Total RHNA	2,835	2,602	92%	2,850	100.5%

For the current (2007 – 2014) cycle to date, and reflective of the stagnant but improving market, Hayward has produced very little housing in the moderate, low, and very low categories. The South Hayward BART Transit-Oriented Development project, anticipated to break ground in 2013, will contribute 151 very low units and 206 above moderate units to the current cycle.

Table 4 – RHNA Performance for Current Cycle

Income Level	RHNA by Income Level	Permits Issued								Total Units to Date	Remaining RHNA	Percent of Allocation Permitted
		2007	2008	2009	2010	2011	2012	2013	2014			
Very Low	768	59								59	709	8%
Low	483										483	0%
Moderate	569	17		11	16	3				47	522	8%
Above Moderate	1,573	213	292	277	236	266				1,284	289	82%
Total RHNA	3,393	289	292	288	252	269				1,390	2,003	41%

Hayward's Draft RHNA – Hayward's draft housing allocations for 2014 - 2022 and a comparison of allocations with other area cities is included as Attachment VII. Overall, Hayward's RHNA went up by 18.5 percent compared with the last cycle. While cities such as San Leandro and Fremont experienced larger percentage increases, the other cities in the comparison have total allocations that have remained flat or were significantly reduced. However, when considering the Very Low and

Low RHNA as a percentage of the total RHNA, Hayward has the lowest percentage after Oakland. As noted above, Hayward's draft RHNA may be reduced when the correct production from the previous cycle is considered.

One factor that led to an increase in Hayward's RHNA is its relatively high unemployment rate. In 2011, Hayward had the second highest unemployment rate in Alameda County. The County average was 10.4 percent, Oakland was 15.6 percent and Hayward was 11.5 percent.

When comparing total RHNA with the City's population, number of existing housing units, and as a percentage of the housing projected by the SCS, Hayward's numbers are generally similar to those of the other cities compared. While Hayward has expressed concerns about the cost of accommodating new residents, the City has not argued for lower housing numbers in the earlier drafts of the SCS. The draft RHNA applies to 2014 through 2022, which covers nine years of the 30-year period covered by the SCS. Therefore, it is reasonable that the RHNA is approximately 33 percent of Hayward's housing projected in the current draft of the SCS.

ABAG is accepting requests for revisions to the draft RHNA through September 18, 2012. Pending current discussions with ABAG staff, City staff may submit a formal request to reduce Hayward's RHNA to reflect the actual number of affordable housing units produced during the 1999 – 2006 cycle. In order to meet the housing numbers provided by HCD, any reduction in Hayward's RHNA would require an increase for another jurisdiction. Once a revision is requested, ABAG would respond by November 15, followed by a two-month appeal period. Appeals would be considered during public hearings in February 2013.

One Bay Area Grant and the PDA Investment and Growth Strategy – The One Bay Area Grant (OBAG) program⁵ was adopted by MTC on May 17, 2012. The OBAG will reward jurisdictions that accept housing allocations and produce housing with additional transportation dollars. OBAG will provide \$63 million to Alameda County during FY 2013 through FY 2016, at least 70 percent of which must be directed to PDAs. As adopted by MTC, OBAG will require the following:

- PDA Investment and Growth Strategy - By May 1, 2013, CMAs (ACTC is the CMA for Alameda County) shall prepare and adopt a PDA Investment and Growth Strategy to guide transportation and housing investments that are supportive of PDA infill development. During the preparation of the Strategy, CMAs will need to consider strategies for the production of affordable housing. CMAs will have to analyze housing production progress and complete an inventory of existing and planned housing units by income category in PDAs and affordable housing policies currently enacted for those respective jurisdictions.
- By May 2014, CMAs will work with PDA-based jurisdictions to identify which, if any, policies/ ordinances are recommended to promote and preserve affordable housing in PDAs. Based on this information and recommendations in the PDA Growth Strategy, MTC will link the release of future cycle funding (after FY 2015–16) to the implementation of affordable housing policies around which local officials reach consensus.

⁵ Full details at <http://www.mtc.ca.gov/funding/onebayarea/>

- Aside from meeting MTC’s complete streets policy, local jurisdictions will need to adopt a complete streets resolution by January 31, 2013. Alameda CTC is preparing a draft resolution for local jurisdictions to use, which should be available by the end of September and will be presented to City Council for adoption sometime in the fall.
- Finally, jurisdictions will be required to have general plans with approved housing elements and that comply with the Complete Streets Act of 2008 by October 31, 2014 to be eligible for the OBAG cycle subsequent to FY 2015-16. Staff intends to meet that deadline.

It should be noted that the \$63 million allocated to Alameda County for the first four-year OBAG cycle is based upon population, housing allocations and housing production of the Alameda County jurisdictions (see Table 5). The first funding cycle covers fiscal years 2012-2013 through 2015-2016. Staff expects that jobs will become a factor in the distribution of OBAG funds in subsequent cycles.

Table 5 – OBAG Fund Distribution Factors

Factor Weighting	Percentage
Population	50%
RHNA* (total housing units)	12.5%
RHNA (low/very low income housing units)	12.5%
Housing Production** (total housing units)	12.5%
Housing Production (low/very low income housing units)	12.5%

* RHNA 2014-2022

**Housing Production Report 1999-2006

The Alameda County Transportation Commission (Alameda CTC) is the Congestion Management Agency (CMA) for Alameda County and is responsible for distributing the \$63 million mentioned above. Therefore, Alameda CTC is responsible for preparation of the PDA Investment and Growth Strategy. Alameda CTC representatives have been meeting with the Alameda County Planning Directors regularly since early 2011 to discuss the development of the SCS. In July, ACTC presented a work plan for preparing the PDA Investment and Growth Strategy. ACTC is currently surveying the local jurisdictions to assess whether a PDA is “ready” for investment and therefore eligible for OBAG funding. The results of the survey will be used during the months of October through December to prepare a draft PDA Strategic Plan, which will be a component of the PDA Investment and Growth Strategy. The Strategy may require cities to adopt specific housing policies such as requirements for “just cause” evictions and condominium conversions. If the City does not adopt mandatory policies, this could jeopardize the receipt of funds which we have traditionally used for local streets and roads rehabilitation. In early 2013, a PDA Investment and Growth Strategy will be drafted for presentation to the ACTC in March. The Strategy will be adopted by ACTC in April and presented to MTC in May 2013. Staff will keep Council informed throughout the process and will present a draft of the Strategy in early 2013.

ECONOMIC IMPACT

If growth projections and housing allocations are realized through new development as approved by the City, such growth will have a significant beneficial impact on Hayward's economy. As the ultimate land use authority for Hayward, the City Council would determine what type and amount of growth is appropriate for the City. Additionally, directing the majority of growth to Hayward's PDAs will encourage compact growth where job centers and housing could potentially be located in close proximity to each other. This will help reduce vehicle miles travelled and result in lesser GHG emissions than would be realized without such compact growth, thereby helping the Bay region meet its SB375 mandate to reduce per capita GHG emissions from vehicles and light trucks.

FISCAL IMPACT

As noted in previous reports, if the jobs and housing growth anticipated for Hayward are actually realized, there would be a significant negative impact to the City's General Fund. While the increase in jobs and people to support local businesses would be good for the local economy, the residential growth would result in significant costs to the City – primarily in terms of providing public safety services. This point was clearly made in the resolutions forwarded to ABAG and MTC on May 20, 2011 (attached to the Council report of January 24, 2012) and February 10, 2012 (see Attachment II). Even if additional resources are provided by regional and state agencies to accommodate new growth, the City may need to consider strategies for funding, including the establishment of additional community facilities districts to fund the necessary public services for new households. This is especially true given the State's elimination of the City's Redevelopment Agency, which would have used tax increment revenue to assist with future development. Also, with the elimination of the Redevelopment Agency, the City no longer has funds from tax increment revenues available for the development of affordable housing. If OBAG funds continue to be dependent upon the production of affordable housing, it will be important for the City to find alternative methods of supporting the development of such housing.

PUBLIC CONTACT

ABAG adopted the draft RHNA during a public meeting on July 19, 2012. Any appeals to ABAG regarding draft allocations are required to be filed by January 11, 2013, and will be considered during a public hearing in February 2013. Hayward's RHNA will be considered during the preparation of a revised Housing Element and comprehensive General Plan update, which are scheduled to be completed by June 2014. The updated Housing Element and General Plan will involve many community meetings and significant staff effort to reach out to and engage the public.

As noted above, MTC adopted the OBAG program during a public meeting on May 17, 2012. More information about MTC and ABAG meetings is available on the Plan Bay Area website at http://www.planbayarea.org/plan_bay_area/meetings.htm.

NEXT STEPS

The SCS and RTP will be adopted in early 2013. ABAG will adopt the Final RHNA in the spring of 2013. The City of Hayward will address the adopted RHNA in the next Housing Element update, which will be included in the comprehensive General Plan update to be

completed by June 2014. Following are the major steps that will lead to the adoption of the PDA Investment and Growth Strategy, SCS and, ultimately, revision of Hayward's General Plan Housing Element.

- September 18, 2012 Deadline to submit request for revisions to Draft RHNA
- November 15, 2012 Deadline for ABAG to respond to requests for revisions
- November 2012 ABAG/MTC to release Draft SCS/RTP and Environmental Impact Report (EIR)
- January 11, 2013 Deadline to file a formal appeal to ABAG of Draft RHNA
- January 31, 2013 Deadline for Hayward to adopt a Complete Streets Resolution
- March 2013 ABAG/MTC will adopt the SCS/RTP and certify the EIR
- April 2013 ACTC will adopt the PDA Investment and Growth Strategy
- April 2013 ABAG will issue the Final RHNA
- May 31, 2013 Deadline for ACTC to present PDA Investment and Growth Strategy to MTC
- June, 2014 New Hayward General Plan to be adopted
- October 2014 Deadline for Hayward to adopt Revised Housing Element

Prepared by: Erik J. Pearson, AICP, Senior Planner

Recommended by: David Rizk, AICP, Development Services Director

Approved by:



David Rizk, Acting City Manager

Attachments:

- Attachment I List of Acronyms
- Attachment II Letter to ABAG and MTC dated February 10, 2012
- Attachment III Map of the Hayward PDAs
- Attachment IV Growth Projections from the Jobs-Housing Connection Scenario
- Attachment V RHNA Methodology
- Attachment VI RHNA Performance for 1999 – 2006
- Attachment VII RHNA Comparison Table

List of Acronyms

ABAG	Association of Bay Area Governments
ACTC	Alameda County Transportation Commission
CMA	Congestion Management Agency
GHG	Greenhouse Gas
EIR	Environmental Impact Report
HCD	California Department of Housing and Community Development
RHNA	Regional Housing Need Allocation
MTC	Metropolitan Transportation Commission
OBAG	One Bay Area Grant
PDA	Priority Development Area
RTP	Regional Transportation Plan
SCS	Sustainable Communities Strategy



February 10, 2012

Ezra Rapport
Executive Director
Association of Bay Area Governments

Steve Heminger
Executive Director
Metropolitan Transportation Commission

P.O. Box 2050
Oakland, CA 94604-2050

Re: Alternative Scenarios for Sustainable Communities Strategy

Dear Mr. Rapport and Mr. Heminger:

Thank you for the opportunity to comment on the Alternative Scenarios, which were prepared as part of the development of the Sustainable Communities Strategy. Hayward staff presented the Alternative Scenarios to the Hayward City Council and Planning Commission during a joint work session on January 24, 2012. Subsequently, the Council adopted the attached Resolution, which summarizes the comments made by both the Council and Commission.

As stated in our letter of May 20, 2011 commenting on the Initial Vision Scenario, the most important issue is funding to support the growth that is anticipated. In lieu of the Alternative Scenarios prepared by ABAG and MTC, we hope to see the Locally Preferred Scenario developed by the Alameda County Planning Directors and the Alameda County Transportation Commission incorporated into the Preferred Scenario.

Following are some of the key points included in the attached resolution.

- The State's elimination of redevelopment agencies will make it difficult, if not impossible, to accommodate the growth envisioned in the Sustainable Communities Strategy. This fiscal constraint created by the elimination of redevelopment agencies must be addressed in the Preferred Scenario. The City of Hayward encourages your agencies to work with the State in developing a solution that addresses the loss of funding associated with elimination of redevelopment agencies.

DEVELOPMENT SERVICES DEPARTMENT

777 B STREET, HAYWARD, CA 94541-5007

TEL: 510/583-4234 • FAX: 510/583-3649 • TDD: 510/247-3340 • WEBSITE: www.hayward-ca.gov

- The number of jobs projected for Hayward is unrealistic in all four scenarios.
- The City of Hayward would be in a position to agree to the projected housing growth only if ABAG and MTC can ensure that such growth will result in complete communities and only if the growth is accompanied by assistance to provide required public services and jobs in the community.

We look forward to continuing to work with ABAG and MTC throughout the process of developing the Sustainable Communities Strategy. If you have any questions, please contact me at (510) 583-4004 or by e-mail at david.rizk@hayward-ca.gov . Thank you.

Sincerely,



David Rizk, AICP
Development Services Director

Attachment – Hayward City Council Resolution No. 12-014

cc: Ken Kirkey, Planning Director, ABAG
Doug Kimsey, Planning Director, MTC
Beth Walukas, Deputy Director of Planning, Alameda Co. Transportation Commission

Fran David, City Manager
Morad Fakhrai, Director of Public Works – Engineering and Transportation
Don Frascinella, Transportation Manager
Richard Patenaude, Planning Manager
Erik Pearson, Senior Planner

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-014

Introduced by Council Member Peixoto

**RESOLUTION FORMALIZING THE CITY OF HAYWARD'S
COMMENTS ON THE ALTERNATIVE SCENARIOS FOR THE
REGIONAL SUSTAINABLE COMMUNITIES STRATEGY
(SCS)**

WHEREAS, Senate Bill 375 requires the preparation of a regional Sustainable Communities Strategy (SCS) that coordinates transportation and housing planning; and

WHEREAS, the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) are preparing the SCS with input from local jurisdictions throughout the Bay Area; and

WHEREAS, ABAG and MTC released the first draft of the SCS, known as the Initial Vision Scenario (IVS), on March 11, 2011; and

WHEREAS, the City of Hayward provided comments on the IVS to ABAG and MTC in a letter and resolution on May 20, 2011; and

WHEREAS, ABAG and MTC released the three Constrained Alternative Scenarios in September 2011, the results of the Performance Targets analysis in December 2011, and the Unconstrained Core Concentration Scenario on January 5, 2012; and

WHEREAS, the constrained Alternative Scenarios project 15,477 new households for Hayward between 2010 and 2040 and the Unconstrained Core Concentration Scenario projects 19,587 households for the same time period; and

WHEREAS, the constrained Alternative Scenarios project between 16,050 and 17,435 new jobs for Hayward between 2010 and 2040 and the Unconstrained Core Concentration Scenario projects 21,466 jobs for the same time period; and

WHEREAS, the Locally Preferred Scenario, prepared in partnership with the Alameda County Transportation Commission and Alameda County Planning Directors, projects 11,984 new housing units and 15,385 new jobs for Hayward between 2010 and 2035; and

WHEREAS, the Locally Preferred Scenario allocates housing and jobs throughout Hayward in a more realistic pattern; and

WHEREAS, City of Hayward staff estimates that the fiscal impact of the projected households and jobs through 2040 under the various scenarios would result in a significant negative impact to the City's General Fund; and

WHEREAS, the City of Hayward supports regional planning efforts to meet the requirements of SB 375 provided that funding and infrastructure exist to support the anticipated growth in jobs, housing, and the resulting increase in need for services; and

WHEREAS, on January 24, 2012, the City Council and the Planning Commission held a joint meeting to consider the Alternative Scenarios and expressed numerous concerns related to Alternative Scenarios, primarily focused on the lack of available funding from the State and regional agencies to help implement projected housing and job growth.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Hayward hereby finds the following:

Redevelopment

- The State's elimination of redevelopment agencies will make it difficult, if not impossible, to accommodate growth envisioned in the Sustainable Communities Strategy.
- This fiscal constraint created by the elimination of redevelopment agencies must be addressed in any Preferred Scenario that is ultimately adopted.
- ABAG and MTC must take a leadership role and must be more active in communicating to the State of California that SB 375 cannot be implemented without adequate resources.

Funding

- One Bay Area Grant funds should not be dependent on local housing production.
- Additional funding is needed for public services, including safety, parks and schools.
- Hayward is not in a position to accept the projected housing growth without financial assistance.

Jobs

- The number of jobs projected for Hayward is unrealistic in all four scenarios.
- Overly optimistic job projections will result in traffic projections that are also unrealistic and may lead to requirements for unnecessary mitigation measures for transportation infrastructure.

Housing

- The City of Hayward would be in a position to agree to the projected housing growth only if ABAG and MTC can ensure that such growth will result in complete communities (including an appropriate mix of housing, retail, services, and high-paying professional jobs).
- The projected housing growth is acceptable only if it is accompanied by assistance to provide required public services and jobs in the community to support the added residential population.

BE IT FURTHER RESOLVED, that the City of Hayward strongly urges ABAG and MTC to take the above concerns into consideration when preparing the Preferred Scenario.

IN COUNCIL, HAYWARD, CALIFORNIA February 7, 2012

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Zermefio, Quirk, Halliday, Peixoto, Salinas, Henson
MAYOR: Sweeney

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

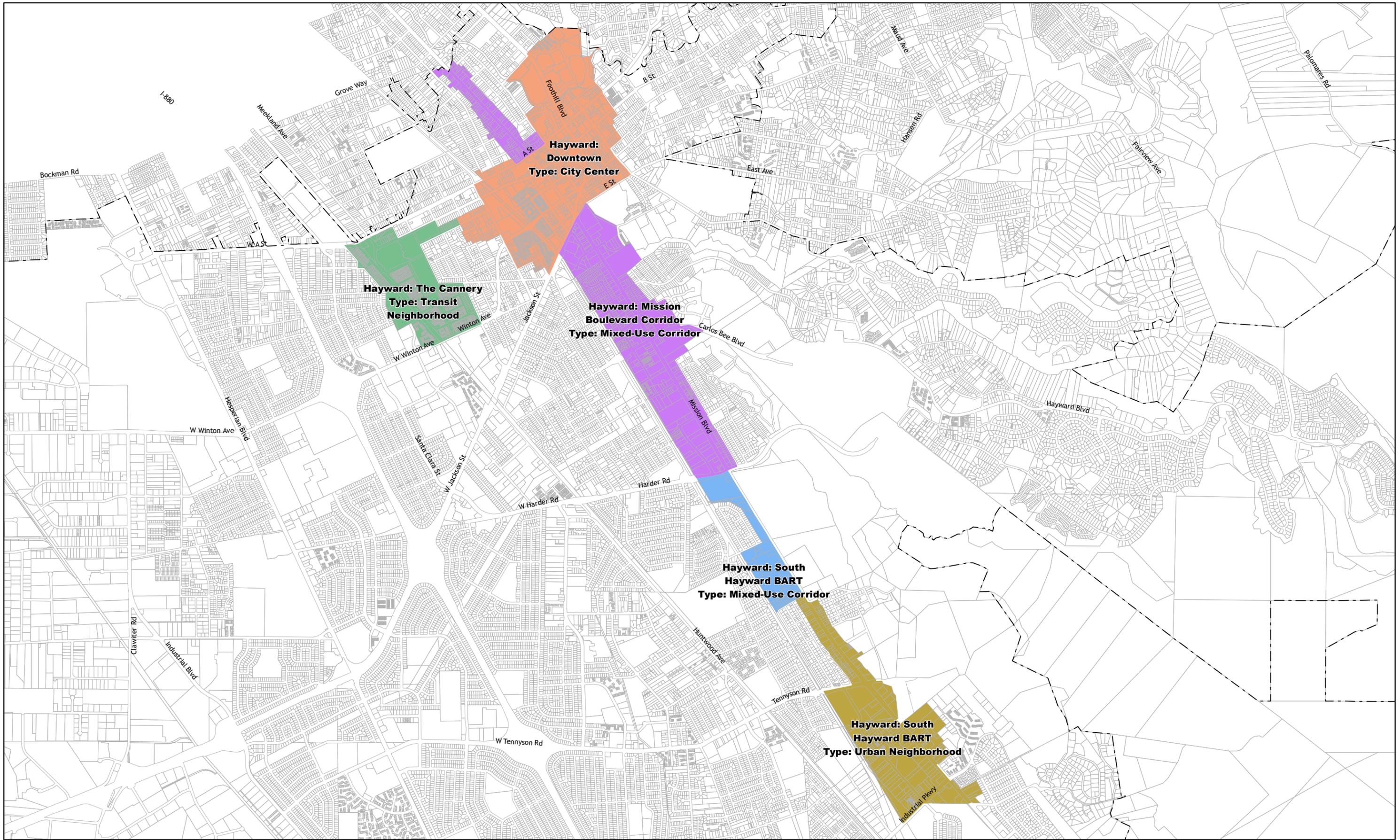
ATTEST: 
City Clerk of the City of Hayward

APPROVED AS TO FORM:


City Attorney of the City of Hayward



Hayward PDAs



Appendix A from the Jobs-Housing Connection Strategy

May 2012

Full document is available at http://www.onebayarea.org/plan_bay_area/

Employment Growth by PDA and Jurisdiction

KEY

Jurisdiction (Bold Italic)

Priority Development Area

PDA Pending Designation

Alameda County

Jurisdiction or Area Name	Place Type	JOBS			
		2010	2040	2010-2040	% Growth
Alameda		24,030	33,180	9,150	38%
Naval Air Station	Transit Town Center	1,220	8,420	7,200	
Northern Waterfront	Transit Neighborhood	2,430	3,430	1,000	
Albany		4,210	5,610	1,400	33%
San Pablo Avenue & Solano Avenue	Mixed-Use Corridor	1,910	2,430	520	
Berkeley		77,020	99,220	22,210	29%
Adeline Street	Mixed-Use Corridor	950	1,620	680	
Downtown	City Center	15,200	21,590	6,380	
San Pablo Avenue	Mixed-Use Corridor	2,390	3,340	940	
South Shattuck	Mixed-Use Corridor	1,140	1,440	300	
Telegraph Avenue	Mixed-Use Corridor	1,730	2,560	820	
University Avenue	Mixed-Use Corridor	1,410	1,980	580	
Dublin		16,760	29,300	12,540	75%
Downtown Specific Plan Area	Suburban Center	4,440	8,340	3,900	
Town Center	Suburban Center	310	1,320	1,010	
Transit Center	Suburban Center	0	6,370	6,370	
Emeryville		16,040	23,580	7,540	47%
Mixed-Use Core	City Center	11,260	18,420	7,160	
Fremont		89,900	119,870	29,970	33%
Centerville	Transit Neighborhood	4,020	4,450	430	
City Center	City Center	18,750	24,640	5,890	
Irvington District	Transit Town Center	5,460	5,640	180	
South Fremont/Warm Springs	Suburban Center	12,880	28,970	16,090	
Hayward		69,100	89,900	20,800	30%
Downtown	City Center	7,350	10,590	3,240	
South Hayward BART	Mixed-Use Corridor	320	810	490	
South Hayward BART	Urban Neighborhood	470	1,630	1,160	
The Cannery	Transit Neighborhood	1,450	2,380	930	
Mission Corridor	Mixed-Use Corridor	1,690	2,840	1,150	
Livermore		38,370	51,620	13,250	35%
Downtown	Suburban Center	2,870	3,560	690	
East Side	Suburban Center	16,360	24,440	8,080	
Isabel Avenue/BART Station Planning Area	Suburban Center	3,290	7,100	3,810	
Newark		17,870	23,090	5,210	29%
Dumbarton Transit Oriented Development	Transit Town Center	860	2,100	1,240	
Old Town Mixed Use Area	Transit Neighborhood	180	390	210	
Oakland		190,250	275,490	85,240	45%
Coliseum BART Station Area	Transit Town Center	5,150	12,420	7,270	
Downtown & Jack London Square	Regional Center	88,180	127,620	39,440	
Eastmont Town Center	Urban Neighborhood	3,450	5,310	1,860	
Fruitvale & Dimond Areas	Urban Neighborhood	8,130	15,670	7,540	
MacArthur Transit Village	Urban Neighborhood	10,580	12,860	2,280	
Transit Oriented Development Corridors	Mixed-Use Corridor	33,490	41,770	8,280	
West Oakland	Transit Town Center	7,430	14,890	7,470	
Piedmont		1,930	2,410	480	25%
Pleasanton		54,230	69,520	15,300	28%
Hacienda	Suburban Center	9,910	15,320	5,410	
San Leandro		39,900	52,830	12,930	32%
Bay Fair BART Transit Village	Transit Town Center	1,430	2,690	1,260	
Downtown Transit Oriented Development	City Center	2,790	2,840	50	
East 14th Street	Mixed-Use Corridor	9,000	15,670	6,670	
Union City		20,560	25,650	5,100	25%
Intermodal Station District	City Center	340	2,810	2,460	
Alameda County Unincorporated		34,270	46,350	12,080	35%
Castro Valley BART	Transit Neighborhood	2,020	2,970	950	
East 14th Street and Mission Street	Mixed-Use Corridor	2,730	4,240	1,500	
Hesperian Boulevard	Transit Neighborhood	1,860	2,590	740	
Meekland Avenue Corridor	Transit Neighborhood	900	1,330	430	

Employment Growth by PDA and Jurisdiction

Contra Costa County

Jurisdiction or Area Name	Place Type	JOBS			
		2010	2040	2010-2040	% Growth
Antioch		19,070	25,490	6,420	34%
Hillcrest eBART Station	Suburban Center	20	3,260	3,240	
Rivertown Waterfront	Transit Town Center	4,030	4,520	490	
Brentwood		8,650	11,280	2,620	30%
Clayton		1,540	1,940	400	26%
Concord		47,520	69,310	21,790	46%
Community Reuse Area	Regional Center	170	14,180	14,020	
Community Reuse Area	Transit Neighborhood	0	3,240	3,240	
Downtown	City Center	7,840	10,190	2,350	
Danville		13,440	17,600	4,160	31%
Downtown Danville	Transit Town Center	5,320	7,280	1,960	
El Cerrito		5,880	7,310	1,430	24%
San Pablo Avenue Corridor	Mixed-Use Corridor	3,510	4,340	830	
Hercules		3,880	6,400	2,520	65%
Central Hercules	Transit Neighborhood	800	1,830	1,030	
Waterfront District	Transit Town Center	1,210	1,860	650	
Lafayette		10,640	13,230	2,590	24%
Downtown	Transit Town Center	5,960	7,520	1,560	
Martinez		18,300	22,460	4,160	23%
Downtown	Transit Neighborhood	4,040	5,110	1,070	
Moraga		4,740	5,930	1,190	25%
Moraga Center	Transit Town Center	1,140	1,400	260	
Oakley		3,740	6,670	2,930	78%
Downtown	Transit Town Center	800	1,390	590	
Employment Area	Suburban Center	680	2,290	1,610	
Potential Planning Area	Transit Neighborhood	290	880	590	
Orinda		5,530	6,980	1,450	26%
Downtown	Transit Town Center	3,220	3,980	760	
Pinole		6,740	8,480	1,740	26%
Appian Way Corridor	Suburban Center	2,430	3,190	760	
Old Town	Transit Town Center	2,830	3,440	610	
Pittsburg		14,130	19,740	5,610	40%
Downtown	Transit Neighborhood	1,390	2,500	1,110	
Railroad Avenue eBART Station	Transit Town Center	5,590	7,910	2,320	
Pleasant Hill		17,360	22,920	5,560	32%
Buskirk Avenue Corridor	Mixed-Use Corridor	4,580	6,190	1,610	
Diablo Valley College	Transit Neighborhood	2,550	4,190	1,640	
Richmond		30,670	42,180	11,520	38%
Central Richmond & 23rd Street Corridor	Mixed-Use Corridor	6,600	8,660	2,070	
South Richmond	Transit Neighborhood	6,990	9,320	2,330	
San Pablo		7,460	9,650	2,190	29%
San Pablo Avenue & 23rd Street	Mixed-Use Corridor	5,530	7,510	1,980	
Rumrill Boulevard	Employment Center	220	320	100	
San Ramon		43,880	58,240	14,350	33%
City Center	Suburban Center	10,400	17,760	7,370	
North Camino Ramon	Transit Town Center	11,410	14,440	3,020	
Walnut Creek		41,650	57,300	15,650	38%
West Downtown	Suburban Center	7,440	12,210	4,770	
Contra Costa County Unincorporated		40,100	53,900	13,800	34%
Contra Costa Centre	Mixed-Use Corridor	3,730	4,740	1,010	
Downtown El Sobrante	Mixed-Use Corridor	940	1,430	490	
North Richmond	Transit Neighborhood	1,480	1,980	500	
Pittsburg/Bay Point BART Station	Transit Neighborhood	530	2,590	2,060	
West Contra Costa Transportation Advisory Committee					
San Pablo Avenue Corridor	Mixed-Use Corridor	3,190	5,160	1,970	

Employment Growth by PDA and Jurisdiction

Marin County

Jurisdiction or Area Name	Place Type	JOBS			
		2010	2040	2010-2040	% Growth
<i>Belvedere</i>		430	480	50	12%
<i>Corte Madera</i>		7,940	8,260	320	4%
<i>Fairfax</i>		1,490	1,820	330	22%
<i>Larkspur</i>		7,190	7,810	620	9%
<i>Mill Valley</i>		5,980	6,780	810	14%
<i>Novato</i>		20,890	24,390	3,490	17%
<i>Ross</i>		510	590	80	16%
<i>San Anselmo</i>		3,740	4,350	610	16%
<i>San Rafael</i>		37,620	44,960	7,340	20%
Civic Center/North Rafael Town Center	Transit Town Center	5,660	6,860	1,200	
Downtown	City Center	8,250	10,480	2,230	
<i>Sausalito</i>		6,220	7,630	1,420	23%
<i>Tiburon</i>		2,340	2,690	340	15%
<i>Marin County Unincorporated</i>		16,380	19,360	2,980	18%
Urbanized 101 Corridor	Transit Neighborhood	2,260	2,960	700	

Napa County

Jurisdiction or Area Name	Place Type	JOBS			
		2010	2040	2010-2040	% Growth
<i>American Canyon</i>		2,920	4,160	1,240	42%
Highway 29 Corridor	Mixed-Use Corridor	1,280	2,100	810	
<i>Calistoga</i>		2,220	2,640	420	19%
<i>Napa</i>		33,950	44,520	10,570	31%
Downtown Napa	Rural Town Center	9,870	11,620	1,750	
Soscol Gateway Corridor	Rural Corridor	1,080	1,950	870	
<i>St. Helena</i>		5,340	6,230	890	17%
<i>Yountville</i>		1,600	1,980	380	24%
<i>Napa County Unincorporated</i>		24,630	30,000	5,380	22%

San Francisco County

Jurisdiction or Area Name	Place Type	JOBS			
		2010	2040	2010-2040	% Growth
<i>San Francisco</i>		568,720	759,470	190,740	34%
19th Avenue	Transit Town Center	9,980	13,570	3,580	
Balboa Park	Transit Neighborhood	2,690	3,460	770	
Bayview/Hunters Point	Urban Neighborhood	19,590	29,260	9,660	
Shipyards/Candlestick Point					
Downtown-Van Ness-Geary	Regional Center	315,570	368,140	52,580	
Eastern Neighborhoods	Urban Neighborhood	61,070	70,890	9,820	
Market & Octavia	Urban Neighborhood	31,850	34,790	2,940	
Mission Bay	Urban Neighborhood	2,770	27,200	24,430	
Mission-San Jose Corridor	Mixed-Use Corridor	12,680	18,760	6,080	
Port of San Francisco	Mixed-Use Corridor	5,430	24,400	18,970	
San Francisco/San Mateo Bi-County Area (with Brisbane)	Transit Neighborhood	1,720	2,580	860	
Transbay Terminal	Regional Center	7,950	37,660	29,710	
Treasure Island	Transit Town Center	260	3,010	2,750	

Employment Growth by PDA and Jurisdiction

San Mateo County

Jurisdiction or Area Name	Place Type	JOBS			
		2010	2040	2010-2040	% Growth
Atherton		2,610	3,170	560	21%
Belmont		8,220	10,500	2,280	28%
Villages of Belmont	Mixed-Use Corridor	1,260	2,510	1,260	
Brisbane		7,220	8,280	1,060	15%
San Francisco/San Mateo Bi-County Area (with San Francisco)	Suburban Center	550	1,100	540	
Burlingame		30,420	39,210	8,790	29%
Burlingame El Camino Real	Transit Town Center	12,480	18,460	5,980	
Colma		2,790	3,210	420	15%
Daly City		21,000	26,910	5,900	28%
Bayshore	Transit Town Center	1,110	3,260	2,160	
Mission Boulevard	Mixed-Use Corridor	3,790	5,240	1,450	
East Palo Alto		2,720	3,750	1,020	38%
Ravenswood	Transit Town Center	810	1,230	430	
Foster City		13,890	17,490	3,600	26%
Half Moon Bay		5,110	6,120	1,010	20%
Hillsborough		2,190	2,620	430	20%
Menlo Park		28,990	35,110	6,120	21%
El Camino Real Corridor and Downtown	Transit Town Center	5,630	7,680	2,050	
Millbrae		6,950	9,410	2,460	35%
Transit Station Area	Mixed-Use Corridor	1,350	3,400	2,060	
Pacifica		5,920	7,170	1,250	21%
Portola Valley		1,510	1,780	270	18%
Redwood City		58,340	77,830	19,490	33%
Downtown	City Center	10,470	14,110	3,640	
Broadway/Veterans Boulevard Corridor	Mixed-Use Corridor	8,540	11,980	3,440	
San Bruno		12,930	17,250	4,320	33%
Transit Corridors	Mixed-Use Corridor	6,750	10,710	3,960	
San Carlos		16,170	19,790	3,620	22%
Railroad Corridor	Transit Town Center	1,950	3,110	1,160	
San Mateo		52,930	73,460	20,530	39%
Downtown	City Center	4,440	7,050	2,610	
El Camino Real	Mixed-Use Corridor	2,270	5,680	3,410	
Rail Corridor	Transit Neighborhood	8,840	18,700	9,870	
South San Francisco		46,170	57,400	11,230	24%
Downtown	Transit Town Center	2,670	6,920	4,250	
Woodside		1,770	2,070	310	18%
San Mateo County Unincorporated		17,350	22,790	5,440	31%
Midcoast	Rural Corridor	1,890	2,670	780	
City County Association of Governments of San Mateo County					
El Camino Real	Mixed-Use Corridor	9,530	13,180	3,670	

Employment Growth by PDA and Jurisdiction

Santa Clara County

Jurisdiction or Area Name	Place Type	JOBS			
		2010	2040	2010-2040	% Growth
Campbell		27,230	35,050	7,820	29%
Central Redevelopment Area	Transit Neighborhood	7,880	10,220	2,340	
Cupertino		25,990	33,350	7,360	28%
Gilroy		17,600	21,900	4,300	24%
Downtown	Transit Town Center	2,370	3,600	1,230	
Los Altos		14,700	18,160	3,460	24%
Los Altos Hills		3,580	4,440	860	24%
Los Gatos		23,580	28,980	5,390	23%
Milpitas		45,060	57,640	12,580	28%
Transit Area	Suburban Center	5,240	9,560	4,320	
Monte Sereno		450	570	120	27%
Morgan Hill		17,520	22,080	4,560	26%
Downtown	Transit Town Center	1,660	3,000	1,340	
Mountain View		47,800	63,380	15,570	33%
Downtown	Transit Town Center	9,410	10,250	850	
East Whisman	Employment Center	8,710	12,380	3,670	
El Camino Real Corridor	Mixed-Use Corridor	5,770	6,630	850	
North Bayshore	Suburban Center	7,390	15,070	7,690	
San Antonio Center	Transit Town Center	3,150	4,330	1,180	
Whisman Station	Transit Neighborhood	650	1,210	560	
Palo Alto		89,370	119,030	29,650	33%
California Avenue	Transit Neighborhood	3,370	5,030	1,660	
San Jose		375,360	522,050	146,680	39%
Bascom TOD Corridor	Mixed-Use Corridor	11,520	12,910	1,390	
Bascom Urban Village	Mixed-Use Corridor	1,700	2,660	960	
Berryessa Station	Transit Neighborhood	6,140	12,180	6,040	
Blossom Hill/Snell Urban Village	Mixed-Use Corridor	880	1,720	840	
Camden Urban Village	Mixed-Use Corridor	5,600	7,630	2,030	
Capitol Corridor Urban Villages	Mixed-Use Corridor	2,340	5,580	3,250	
Capitol/Tully/King Urban Villages	Suburban Center	4,070	7,060	2,990	
Communications Hill	Transit Town Center	3,940	5,650	1,710	
Cottle Transit Village	Suburban Center	2,550	3,040	490	
Downtown "Frame"	City Center	26,760	31,090	4,330	
East Santa Clara/Alum Rock Corridor	Mixed-Use Corridor	9,950	13,380	3,430	
Greater Downtown	Regional Center	27,950	55,970	28,020	
International Business Park	Employment Center	11,650	19,730	8,080	
North San Jose	Regional Center	84,290	130,190	45,900	
Oakridge/Almaden Plaza Urban Village	Suburban Center	5,430	9,700	4,270	
Old Edenvale	Employment Center	6,900	14,690	7,790	
Saratoga TOD Corridor	Mixed-Use Corridor	3,520	5,520	2,000	
Stevens Creek TOD Corridor	Mixed-Use Corridor	5,680	8,020	2,340	
West San Carlos & Southwest Expressway Corridors	Mixed-Use Corridor	8,940	15,600	6,660	
Westgate/El Paseo Urban Village	Suburban Center	3,440	5,230	1,790	
Winchester Boulevard TOD Corridor	Mixed-Use Corridor	4,040	6,820	2,780	
Santa Clara		112,460	145,560	33,100	29%
El Camino Real Focus Area	Mixed-Use Corridor	4,390	6,980	2,590	
Santa Clara Station Focus Area	City Center	10,020	12,750	2,740	
Saratoga		11,870	14,500	2,630	22%
Sunnyvale		74,610	95,320	20,710	28%
Downtown & Caltrain Station	Transit Town Center	3,750	5,660	1,910	
East Sunnyvale	Urban Neighborhood	8,050	9,240	1,180	
El Camino Real Corridor	Mixed-Use Corridor	13,190	16,390	3,200	
Lawrence Station Transit Village	Transit Neighborhood	4,160	5,380	1,220	
Moffett Park	Employment Center	11,420	18,890	7,470	
Peery Park	Employment Center	5,980	7,920	1,940	
Reamwood Light Rail Station	Employment Center	3,050	3,720	680	
Tasman Station ITR	Mixed-Use Corridor	1,540	2,530	980	
Santa Clara County Unincorporated		39,060	47,800	8,740	22%
Valley Transportation Authority					
Cores, Corridors, and Station Areas	Mixed-Use Corridor	90,770	118,380	27,610	

Employment Growth by PDA and Jurisdiction

Solano County

Jurisdiction or Area Name	Place Type	JOBS			
		2010	2040	2010-2040	% Growth
Benicia		14,240	18,920	4,680	33%
Downtown	Transit Neighborhood	2,540	2,840	300	
Northern Gateway	Employment Center	6,780	10,930	4,150	
Dixon		4,460	5,780	1,310	29%
Downtown	Rural Town Center	560	830	280	
Fairfield		39,300	53,310	14,000	36%
Downtown South (Jefferson Street)	Suburban Center	2,970	4,280	1,320	
Fairfield-Vacaville Train Station	Transit Town Center	340	2,650	2,310	
North Texas Street Core	Mixed-Use Corridor	1,420	2,420	1,000	
West Texas Street Gateway	Mixed-Use Corridor	1,680	2,890	1,210	
Rio Vista		1,790	2,340	550	31%
Downtown	Rural Town Center	670	1,000	330	
Suisun City		3,080	4,520	1,440	47%
Downtown & Waterfront	Transit Town Center	1,040	1,960	920	
Vacaville		29,800	41,120	11,310	38%
Allison Area	Suburban Center	900	1,710	810	
Downtown	Transit Town Center	2,800	3,800	1,000	
Vallejo		31,660	43,060	11,410	36%
Waterfront & Downtown	Suburban Center	3,640	5,940	2,300	
Solano County Unincorporated		8,010	10,860	2,850	36%

Sonoma County

Jurisdiction or Area Name	Place Type	JOBS			
		2010	2040	2010-2040	% Growth
Cloverdale		1,570	2,270	700	45%
Downtown/SMART Transit Area	Transit Town Center	880	1,390	510	
Cotati		2,920	3,860	940	32%
Downtown and Cotati Depot	Transit Town Center	650	1,190	550	
Healdsburg		6,440	8,210	1,780	28%
Petaluma		28,830	38,690	9,860	34%
Central, Turning Basin/Lower Reach	Suburban Center	3,110	8,330	5,220	
Rohnert Park		11,730	16,320	4,590	39%
Central Rohnert Park	Transit Town Center	3,350	5,170	1,820	
Sonoma Mountain Village	Suburban Center	140	1,190	1,050	
Santa Rosa		75,460	103,930	28,470	38%
Downtown Station Area	City Center	9,250	13,800	4,550	
Mendocino Avenue/Santa Rosa Avenue Corridor	Mixed-Use Corridor	23,230	30,080	6,850	
North Santa Rosa Station	Suburban Center	8,960	13,060	4,090	
Roseland	Transit Neighborhood	2,650	3,890	1,240	
Sebastopol Road Corridor	Mixed-Use Corridor	2,110	3,450	1,340	
Sebastopol		5,650	7,300	1,650	29%
Nexus Area	Rural Town Center	5,440	7,010	1,570	
Sonoma		6,650	8,640	1,990	30%
Windsor		5,610	7,760	2,150	38%
Redevelopment Area	Suburban Center	1,020	1,830	810	
Sonoma County Unincorporated		47,150	60,470	13,320	28%
Forestville	Rural Town Center	540	590	50	
Graton	Rural Town Center	410	720	320	
Guerneville	Rural Town Center	640	980	340	
Penngrove Urban Service Area	Rural Town Center	340	610	260	
The Springs	Rural Corridor	2,100	2,580	480	

Household Growth by PDA and Jurisdiction

KEY	
Jurisdiction (Bold Italic)	
Priority Development Area	
PDA Pending Designation	

Alameda County

Jurisdiction or Area Name	Place Type	HOUSING UNITS				HOUSEHOLDS			
		2010	2040	2010-2040	% Growth	2010	2040	2010-2040	% Growth
Alameda		32,350	38,240	5,890	18%	30,120	36,570	6,440	21%
Naval Air Station	Transit Town Center	1,460	5,470	4,010		1,090	5,040	3,950	
Northern Waterfront	Transit Neighborhood	1,070	1,830	760		990	1,760	780	
Albany		7,890	9,060	1,170	15%	7,400	8,740	1,340	18%
San Pablo Avenue & Solano Avenue	Mixed-Use Corridor	1,810	2,060	240		1,690	1,970	280	
Berkeley		49,450	58,730	9,280	19%	46,030	55,980	9,950	22%
Adeline Street	Mixed-Use Corridor	690	940	250		620	900	280	
Downtown	City Center	2,690	6,840	4,150		2,570	6,670	4,100	
San Pablo Avenue	Mixed-Use Corridor	1,630	2,500	870		1,440	2,340	900	
South Shattuck	Mixed-Use Corridor	340	460	110		310	440	120	
Telegraph Avenue	Mixed-Use Corridor	1,110	1,470	360		990	1,400	410	
University Avenue	Mixed-Use Corridor	1,660	2,310	650		1,560	2,220	660	
Dublin		15,780	24,320	8,530	54%	14,910	23,610	8,700	58%
Downtown Specific Plan Area	Suburban Center	830	1,790	960		790	1,750	950	
Town Center	Suburban Center	4,130	5,990	1,860		3,750	5,770	2,020	
Transit Center	Suburban Center	670	3,810	3,130		620	3,720	3,100	
Emeryville		6,650	12,110	5,470	82%	5,690	11,620	5,920	104%
Mixed-Use Core	City Center	4,150	9,620	5,470		3,530	9,300	5,770	
Fremont		73,990	91,610	17,620	24%	71,000	89,080	18,080	25%
Centerville	Transit Neighborhood	10,850	13,360	2,510		10,360	12,980	2,620	
City Center	City Center	7,310	10,210	2,900		6,870	9,910	3,040	
Irvington District	Transit Town Center	7,280	10,260	2,980		6,910	9,990	3,080	
South Fremont/Warm Springs	Suburban Center	2,330	5,310	2,980		2,180	5,150	2,970	
Hayward		48,300	60,580	12,290	25%	45,370	58,820	13,460	30%
Downtown	City Center	2,290	5,510	3,220		2,100	5,370	3,280	
South Hayward BART	Mixed-Use Corridor	180	1,360	1,170		170	1,330	1,160	
South Hayward BART	Urban Neighborhood	1,800	4,490	2,700		1,660	4,400	2,740	
The Cannery	Transit Neighborhood	340	1,090	750		330	1,070	740	
Mission Corridor	Mixed-Use Corridor	1,480	3,320	1,840		1,230	3,210	1,980	
Livermore		30,340	40,020	9,670	32%	29,130	38,920	9,780	34%
Downtown	Suburban Center	1,020	2,690	1,680		920	2,620	1,710	
East Side	Suburban Center	100	4,370	4,270		90	4,280	4,190	
Isabel Avenue/BART Station Planning Area	Suburban Center	530	4,000	3,470		470	3,910	3,440	
Newark		13,410	17,090	3,670	27%	12,970	16,630	3,660	28%
Dumbarton Transit Oriented Development	Transit Town Center	140	2,540	2,400		140	2,500	2,360	
Old Town Mixed Use Area	Transit Neighborhood	600	970	370		580	940	370	
Oakland		169,710	221,200	51,490	30%	153,790	212,500	58,710	38%
Coliseum BART Station Area	Transit Town Center	3,870	10,720	6,850		3,440	10,420	6,980	
Downtown & Jack London Square	Regional Center	11,910	26,190	14,290		10,630	25,390	14,760	
Eastmont Town Center	Urban Neighborhood	6,850	7,260	410		5,960	6,840	880	
Fruitvale & Dimond Areas	Urban Neighborhood	14,210	18,580	4,370		12,840	17,820	4,990	
MacArthur Transit Village	Urban Neighborhood	8,820	13,910	5,090		8,030	13,410	5,380	
Transit Oriented Development Corridors	Mixed-Use Corridor	67,370	77,570	10,200		60,970	74,390	13,410	
West Oakland	Transit Town Center	10,830	17,690	6,870		9,030	16,940	7,910	
Piedmont		3,920	4,020	90	2%	3,800	3,890	90	2%
Pleasanton		26,050	33,200	7,150	27%	25,250	32,330	7,090	28%
Hacienda	Suburban Center	1,310	4,900	3,590		1,270	4,800	3,530	
San Leandro		32,420	39,630	7,210	22%	30,720	38,390	7,670	25%
Bay Fair BART Transit Village	Transit Town Center	660	1,560	900		630	1,520	890	
Downtown Transit Oriented Development	City Center	4,210	7,900	3,690		3,930	7,690	3,760	
East 14th Street	Mixed-Use Corridor	4,920	6,240	1,310		4,490	5,980	1,480	
Union City		21,260	24,270	3,010	14%	20,430	23,650	3,220	16%
Intermodal Station District	City Center	1,060	1,850	800		1,030	1,810	780	
Alameda County Unincorporated		51,020	56,450	5,430	11%	48,520	54,570	6,050	12%
Castro Valley BART	Transit Neighborhood	1,480	2,150	670		1,400	2,090	690	
East 14th Street and Mission Street	Mixed-Use Corridor	7,190	9,120	1,930		6,740	8,800	2,060	
Hesperian Boulevard	Transit Neighborhood	2,860	3,560	690		2,740	3,450	720	
Meekland Avenue Corridor	Transit Neighborhood	1,400	1,860	460		1,300	1,790	500	

Household Growth by PDA and Jurisdiction

Contra Costa County

Jurisdiction or Area Name	Place Type	HOUSING UNITS				HOUSEHOLDS			
		2010	2040	2010-2040	% Growth	2010	2040	2010-2040	% Growth
Antioch		34,850	40,320	5,470	16%	32,250	38,780	6,530	20%
Hillcrest eBART Station	Suburban Center	160	2,450	2,290		150	2,400	2,250	
Rivertown Waterfront	Transit Town Center	1,600	3,420	1,830		1,430	3,330	1,900	
Brentwood		17,520	18,370	850	5%	16,490	17,660	1,160	7%
Clayton		4,090	4,200	110	3%	4,010	4,120	110	3%
Concord		47,130	65,170	18,040	38%	44,280	63,160	18,880	43%
Community Reuse Area	Regional Center	150	3,420	3,270		70	3,320	3,240	
Community Reuse Area	Transit Neighborhood	0	9,120	9,120		0	8,960	8,960	
Downtown	City Center	4,600	7,740	3,140		4,200	7,530	3,320	
Danville		15,930	17,430	1,500	9%	15,420	16,910	1,490	10%
Downtown Danville	Transit Town Center	1,450	2,200	750		1,370	2,120	760	
El Cerrito		10,720	12,000	1,280	12%	10,140	11,550	1,410	14%
San Pablo Avenue Corridor	Mixed-Use Corridor	1,340	2,360	1,020		1,220	2,280	1,060	
Hercules		8,550	13,070	4,510	53%	8,120	12,680	4,570	56%
Central Hercules	Transit Neighborhood	410	2,850	2,440		400	2,800	2,400	
Waterfront District	Transit Town Center	690	1,700	1,020		640	1,660	1,020	
Lafayette		9,650	11,020	1,370	14%	9,220	10,640	1,420	15%
Downtown	Transit Town Center	2,030	2,970	940		1,890	2,880	990	
Martinez		14,980	16,240	1,260	8%	14,290	15,690	1,400	10%
Downtown	Transit Neighborhood	820	1,510	690		750	1,460	710	
Moraga		5,750	6,540	790	14%	5,570	6,350	780	14%
Moraga Center	Transit Town Center	440	780	340		430	760	330	
Oakley		11,480	17,010	5,530	48%	10,730	16,450	5,720	53%
Downtown	Transit Town Center	560	1,740	1,180		520	1,690	1,170	
Employment Area	Suburban Center	580	1,480	900		560	1,450	890	
Potential Planning Area	Transit Neighborhood	1,060	2,310	1,250		980	2,240	1,260	
Orinda		6,800	7,610	800	12%	6,550	7,450	900	14%
Downtown	Transit Town Center	230	440	210		330	530	210	
Pinole		7,160	8,240	1,080	15%	6,780	7,970	1,200	18%
Appian Way Corridor	Suburban Center	560	1,150	590		520	1,110	590	
Old Town	Transit Town Center	1,430	1,540	110		1,300	1,470	180	
Pittsburg		21,130	28,510	7,380	35%	19,530	27,500	7,980	41%
Downtown	Transit Neighborhood	1,870	3,700	1,820		1,600	3,540	1,950	
Railroad Avenue eBART Station	Transit Town Center	3,930	7,470	3,530		3,600	7,240	3,640	
Pleasant Hill		14,320	15,530	1,210	8%	13,710	15,060	1,350	10%
Buskirk Avenue Corridor	Mixed-Use Corridor	1,730	1,820	90		1,620	1,750	130	
Diablo Valley College	Transit Neighborhood	360	660	300		330	640	310	
Richmond		39,330	49,020	9,690	25%	36,090	47,090	10,990	30%
Central Richmond & 23rd Street Corridor	Mixed-Use Corridor	5,930	7,250	1,320		5,340	6,940	1,610	
South Richmond	Transit Neighborhood	3,590	4,960	1,380		3,250	4,740	1,490	
San Pablo		9,570	11,460	1,890	20%	8,760	11,030	2,270	26%
San Pablo Avenue & 23rd Street	Mixed-Use Corridor	2,780	4,240	1,470		2,530	4,110	1,580	
Rumrill Boulevard	Employment Center	430	430	0		400	410	20	
San Ramon		26,220	31,550	5,330	20%	25,280	30,720	5,440	22%
City Center	Suburban Center	490	1,410	920		480	1,390	910	
North Camino Ramon	Transit Town Center	130	1,910	1,780		40	1,820	1,780	
Walnut Creek		32,680	40,050	7,370	23%	30,440	38,520	8,070	27%
West Downtown	Suburban Center	1,520	4,530	3,010		1,270	4,400	3,130	
Contra Costa County Unincorporated		62,400	67,070	4,670	7%	57,710	63,740	6,040	10%
Contra Costa Centre	Mixed-Use Corridor	1,910	2,380	470		1,780	2,310	530	
Downtown El Sobrante	Mixed-Use Corridor	1,810	2,290	480		1,670	2,190	510	
North Richmond	Transit Neighborhood	1,240	1,530	290		1,030	1,410	380	
Pittsburg/Bay Point BART Station	Transit Neighborhood	1,170	1,870	700		1,020	1,800	780	
West Contra Costa Transportation Advisory Committee									
San Pablo Avenue Corridor	Mixed-Use Corridor	4,230	6,700	2,470		3,900	6,480	2,590	

Household Growth by PDA and Jurisdiction

Marin County

Jurisdiction or Area Name	Place Type	HOUSING UNITS				HOUSEHOLDS			
		2010	2040	2010-2040	% Growth	2010	2040	2010-2040	% Growth
Belvedere		1,050	1,070	20	2%	930	970	40	4%
Corte Madera		4,030	4,250	230	6%	3,790	4,080	280	7%
Fairfax		3,590	3,790	210	6%	3,380	3,620	240	7%
Larkspur		6,380	6,770	390	6%	5,910	6,450	540	9%
Mill Valley		6,530	6,920	380	6%	6,080	6,540	450	7%
Novato		21,160	22,220	1,060	5%	20,280	21,450	1,170	6%
Ross		880	940	50	6%	800	860	60	8%
San Anselmo		5,540	5,790	250	5%	5,240	5,530	290	6%
San Rafael		24,010	27,400	3,390	14%	22,760	26,490	3,720	16%
Civic Center/North Rafael Town Center	Transit Town Center	1,990	3,030	1,040		1,900	2,950	1,050	
Downtown	City Center	2,610	3,960	1,350		2,420	3,830	1,410	
Sausalito		4,540	4,790	250	6%	4,110	4,460	350	9%
Tiburon		4,030	4,250	220	5%	3,730	4,000	270	7%
Marin County Unincorporated		29,500	30,550	1,050	4%	26,190	27,570	1,380	5%
Urbanized 101 Corridor	Transit Neighborhood	4,580	5,020	440		4,290	4,810	510	

Napa County

Jurisdiction or Area Name	Place Type	HOUSING UNITS				HOUSEHOLDS			
		2010	2040	2010-2040	% Growth	2010	2040	2010-2040	% Growth
American Canyon		5,980	7,890	1,910	32%	5,660	7,630	1,970	35%
Highway 29 Corridor	Mixed-Use Corridor	440	1,980	1,540		400	1,930	1,530	
Calistoga		2,320	2,370	50	2%	2,020	2,130	110	5%
Napa		30,150	33,410	3,270	11%	28,170	32,010	3,840	14%
Downtown Napa	Rural Town Center	150	640	490		130	620	490	
Soscol Gateway Corridor	Rural Corridor	640	1,090	450		600	1,050	450	
St. Helena		2,780	2,830	60	2%	2,400	2,520	120	5%
Yountville		1,250	1,280	30	2%	1,050	1,110	60	6%
Napa County Unincorporated		12,280	13,020	740	6%	9,580	10,880	1,300	14%

San Francisco County

Jurisdiction or Area Name	Place Type	HOUSING UNITS				HOUSEHOLDS			
		2010	2040	2010-2040	% Growth	2010	2040	2010-2040	% Growth
San Francisco		376,940	469,350	92,410	25%	345,810	447,250	101,440	29%
19th Avenue	Transit Town Center	5,220	11,170	5,950		4,790	10,870	6,070	
Balboa Park	Transit Neighborhood	1,270	3,120	1,850		1,190	3,020	1,830	
Bayview/Hunters Point Shipyard/Candlestick Point	Urban Neighborhood	11,610	22,510	10,900		10,470	21,760	11,290	
Downtown-Van Ness-Geary	Regional Center	101,520	128,660	27,140		89,850	121,600	31,750	
Eastern Neighborhoods	Urban Neighborhood	34,270	45,690	11,420		31,650	43,810	12,160	
Market & Octavia	Urban Neighborhood	11,950	18,150	6,210		11,130	17,530	6,410	
Mission Bay	Urban Neighborhood	3,470	6,850	3,380		3,200	6,610	3,410	
Mission-San Jose Corridor	Mixed-Use Corridor	31,230	32,490	1,260		29,360	30,880	1,510	
Port of San Francisco	Mixed-Use Corridor	120	1,950	1,830		110	1,910	1,800	
San Francisco/San Mateo Bi-County Area (with Brisbane)	Transit Neighborhood	1,630	6,880	5,250		1,510	6,720	5,210	
Transbay Terminal	Regional Center	490	5,210	4,720		190	4,990	4,800	
Treasure Island	Transit Town Center	690	7,950	7,270		590	7,740	7,160	

Household Growth by PDA and Jurisdiction

San Mateo County

Jurisdiction or Area Name	Place Type	HOUSING UNITS				HOUSEHOLDS			
		2010	2040	2010-2040	% Growth	2010	2040	2010-2040	% Growth
Atherton		2,530	2,750	220	9%	2,330	2,580	250	11%
Belmont		11,030	12,150	1,120	10%	10,580	11,790	1,210	11%
Villages of Belmont	Mixed-Use Corridor	920	1,830	910		890	1,780	900	
Brisbane		1,930	2,180	250	13%	1,820	2,090	270	15%
San Francisco/San Mateo Bi-County Area (with San Francisco)	Suburban Center	0	0	0		0	0	0	
Burlingame		13,030	17,320	4,300	33%	12,360	16,780	4,420	36%
Burlingame El Camino Real	Transit Town Center	7,610	10,870	3,260		7,170	10,530	3,360	
Colma		590	830	240	41%	560	810	240	43%
Daly City		32,590	36,890	4,300	13%	31,090	35,770	4,680	15%
Bayshore	Transit Town Center	1,590	3,580	1,990		1,550	3,510	1,960	
Mission Boulevard	Mixed-Use Corridor	2,270	3,310	1,050		2,070	3,210	1,140	
East Palo Alto		7,820	8,670	860	11%	6,940	8,340	1,400	20%
Ravenswood	Transit Town Center	1,030	1,880	860		970	1,830	860	
Foster City		12,460	13,350	890	7%	12,020	12,940	920	8%
Half Moon Bay		4,400	4,660	260	6%	4,150	4,410	260	6%
Hillsborough		3,910	4,230	310	8%	3,690	4,010	320	9%
Menlo Park		13,090	15,080	1,990	15%	12,350	14,510	2,160	17%
El Camino Real Corridor and Downtown	Transit Town Center	1,130	2,050	910		1,010	1,980	970	
Millbrae		8,370	11,390	3,020	36%	7,990	11,050	3,060	38%
Transit Station Area	Mixed-Use Corridor	280	2,710	2,420		270	2,650	2,380	
Pacifica		14,520	15,120	600	4%	13,970	14,640	670	5%
Portola Valley		1,900	2,020	130	7%	1,750	1,900	150	9%
Redwood City		29,170	37,880	8,720	30%	27,960	36,850	8,890	32%
Downtown	City Center	1,060	6,300	5,240		990	6,180	5,190	
Broadway/Veterans Boulevard Corridor	Mixed-Use Corridor	770	2,300	1,530		730	2,250	1,520	
San Bruno		15,360	19,820	4,460	29%	14,700	19,170	4,470	30%
Transit Corridors	Mixed-Use Corridor	4,330	7,660	3,330		4,140	7,450	3,310	
San Carlos		12,020	13,800	1,780	15%	11,520	13,390	1,860	16%
Railroad Corridor	Transit Town Center	460	1,230	770		440	1,200	760	
San Mateo		40,010	50,180	10,160	25%	38,230	48,600	10,370	27%
Downtown	City Center	540	1,610	1,070		500	1,560	1,060	
El Camino Real	Mixed-Use Corridor	880	2,080	1,200		840	2,030	1,200	
Rail Corridor	Transit Neighborhood	520	5,540	5,030		500	5,440	4,940	
South San Francisco		21,810	28,730	6,920	32%	20,940	27,900	6,960	33%
Downtown	Transit Town Center	1,590	4,700	3,120		1,510	4,590	3,090	
Woodside		2,160	2,250	90	4%	1,980	2,080	100	5%
San Mateo County Unincorporated		22,350	27,440	5,080	23%	20,910	26,130	5,220	25%
Midcoast	Rural Corridor	3,900	4,900	1,000		3,670	4,660	990	
City County Association of Governments of San Mateo County									
El Camino Real	Mixed-Use Corridor	2,540	6,180	3,630		2,400	6,030	3,630	

Household Growth by PDA and Jurisdiction

Santa Clara County

Jurisdiction or Area Name	Place Type	HOUSING UNITS				HOUSEHOLDS			
		2010	2040	2010-2040	% Growth	2010	2040	2010-2040	% Growth
Campbell		16,950	19,990	3,040	18%	16,160	19,430	3,270	20%
Central Redevelopment Area	Transit Neighborhood	1,340	2,820	1,470		1,260	2,750	1,490	
Cupertino		21,030	25,820	4,790	23%	20,180	25,050	4,870	24%
Gilroy		14,850	17,570	2,710	18%	14,180	17,040	2,860	20%
Downtown	Transit Town Center	980	2,900	1,930		880	2,820	1,940	
Los Altos		11,200	12,300	1,100	10%	10,750	11,840	1,100	10%
Los Altos Hills		3,000	3,100	100	3%	2,830	2,940	110	4%
Los Gatos		13,050	13,820	770	6%	12,360	13,220	860	7%
Milpitas		19,810	32,430	12,620	64%	19,180	31,680	12,500	65%
Transit Area	Suburban Center	790	7,870	7,080		750	7,720	6,970	
Monte Sereno		1,290	1,370	80	6%	1,210	1,290	80	7%
Morgan Hill		12,860	16,690	3,830	30%	12,330	16,150	3,820	31%
Downtown	Transit Town Center	570	1,990	1,420		510	1,930	1,420	
Mountain View		33,880	43,270	9,390	28%	31,960	41,790	9,830	31%
Downtown	Transit Town Center	5,240	6,390	1,150		4,790	6,030	1,240	
East Whisman	Employment Center	720	720	0		690	690	0	
El Camino Real Corridor	Mixed-Use Corridor	9,190	11,150	1,960		8,740	10,830	2,090	
North Bayshore	Suburban Center	360	1,790	1,420		350	1,750	1,410	
San Antonio Center	Transit Town Center	3,590	6,350	2,760		3,420	6,180	2,770	
Whisman Station	Transit Neighborhood	670	1,670	1,010		650	1,640	990	
Palo Alto		28,220	35,620	7,410	26%	26,490	34,360	7,870	30%
California Avenue	Transit Neighborhood	800	1,650	850		750	1,600	850	
San Jose		314,040	443,210	129,170	41%	301,370	431,910	130,550	43%
Bascom TOD Corridor	Mixed-Use Corridor	680	2,240	1,560		650	2,190	1,540	
Bascom Urban Village	Mixed-Use Corridor	1,780	2,590	810		1,670	2,520	850	
Berryessa Station	Transit Neighborhood	1,880	7,990	6,110		1,850	7,850	6,000	
Blossom Hill/Snell Urban Village	Mixed-Use Corridor	640	1,720	1,080		610	1,680	1,070	
Camden Urban Village	Mixed-Use Corridor	490	1,480	1,000		480	1,460	980	
Capitol Corridor Urban Villages	Mixed-Use Corridor	860	7,100	6,240		820	6,960	6,140	
Capitol/Tully/King Urban Villages	Suburban Center	1,090	3,340	2,250		1,060	3,270	2,210	
Communications Hill	Transit Town Center	6,810	10,140	3,340		6,540	9,910	3,360	
Cottle Transit Village	Suburban Center	0	3,580	3,580		0	3,510	3,510	
Downtown "Frame"	City Center	18,120	28,210	10,090		16,980	27,410	10,440	
East Santa Clara/Alum Rock Corridor	Mixed-Use Corridor	7,180	13,370	6,200		6,750	12,980	6,230	
Greater Downtown	Regional Center	4,590	19,750	15,150		3,670	19,310	15,640	
International Business Park	Employment Center	200	200	0		190	190	0	
North San Jose	Regional Center	10,880	43,730	32,850		10,420	42,820	32,400	
Oakridge/Almaden Plaza Urban Village	Suburban Center	1,910	9,200	7,300		1,790	9,020	7,240	
Old Edenvale	Employment Center	150	150	0		140	140	0	
Saratoga TOD Corridor	Mixed-Use Corridor	2,430	3,550	1,120		2,340	3,460	1,130	
Stevens Creek TOD Corridor	Mixed-Use Corridor	2,620	7,800	5,170		2,500	7,620	5,120	
West San Carlos & Southwest Expressway Corridors	Mixed-Use Corridor	11,150	20,960	9,810		10,320	20,410	10,100	
Westgate/El Paseo Urban Village	Suburban Center	850	3,340	2,490		800	3,270	2,480	
Winchester Boulevard TOD Corridor	Mixed-Use Corridor	4,850	6,850	2,000		4,630	6,690	2,050	
Santa Clara		45,150	58,920	13,770	30%	43,020	57,240	14,220	33%
El Camino Real Focus Area	Mixed-Use Corridor	1,840	5,400	3,560		1,650	5,220	3,580	
Santa Clara Station Focus Area	City Center	480	3,880	3,410		450	3,800	3,350	
Saratoga		11,120	11,750	630	6%	10,730	11,350	620	6%
Sunnyvale		55,790	74,780	18,990	34%	53,380	72,760	19,380	36%
Downtown & Caltrain Station	Transit Town Center	1,840	3,810	1,980		1,730	3,710	1,980	
East Sunnyvale	Urban Neighborhood	1,020	4,270	3,260		950	4,170	3,220	
El Camino Real Corridor	Mixed-Use Corridor	10,990	15,400	4,410		10,350	14,940	4,590	
Lawrence Station Transit Village	Transit Neighborhood	1,660	5,210	3,550		1,560	5,100	3,540	
Moffett Park	Employment Center	20	20	0		20	20	0	
Peery Park	Employment Center	130	130	0		110	120	10	
Reamwood Light Rail Station	Employment Center	0	0	0		0	0	0	
Tasman Station ITR	Mixed-Use Corridor	1,440	3,270	1,830		1,390	3,200	1,810	
Santa Clara County Unincorporated		29,690	32,490	2,800	9%	28,080	31,060	2,980	11%
Valley Transportation Authority									
Cores, Corridors, and Station Areas	Mixed-Use Corridor	48,380	67,690	19,300		46,070	65,750	19,680	

Household Growth by PDA and Jurisdiction

Solano County

Jurisdiction or Area Name	Place Type	HOUSING UNITS				HOUSEHOLDS			
		2010	2040	2010-2040	% Growth	2010	2040	2010-2040	% Growth
Benicia		11,310	12,680	1,380	12%	10,690	12,240	1,560	15%
Downtown	Transit Neighborhood	600	1,530	930		530	1,480	950	
Northern Gateway	Employment Center	0	0	0		0	0	0	
Dixon		6,170	6,660	480	8%	5,860	6,430	570	10%
Downtown	Rural Town Center	740	990	250		690	960	270	
Fairfield		37,180	48,280	11,100	30%	34,480	46,410	11,930	35%
Downtown South (Jefferson Street)	Suburban Center	680	1,100	420		600	1,060	460	
Fairfield-Vacaville Train Station	Transit Town Center	410	6,450	6,040		90	6,050	5,960	
North Texas Street Core	Mixed-Use Corridor	1,770	3,470	1,700		1,600	3,370	1,770	
West Texas Street Gateway	Mixed-Use Corridor	1,120	3,550	2,430		1,020	3,450	2,440	
Rio Vista		3,890	4,260	370	10%	3,450	3,950	500	14%
Downtown	Rural Town Center	360	720	360		300	680	380	
Suisun City		9,450	10,820	1,360	14%	8,920	10,490	1,570	18%
Downtown & Waterfront	Transit Town Center	1,180	2,230	1,040		1,090	2,160	1,060	
Vacaville		32,810	36,910	4,100	12%	31,090	35,860	4,770	15%
Allison Area	Suburban Center	610	700	100		550	690	130	
Downtown	Transit Town Center	250	940	690		220	920	690	
Vallejo		44,430	46,960	2,530	6%	40,560	44,880	4,320	11%
Waterfront & Downtown	Suburban Center	1,130	1,970	840		980	1,920	950	
Solano County Unincorporated		7,450	8,940	1,500	20%	6,710	8,390	1,680	25%

Sonoma County

Jurisdiction or Area Name	Place Type	HOUSING UNITS				HOUSEHOLDS			
		2010	2040	2010-2040	% Growth	2010	2040	2010-2040	% Growth
Cloverdale		3,430	4,210	790	23%	3,180	4,040	860	27%
Downtown/SMART Transit Area	Transit Town Center	1,150	1,880	730		1,040	1,800	760	
Cotati		3,140	3,650	510	16%	2,980	3,530	550	18%
Downtown and Cotati Depot	Transit Town Center	890	1,290	400		830	1,250	410	
Healdsburg		4,800	5,000	200	4%	4,390	4,650	260	6%
Petaluma		22,740	25,430	2,690	12%	21,740	24,610	2,880	13%
Central, Turning Basin/Lower Reach		810	2,570	1,760		750	2,500	1,750	
Rohnert Park		16,550	20,150	3,600	22%	15,810	19,590	3,780	24%
Central Rohnert Park	Transit Town Center	1,360	2,320	960		1,300	2,270	970	
Sonoma Mountain Village	Suburban Center	200	2,210	2,010		200	2,170	1,980	
Santa Rosa		67,400	83,420	16,020	24%	63,590	80,560	16,970	27%
Downtown Station Area	City Center	2,230	6,130	3,890		2,080	5,980	3,900	
Mendocino Avenue/Santa Rosa Avenue Corridor	Mixed-Use Corridor	7,310	9,820	2,510		6,810	9,510	2,700	
North Santa Rosa Station	Suburban Center	4,240	6,200	1,960		3,960	6,040	2,090	
Roseland	Transit Neighborhood	3,570	6,480	2,910		3,400	6,300	2,900	
Sebastopol Road Corridor	Mixed-Use Corridor	2,990	8,280	5,290		2,750	8,050	5,300	
Sebastopol		3,470	3,890	420	12%	3,280	3,710	430	13%
Nexus Area	Rural Town Center	2,510	2,890	390		2,360	2,750	400	
Sonoma		5,540	5,840	300	5%	4,960	5,390	430	9%
Windsor		9,540	11,460	1,910	20%	8,960	10,870	1,910	21%
Redevelopment Area	Suburban Center	1,430	2,640	1,200		1,370	2,550	1,190	
Sonoma County Unincorporated		67,970	73,400	5,430	8%	56,950	63,730	6,780	12%
Forestville	Rural Town Center	990	1,390	400		890	1,290	400	
Graton	Rural Town Center	570	1,000	440		530	960	430	
Guerneville	Rural Town Center	460	870	410		370	780	410	
Penngrove Urban Service Area	Rural Town Center	440	820	380		420	790	380	
The Springs	Rural Corridor	5,110	6,200	1,090		4,700	5,850	1,150	

ASSOCIATION OF BAY AREA GOVERNMENTS

Representing City and County Governments of the San Francisco Bay Area



July 25, 2012

San Francisco Bay Area

City Managers and Planning/Community Development Directors,

The Regional Housing Need Allocation (RHNA) process for the San Francisco Bay Area reached its second milestone. On July 19, 2012, the ABAG Executive Board adopted the Draft RHNA Methodology and Preliminary Subregional Shares for the fifth cycle: 2014 - 2022 for all jurisdictions and subregions by income category. The adoption finalized the Draft RHNA Methodology according to the recommendations submitted by ABAG Staff in response to the input received during the 60-day public comment period that began on May 18, 2012 and closed on July 16, 2012. This milestone was reached through your involvement and the diligent efforts performed by the Housing Methodology Committee (HMC). The HMC represents a diverse set of interests that reflect both local and regional needs. This regional committee created the adopted Draft RHNA Methodology through an iterative process of workshops and meetings that began in January 2011. As we have reached the half-way point in the RHNA process, this memo provides an overview of the adopted RHNA Methodology and Subregional Shares as reflected in Resolution(s) 12-12 and 12-13. Finally, this memo details the next RHNA steps for local jurisdictions and subregions.

Final Draft RHNA Methodology

1. Sustainability Component

This component advances the goals of SB 375; this factor is based on the Jobs-Housing Connection Strategy, which allocates new housing development into Priority Development Areas (PDAs) and non-PDAs. By concentrating new development in PDAs, the Strategy helps protect the region's natural resources, water supply, and open space by reducing development pressure on rural areas. This allows the region to consume less energy, reducing household costs and the emission of greenhouse gases. Following the land use distribution specified in the Jobs-Housing Connection Strategy, 70% (131,593) of the 187,990 units determined by HCD will be allocated to PDAs and the remaining 30% (56,397) will be directed to non-PDA locations.

As of July 19, 2012, the Jobs-Housing Connection Strategy has been modified to a feasible growth concentration over the 2014-2022 RHNA cycle. This new distribution results in a shifting of approximately 3,500 units or 1.5 percent of the total regional allocation. This modification shifts housing units from Oakland, Newark, and San Jose primarily to medium sized cities within the employment commute shed of these cities.

2. Fair Share Component

This component achieves the requirement that all cities and counties in California work to provide a fair share or proportion of the region's total and affordable housing need. In particular, cities that had strong transit networks, high employment rates, and performed poorly on the 1999-2006 RHNA cycle for very-low and low income units received higher allocations. Fair Share scoring is addressed through the factors listed below.

- *Upper Housing Threshold:* If growth projected by the Jobs-Housing Connection Strategy in PDAs meets or exceeds 110% of the jurisdiction's household formation growth, it is not assigned additional growth outside the PDA, which ensures that cities with large PDAs are not overburdened.

- *Minimum Housing Floor:* Jurisdictions are assigned a minimum of 40 percent of their household formation growth but not to exceed 1.5 times its 2007–2014 RHNA. This factor encourages all jurisdictions to produce a fair proportion of total housing need.
- *Past RHNA Performance:* In non-PDA areas, the total low- and very-low income units that were permitted in the 1999–2006 RHNA cycle were used as a factor for this cycle. For example, cities that exceeded their RHNA obligation in these two income categories received a lower score.
- *Employment:* In non-PDA areas, the employment was factored using the 2010 job estimates for a jurisdiction. Jurisdictions with higher employment received a higher score.
- *Transit:* In non-PDA areas, transit was factored for each jurisdiction. Jurisdictions with higher transit frequency and coverage received a higher score.

3. *Income allocation (Amended as of July 19, 2012)*

The income allocation factor ensures that jurisdictions that already supply a large amount of affordable housing receive lower affordable housing allocations. This also promotes the state objective for increasing the mix of housing types among cities and counties equitably. The income allocation requirement is designed to ensure that each jurisdiction in the Bay Area plans for housing people of every income.

The income distribution of a jurisdiction’s housing need allocation is determined by the difference between the regional proportion of households in an income category and the jurisdiction’s proportion for that same category. Once determined, this difference is then multiplied by 175 percent. The result becomes that jurisdiction’s “adjustment factor.” The jurisdiction’s adjustment factor is added to the jurisdiction’s initial proportion of households in each income category. The result is the total share of the jurisdiction’s housing unit allocation for each income category.

On July 19, 2012, the calculation of current income groups by jurisdiction was modified. This calculation was based on the regional median household income instead of the county median household income. This adjustment provided a better regional alignment of the income distribution formula of 175 percent. Using the median income for the region eliminates this disparity and places all counties on equal footing.

This adjustment did not change a jurisdiction's total allocation, but shifted the distribution across its income categories. Counties with residents that are above the regional median household income (Contra Costa, Marin, San Mateo, and Santa Clara) experienced a shift towards a greater concentration of units in the very-low, low, and moderate income categories. Counties with residents below the regional median household income (Alameda, Napa, San Francisco, Solano, and Sonoma) experienced shifts towards a greater concentration in the above moderate income category

4. Sphere of Influence Adjustments

Every city in the Bay Area has a Sphere of Influence (SOI) which can be either contiguous with or go beyond the city's boundary. The SOI is considered the probable future boundary of a city and that city is responsible for planning within its SOI. The SOI boundary is designated by the county's Local Area Formation Commission (LAFCO). The LAFCO influences how government responsibilities are divided among jurisdictions and service districts in these areas.

The allocation of the housing need for a jurisdiction's SOI where there is projected growth within the spheres varies by county. In Napa, San Mateo, Santa Clara, Solano, and Sonoma counties, the allocation of housing need generated by the unincorporated SOI is assigned to the cities. In Alameda and Contra Costa counties, the allocation of housing need generated by the unincorporated SOI is assigned to the county. In Marin County, 62.5 percent of the allocation of housing need generated by the unincorporated SOI is assigned to the city and 37.5 percent is assigned to the county.

Subregions Shares

Napa, San Mateo and Solano counties with the inclusion of all cities within each county have formed the three subregions for this RHNA cycle. These counties are each considering an alternative housing allocation methodology. The share of the RHND total for each of these subregions is defined by the ratio between the subregion and the total regional housing growth for the 2014 to 2022 period in the Jobs-Housing Connection Strategy, which is the same ratio as in RHNA. Napa will receive 0.7883%, San Mateo will receive 8.7334%, and Solano will receive 3.7113% of the region's total RHND.

Next Steps

The most recent adoption authorizes the beginning of the 60-day *Revisions and Appeals* process. During this period, each jurisdiction and subregion are allowed to request for revisions to its allocation or submit an appeal to the RHNA process.¹ The objective of the appellate process is to allow ABAG Staff to work directly with local jurisdictions and subregions to discuss its proposed allocation of housing units for the 5th 2014-2022 RHNA cycle. The deadline to submit an appeal or to request for a revision is September 18, 2012. To ensure that ABAG Staff will have adequate time to respond to requests before or by the next Executive Board Meeting on September 20, 2012, we are recommending that jurisdictions and subregions submit their request by **September 10, 2012**. Requests or questions regarding the *Revision and Appeals* process should be sent to RHNA_Feedback@abag.ca.gov.

By April 2013, ABAG will issue Final Allocations that will be subject to a final adoption by the ABAG Executive Board. In June and July 2013, the Department of Housing and Community Development (HCD) will review the San Francisco Bay Area RHNA Plan. Thank you for your involvement in this process. By the end of August we will be distributing a technical report that details the mechanics of the RHNA methodology. In this report, you will find worksheets and explanations to each step we took to calculate the individual allocations to jurisdictions and subregions. For a list of the upcoming phases for the RHNA process, please see the attached list of events at the end of the enclosed packet.

¹ Government Code §65584.05(b)

Respectfully,

A handwritten signature in cursive script that reads "Miriam Chion". The signature is written in black ink and is positioned above a horizontal line that extends across the width of the signature.

Miriam Chion

Acting Director of Planning and Research, ABAG

Attachment A: Draft RHNA (released on July 19, 2012)

DRAFT REGIONAL HOUSING NEED ALLOCATION (2014-2022)

	Very Low 0-50%	Low 51-80%	Moderate 81-120%	Above Moderate 120%+	Total
REGION	46,680	28,940	33,420	78,950	187,990
Alameda County					
Alameda	442	247	282	745	1,716
Albany	80	53	57	144	334
Berkeley	530	440	581	1,395	2,946
Dublin	793	444	423	615	2,275
Emeryville	275	210	258	749	1,492
Fremont	1,707	922	974	1,829	5,432
Hayward	862	490	625	2,044	4,021
Livermore	835	472	494	916	2,717
Newark	328	166	157	422	1,073
Oakland	2,050	2,066	2,803	7,782	14,701
Piedmont	24	14	15	7	60
Pleasanton	713	389	405	551	2,058
San Leandro	502	269	350	1,156	2,277
Union City	316	179	191	415	1,101
Alameda County Unincorporated	428	226	294	814	1,762
	9,885	6,587	7,909	19,584	43,965
Contra Costa County					
Antioch	348	204	213	677	1,442
Brentwood	233	123	122	278	756
Clayton	51	25	31	34	141
Concord	794	442	556	1,670	3,462
Danville	195	111	124	125	555
El Cerrito	100	63	69	165	397
Hercules	219	117	100	243	679
Lafayette	146	83	90	107	426
Martinez	123	72	78	194	467
Moraga	75	43	50	60	228
Oakley	316	173	174	500	1,163
Orinda	84	47	53	42	226
Pinole	80	48	42	126	296
Pittsburg	390	253	315	1,058	2,016
Pleasant Hill	117	69	84	176	446
Richmond	436	304	408	1,276	2,424
San Pablo	55	53	75	264	447
San Ramon	514	278	281	338	1,411
Walnut Creek	601	353	379	892	2,225
Contra Costa County Unincorporated	372	217	242	530	1,361
	5,249	3,078	3,486	8,755	20,568

RHNA Methodology adopted by ABAG Executive Board on July 19, 2012.
ABAG is scheduled to issue Final Allocation in April 2013 and to adopt in May 2013.

DRAFT REGIONAL HOUSING NEED ALLOCATION (2014-2022)

	Very Low 0-50%	Low 51-80%	Moderate 81-120%	Above Moderate 120%+	Total
Marin County					
Belvedere	4	3	4	5	16
Corte Madera	22	13	13	24	72
Fairfax	16	11	11	23	61
Larkspur	40	20	21	51	132
Mill Valley	41	24	26	38	129
Novato	111	65	72	166	414
Ross	6	4	4	4	18
San Anselmo	33	17	19	37	106
San Rafael	239	147	180	437	1,003
Sausalito	26	14	16	23	79
Tiburon	24	16	19	19	78
Marin County Unincorporated	55	32	37	60	184
	617	366	422	887	2,292
Napa County					
American Canyon	116	54	58	164	392
Calistoga	6	2	4	15	27
Napa	185	106	141	403	835
St. Helena	8	5	5	13	31
Yountville	4	2	3	8	17
Napa County Unincorporated	51	30	32	67	180
	370	199	243	670	1,482
San Francisco County					
San Francisco	6,207	4,619	5,437	12,482	28,745
	6,207	4,619	5,437	12,482	28,745

RHNA Methodology adopted by ABAG Executive Board on July 19, 2012.
ABAG is scheduled to issue Final Allocation in April 2013 and to adopt in May 2013.

DRAFT REGIONAL HOUSING NEED ALLOCATION (2014-2022)

	Very Low 0-50%	Low 51-80%	Moderate 81-120%	Above Moderate 120%+	Total
San Mateo County					
Atherton	36	27	29	14	106
Belmont	116	63	67	121	367
Brisbane	25	13	15	30	83
Burlingame	280	149	158	388	975
Colma	20	8	9	30	67
Daly City	408	194	225	681	1,508
East Palo Alto	64	54	83	266	467
Foster City	148	87	76	119	430
Half Moon Bay	52	31	36	67	186
Hillsborough	50	29	34	16	129
Menlo Park	237	133	145	219	734
Millbrae	193	101	112	272	678
Pacifica	121	68	70	154	413
Portola Valley	21	15	15	13	64
Redwood City	706	429	502	1,147	2,784
San Bruno	365	166	208	555	1,294
San Carlos	195	107	111	183	596
San Mateo	859	469	530	1,172	3,030
South San Francisco	576	290	318	922	2,106
Woodside	23	13	15	11	62
San Mateo County Unincorporated	100	61	72	106	339
	4,595	2,507	2,830	6,486	16,418
Santa Clara County					
Campbell	252	137	150	390	929
Cupertino	354	206	230	269	1,059
Gilroy	235	159	216	473	1,083
Los Altos	168	99	112	96	475
Los Altos Hills	46	28	32	15	121
Los Gatos	200	112	132	173	617
Milpitas	1,000	568	563	1,145	3,276
Monte Sereno	23	13	13	12	61
Morgan Hill	272	153	184	315	924
Mountain View	810	490	525	1,088	2,913
Palo Alto	688	430	476	585	2,179
San Jose	9,193	5,405	6,161	14,170	34,929
Santa Clara	1,045	692	752	1,586	4,075
Saratoga	147	95	104	92	438
Sunnyvale	1,780	992	1,027	2,179	5,978
Santa Clara County Unincorporated	22	13	14	28	77
	16,235	9,592	10,691	22,616	59,134

RHNA Methodology adopted by ABAG Executive Board on July 19, 2012.
ABAG is scheduled to issue Final Allocation in April 2013 and to adopt in May 2013.

DRAFT REGIONAL HOUSING NEED ALLOCATION (2014-2022)

	Very Low 0-50%	Low 51-80%	Moderate 81-120%	Above Moderate 120%+	Total
Solano County					
Benicia	94	54	56	123	327
Dixon	50	24	30	93	197
Fairfield	861	451	514	1,664	3,490
Rio Vista	15	12	16	56	99
Suisun City	105	40	41	169	355
Vacaville	287	134	173	490	1,084
Vallejo	283	178	211	690	1,362
Solano County Unincorporated	16	9	12	26	63
	1,711	902	1,053	3,311	6,977
Sonoma County					
Cloverdale	39	29	31	111	210
Cotati	35	18	18	66	137
Healdsburg	31	24	26	75	156
Petaluma	198	102	120	321	741
Rohnert Park	180	107	126	482	895
Santa Rosa	943	579	756	2,364	4,642
Sebastopol	22	17	19	62	120
Sonoma	24	23	27	63	137
Windsor	120	65	67	187	439
Sonoma County Unincorporated	219	126	159	428	932
	1,811	1,090	1,349	4,159	8,409
REGION	46,680	28,940	33,420	78,950	187,990

RHNA Methodology adopted by ABAG Executive Board on July 19, 2012.
ABAG is scheduled to issue Final Allocation in April 2013 and to adopt in May 2013.

Appendix A: Bay Area RHNA Performance, 1999 to 2006

Bay Area Affordable Housing, 1999 to 2006

	Very Low			Low			Moderate			Above Moderate			Total Permits Issued
	RHNA Allocation	Permits Issued	Percent of Allocation Permitted	RHNA Allocation	Permits Issued	Percent of Allocation Permitted	RHNA Allocation	Permits Issued	Percent of Allocation Permitted	RHNA Allocation	Permits Issued	Percent of Allocation Permitted	
Alameda County													
Alameda ^a	443	300	68%	265	36	14%	611	120	20%	843	496	59%	952
Albany ^a	64	5	8%	33	10	30%	77	54	70%	103	91	88%	160
Berkeley ^a	354	239	68%	150	257	171%	310	94	30%	455	762	167%	1,352
Dublin ^a	796	263	33%	531	243	46%	1,441	378	26%	2,668	2,948	110%	3,832
Emeryville ^a	178	124	70%	95	63	66%	226	183	81%	278	1,452	522%	1,822
Fremont ^a	1,079	361	33%	636	142	22%	1,814	340	19%	3,179	2,128	67%	2,971
Hayward ^a	625	40	6%	344	17	5%	834	818	98%	1,032	1,727	167%	2,602
Livermore ^a	875	202	23%	482	259	54%	1,403	657	47%	2,347	2,628	112%	3,746
Newark ^a	205	0	0%	111	0	0%	347	0	0%	587	314	53%	314
Oakland ^a	2,238	610	27%	969	690	71%	1,959	155	8%	2,567	6,847	267%	8,302
Piedmont ^a	6	0	0%	4	0	0%	10	0	0%	29	9	31%	9
Pleasanton ^a	729	120	16%	455	410	90%	1,239	272	22%	2,636	1,589	60%	2,391
San Leandro ^a	195	108	55%	107	0	0%	251	161	64%	317	1,245	393%	1,514
Union City ^a	338	177	52%	189	55	29%	559	59	11%	865	1,561	180%	1,852
Unincorporated ^a	1,785	50	3%	767	253	33%	1,395	4	0%	1,363	1,571	115%	1,878
Total	9,910	2,599	26%	5,138	2,435	47%	12,476	3,295	26%	19,269	25,368	132%	33,697

^a Data was provided by local planning or housing staff.

^b Data was estimated by ABAG staff. Total housing units based on data from the Construction Industry Research Board (CIRB). Estimates of affordable units in the low- and very low-income categories were produced by using CDLAC and TCAC data. Projects were identified as "Placed in Service" and having received funding between 1998 and 2005. ABAG staff reviewed data to ensure the units in projects that received funding from both sources were not double counted. Redevelopment Agency reports to the State Department of Housing and Community Development were used to estimate moderate-income housing production. This data may include rehabilitated units as well as new construction.

^c Data for 1999-2005 was provided by local planning or housing staff. ABAG staff estimated data for 2006.

^d Partial data provided by local planning or housing staff. Other data estimated by ABAG staff.

Regional Housing Needs Allocation Numbers Assigned by ABAG

City	Population (2010 Census)	2010 Housing Units	2010-2040 HU Growth per SCS	Allocation Period	Regional Housing Needs Allocation (RHNA)								RHNA as % of Population	RHNA as % of housing units	RHNA as % of SCS	very low + low as % of total RHNA	very low + low as % of population	very low + low as % of 2010 housing units	Production (1999 - 2006)				
					Very Low	Low	Very Low + Low	% change from prev cycle	Moderate	Above Moderate	TOTALS	% Change from prev cycle							Very Low	Low	Very Low + Low	Very Low + Low: % of RHNA Produced	Very Low & Low: Current RHNA as % of production
Hayward	144,186	48,300	12,290	2014-2022	862	490	1,352	8.1%	625	2,044	4,021	18.5%	2.8%	8.3%	32.7%	33.6%	0.94%	2.8%	40	17	57	5.9%	2372%
	145,446	47,489		2007-2014	768	483	1,251	29.1%	569	1,573	3,393	19.7%	2.3%	7.1%		36.9%	0.86%	2.6%					
				1999-2006	625	344	969		834	1,032	2,835					34.2%							
San Leandro	84,950	32,420	7,210	2014-2022	502	269	771	29.4%	350	1,156	2,277	39.7%	2.7%	7.0%	31.6%	33.9%	0.91%	2.4%	108	0	108	35.8%	714%
	81,116	31,842		2007-2014	368	228	596	97.4%	277	757	1,630	87.4%	2.0%	5.1%		36.6%	0.73%	1.9%					
				1999-2006	195	107	302		251	317	870					34.7%							
Fremont	214,089	73,990	17,620	2014-2022	1,707	922	2,629	17.6%	974	1,829	5,432	24.0%	2.5%	7.3%	30.8%	48.4%	1.23%	3.6%	361	142	503	29.3%	523%
	209,603	71,237		2007-2014	1,348	887	2,235	30.3%	876	1,269	4,380	-34.7%	2.1%	6.1%		51.0%	1.07%	3.1%					
				1999-2006	1,079	636	1,715		1,814	3,179	6,708					25.6%							
Dublin	46,036	15,780	8,530	2014-2022	793	444	1,237	-29.4%	423	615	2,275	-31.7%	4.9%	14.4%	26.7%	54.4%	2.69%	7.8%	263	243	506	38.1%	244%
	39,781	13,564		2007-2014	1,092	661	1,753	32.1%	653	924	3,330	-38.7%	8.4%	24.6%		52.6%	4.41%	12.9%					
				1999-2006	796	531	1,327		1,441	2,668	5,436					24.4%							
Pleasanton	70,285	26,050	7,150	2014-2022	713	389	1,102	-38.9%	405	551	2,058	-37.2%	2.9%	7.9%	28.8%	53.5%	1.57%	4.2%	120	410	530	44.8%	208%
	67,379	25,253		2007-2014	1,076	728	1,804	52.4%	720	753	3,277	-35.2%	4.9%	13.0%		55.1%	2.68%	7.1%					
				1999-2006	729	455	1,184		1,239	2,636	5,059					23.4%							
Oakland	390,724	169,710	51,490	2014-2022	2,050	2,066	4,116	3.0%	2,803	7,782	14,701	0.5%	3.8%	8.7%	28.6%	28.0%	1.05%	2.4%	610	690	1,300	40.5%	317%
	410,277	161,022		2007-2014	1,900	2,098	3,998	24.7%	3,142	7,489	14,629	89.2%	3.6%	9.1%		27.3%	0.97%	2.5%					
				1999-2006	2,238	969	3,207		1,959	2,567	7,733					41.5%							
Union City	69,516	21,260	3,010	2014-2022	316	179	495	-48.0%	191	415	1,101	-43.4%	1.6%	5.2%	36.6%	45.0%	0.71%	2.3%	177	55	232	44.0%	213%
	72,124	20,249		2007-2014	561	391	952	80.6%	380	612	1,944	-0.4%	2.7%	9.6%		49.0%	1.32%	4.7%					
				1999-2006	338	189	527		559	865	1,951					27.0%							
San Jose	945,942	314,040	129,170	2014-2022	9,193	5,405	14,598	11.7%	6,161	14,170	34,929	0.6%	3.7%	11.1%	27.0%	41.8%	1.54%	4.6%	4,415	3,886	8,301	107.8%	176%
	944,475	298,901		2007-2014	7,751	5,322	13,073	69.8%	6,198	15,450	34,721	33.0%	3.7%	11.6%		37.7%	1.38%	4.4%					
				1999-2006	5,337	2,364	7,701		7,086	11,327	26,114					29.5%							
Unincorporated Alameda County	138,835	51,020	5,430	2014-2022	428	226	654	-25.3%	294	814	1,762	-18.7%	1.6%	3.5%	32.4%	37.1%	#DIV/0!	1.3%	50	253	303	11.9%	216%
		50,480		2007-2014	536	340	876	-65.7%	400	891	2,167	-59.2%		4.3%		40.4%	0.63%	1.7%					
				1999-2006	1785	767	2,552		1395	1363	5,310					48.1%							
Alameda County Total				2014-2022	10,631	6,886			7,940	17,788	43,245	-3.8%											
				2007-2014							44,937												

2010 Housing Units is per the Jobs-Housing Connection, dated May, 2012
 RHNA numbers as included in May 17, 2012 memo to ABAG Executive Board
 2010 - 2040 HH Growth is per the Jobs-Housing Connection, dated May, 2012

DATE: September 11, 2012
TO: Mayor and City Council
FROM: City Manager
SUBJECT: Overview of Crime Mapping Services for City of Hayward

RECOMMENDATION

That the City Council receives information regarding a new on-line information service for Hayward residents regarding crime, called CrimeMapping.com.

DISCUSSION

Police Chief Urban will provide an overview of this new service for Hayward. CrimeMapping.com has been developed to help law enforcement agencies throughout North America provide the public with valuable information about recent crime activity in their neighborhood. The goal of the developers of this on-line service is to assist police departments in reducing crime through a better-informed citizenry. Creating more self-reliance among community members is a great benefit to community-oriented policing efforts everywhere and has been proven effective in combating crime. Attachment I provides an overview of the service.

Prepared by:



David Rizk, Acting City Manager

Attachments:

Attachment I: Overview of CrimeMapping.com



Where does CrimeMapping.com data come from? CrimeMapping.com data comes from police *Case Reports* written by our officers. When our officers write a Case Report, they may include one or more *offenses* that occurred during the *case*. For reports containing more than one offense, there is always a *primary* offense. For example, if the Case Report contains a robbery and an assault, the robbery will be designated the primary offense, because robbery is the more serious offense per Uniform Crime Report standards. For simplicity and to avoid duplicate counts of Reports, this site gives only the primary offense for each incident.

What can I search for in CrimeMapping.com? You will be able to search for police report data based on the type of offense, the location of occurrence, and the date of occurrence - the "What", "Where", and "When" of reports. (More details are included in "help" on the website.)

- **Offense types:** Arson, Assault, Burglary, Disturbing the Peace, Drug/Alcohol Violations, DUI, Fraud, Homicide, Motor Vehicle Theft, Robbery, Theft/Larceny, Vandalism, Vehicle Break-in/Theft, and Weapons. Offenses other than these may not be released due to confidentiality and/or case sensitivity.
- **Location of Occurrence:** You can enter an exact address to search or include a radius. The radius around an address can range from 500 feet to 2 miles. The Agency filter should be set to Hayward Police so not to include crimes from other jurisdictions.
- **Dates of Occurrence:** Only available for the last **180 days**.

How current is the data in CrimeMapping.com? Report data is transferred into CrimeMapping.com once a day from HPD's records management software. Through this site, you can access information on police Case Reports made and entered into our computers as of yesterday, and as far back as the *last 180 days*. There may be delays in entering police reports. See below for details.

Why do I get different results if I use CrimeMapping.com today than when I used it last week? The Department is constantly receiving police reports, at the rate of about 100 a day, some for recent offenses as well as older ones. So the reports shown for any date can vary, depending on when you query CrimeMapping.com. There are several reasons this happens:

1. Delays in *reporting* crimes. Citizens may discover a crime, but choose not report it for days, weeks, months, or even years after the crime has occurred - though we do our best to encourage reporting crimes as soon as they are discovered.
2. Delays in *releasing* reports to the general public due to confidentiality and/or case sensitivity.

The result of all these delays is that it may take a couple of weeks from the time an incident occurs to the time it shows up in CrimeMapping.com.

Why can't I see an incident on my map? CrimeMapping.com uses GIS (geographic information system) software. GIS can only map those incidents with addresses it recognizes, or where the location was known to the victim. Thus, if a person's pocket was picked "somewhere by the BART Station," this will not be shown on the map, as there is no specific location. The result is that a number of incidents may appear on a report generated by this site, but won't show on the map.

Why can't I see incidents the way I heard about them in the media? Offenses may be shown differently than what was described by the media. This is so, because incidents may change in nature following the initial report. Thus, a homicide may appear on this site as a robbery, because when the incident was initially reported the victim was still alive, and did not die from injuries suffered during the robbery until several days later.

I am aware a homicide occurred, why don't I see it on CrimeMapping.com? Reports may be delayed in releasing to the public so not to compromise an open investigation.

How can I see the police report for an incident shown on the map and/or get crime information for more than 180 days? You may contact the [Hayward Police Department Records Bureau](#) for procedures on obtaining additional information.



**MINUTES OF THE SPECIAL JOINT CITY
COUNCIL/REDEVELOPMENT SUCCESSOR
AGENCY/HOUSING AUTHORITY MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 17, 2012, 7:00 p.m.**

The Special Joint City Council/Redevelopment Successor Agency/Housing Authority meeting was called to order by Mayor/Chair Sweeney at 7:00 p.m., followed by the Pledge of Allegiance led by Council/RSA/HA Member Zermeño.

ROLL CALL

Present: COUNCIL/RSA/HA MEMBERS Zermeño, Jones, Peixoto, Salinas,
Mendall
MAYOR/CHAIR Sweeney
Absent: COUNCIL/RSA/HA MEMBER Halliday

Mayor Sweeney noted that due to a relative in ill health Council Member Halliday could not attend the meeting.

PRESENTATIONS

Business Recognition Award

The Business Recognition Award for July 2012 was presented to Panera Bread. It was noted that Panera Bread opened its Hayward location in 2007 and had 1,562 company-owned and franchise-operated bakery-cafes in 40 states and in Ontario Canada. Panera Bread was presented with the award for the contributions it has made by: providing a positive restaurant experience; being an industry leader; giving back to the community through charitable donations; and contributing to the overall economic well-being of the City. The award was presented to John Co, Restaurant Manager and Erin Torrance, District Manager. Mr. Co thanked the Council for such a special recognition.

Peter Sategna Scholarship Award

The Peter Sategna Educational Foundation presented a \$10,000 scholarship to Tennyson High School graduate, Marlene Marquez. Mr. Gary Smith, on behalf of the Peter Sategna Educational Foundation, thanked the Council for selecting a Hayward student for the scholarship award. Mr. Smith noted that Peter Sategna was his uncle and it was his wish that a foundation be set up to help underprivileged children get a higher education. Mayor Sweeney thanked the family of Peter Sategna, the foundation for a generous scholarship, and Council Members Salinas and Zermeño for their help in selecting the scholarship awardee. Miss Marquez thanked the foundation and the scholarship committee for the award.

PUBLIC COMMENTS

Economic Development Manager Brooks noted that the City of Hayward, in partnership with the Friends of the Library, presented the second annual Taste of Hayward on June 6, 2012. Mr. Brooks shared that the cumulative net proceeds for the two years was approximately \$12,000 and the funds

would go to the Friends of the Library after school Homework Support Center.

City Clerk Lens noted that the City was accepting applications for volunteers to serve on the various boards and commissions. Ms. Lens noted that the deadline to apply was July 18, 2012, and individuals could contact her office to obtain an application and/or additional information.

Ms. Wynn Grcich, Industrial Parkway SW resident, referenced information from “Professionals Perspective on Water Fluoridation,” “Chloramine Causes Collateral Health Damage” and “What in the World Are They Spraying on Us?” and spoke about the health problems associated with the chemical content in water.

Ms. Sherry Blair, Alice Street resident, welcomed the two new Council members and praised the installation and the acknowledgements given to former Council members at a prior meeting. Ms. Blair suggested that the warmth and positive vision that was portrayed at the meeting needs to be expanded to include all the neighborhoods in Hayward.

Mr. Kim Huggett, President of the Chamber of Commerce, invited everyone to attend and participate in the Downtown Hayward Street Party on July 19, 2012.

Mr. Doug Ligibel, Grand Terrace resident, expressed concern about problems in his neighborhood with illegal pyrotechnic explosives and narcotics issues and noted that meetings with the City Manager were unproductive. He also mentioned problems with empty storefronts and foreclosed problems in the downtown area. Mayor Sweeney stressed the importance of reporting problems to the Police Department.

Mr. Jim Drake, Franklin Avenue resident, welcomed the new Council members, showed a quote by Henry Clay, “Government is a trust, and the officers of the government are trustees, and both the trust and the trustees are created for the benefit of the people,” and suggested the quote be placed on the wall behind the Council dais.

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson announced that Council met with legal counsel regarding two anticipated litigation cases pursuant to Government Code 54956.9, and one conference with real property negotiators pursuant to Government Code 54956.8. Mr. Lawson noted that there were no reportable items related to the litigation cases. In reference to real property negotiations, he noted that Council was expected to take public action via agenda items 12 and 21.

Consent items 1, 2, and 12 were removed from the consent calendar for separate vote.

CONSENT

1. Approval of Minutes of the Special Joint City Council/Redevelopment Successor Agency/Housing Authority Meeting on June 19, 2012

It was moved by Council/RSA/HA Member Zermeño, seconded by Council/RSA/HA Member Salinas, and carried with Council/RSA/HA Members Jones and Mendall abstaining and



**MINUTES OF THE SPECIAL JOINT CITY
COUNCIL/REDEVELOPMENT SUCCESSOR
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777 B Street, Hayward, CA 94541
Tuesday, July 17, 2012, 7:00 p.m.**

Council/RSA/HA Member Halliday absent, to approve the minutes of the Special Joint City Council/Redevelopment Successor Agency/Housing Authority Meeting of June 19, 2012.

2. Approval of Minutes of the Special Joint City Council/Redevelopment Successor Agency/Housing Authority Meeting on June 26, 2012

It was moved by Council/RSA/HA Member Zermeño, seconded by Council/RSA/HA Member Salinas, and carried with Council/RSA/HA Members Jones and Mendall abstaining and Council/RSA/HA Member Halliday absent, to approve the minutes of the Special Joint City Council/Redevelopment Successor Agency/Housing Authority Meeting of June 26, 2012.

3. Approval of Minutes of the Special City Council Meeting on July 10, 2012

It was moved by Council Member Peixoto, seconded by Council Member Salinas, and carried with Council Member Halliday absent, to approve the minutes of the City Council Meeting of July 10, 2012.

4. New Sidewalks – Franklin Avenue, Harder Road, and Phillips Way: Award of Contract

Staff report submitted by Assistant City Engineer Owusu, dated July 17, 2012, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Salinas, and carried with Council Member Halliday absent, to adopt the following:

Resolution 12-125, “Resolution Increasing the Administrative Change Order Amount, and Awarding the Contract to Rosas Brothers Construction for the New Sidewalks – Franklin Avenue, Harder Road, and Phillips Way Project, Project No. 5176”

5. Report and Assessment for Delinquent Garbage Bills Incurred by Property Owners of Single-Family Residences

Staff report submitted by Solid Waste Manager Dahle-Lacaze, dated July 17, 2012, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Salinas, and carried with Council Member Halliday absent, to adopt the following:

Resolution 12-126, “Resolution Confirming the Report and Specials Assessment List Associated with Delinquent Garbage Bills Incurred by Residential Property Owners with Cart Service”

6. Water Pollution Control Facility Master Plan: Authorization for the City Manager to Execute a Professional Services Agreement

Staff report submitted by Senior Utilities Engineer Clark, dated July 17, 2012, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Salinas, and carried with Council Member Halliday absent, to adopt the following:

Resolution 12-127, “Resolution Authorizing the City Manager to Execute An Agreement with Brown and Caldwell to Prepare a Water Pollution Control Facility Master Plan”

7. Sewer Collection System Master Plan: Authorization for the City Manager to Execute a Professional Services Agreement

Staff report submitted by Senior Utilities Engineer Louie, dated July 17, 2012, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Salinas, and carried with Council Member Halliday absent, to adopt the following:

Resolution 12-128, “Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with RMC Water and Environment Inc. for the Sewer Collection System Master Plan Project, Project No. 7522”

8. Adoption of a Resolution Approving an Agreement Authorizing Participation in the Voluntary Employees Beneficiary Association (VEBA) Program between the City of Hayward and the Hayward Police Officers Association

Staff report submitted by Human Resources Director Robustelli, dated July 17, 2012, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Salinas, and carried with Council Member Halliday absent, to adopt the following:

Resolution 12-129, “Resolution Approving an Agreement with the Hayward Police Officers Association, for Participation in the Voluntary Employee Beneficiary Association (VEBA) Plan”

9. Authorization for the City Manager to Negotiate and Execute a Professional Services Agreement for Design of Fire Station No.7

Staff report submitted by Assistant City Engineer Owusu, dated July 17, 2012, was filed.



**MINUTES OF THE SPECIAL JOINT CITY
COUNCIL/REDEVELOPMENT SUCCESSOR
AGENCY/HOUSING AUTHORITY MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 17, 2012, 7:00 p.m.**

It was moved by Council Member Peixoto, seconded by Council Member Salinas, and carried with Council Member Halliday absent, to adopt the following:

Resolution 12-130, “Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with WLC Architects, Inc. for Architectural Services Associated with the Design of a New Fire Station #7, Project No. 7465”

10. Route 238 Corridor Improvement Project: Authorization for the City Manager to Execute an Amendment to the Professional Services Agreement with Mark Thomas and Company

Staff report submitted by Assistant City Engineer Owusu, dated July 17, 2012, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Salinas, and carried with Council Member Halliday absent, to adopt the following:

Resolution 12-131, “Resolution Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with Mark Thomas and Company for the Route 238 Corridor Improvement Project, Project No. 5117”

11. Adoption of East Bay Economic Development Alliance's "Open for Business" Pledge

Staff report submitted by Economic Development Manager Brooks, dated July 17, 2012, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Salinas, and carried with Council Member Halliday absent, to adopt the following:

Resolution 12-132, “Resolution of the City Council of the City of Hayward to Adopt the East Bay Economic Development Alliance’s “Open For Business” Pledge”

12. Approval of the Conveyance of the Residual Burbank Site from the City to the Successor Agency; Successor Agency Approval and Acceptance of the Conveyance of the Residual Burbank Site from the City to the Successor Agency; and Approval of the Conveyance of the Residual Burbank Site to Urban Dynamic and Subsequent Assignment to KB Home

Staff report submitted by Redevelopment Project Manager Ortega, dated July 17, 2012, was filed.

The item was pulled from the consent calendar to allow for public comment.

Ms. Sherry Blair, Alice Street resident, shared that her neighborhood was unhappy with the Cannery and Burbank Plan and the lack of neighborhood participation. Ms. Blair requested that Council assist to enable communication among developers, new homeowner associations, and neighborhood groups.

Mayor Sweeney requested staff explain the process of the Burbank site development, the timelines of the original land use determination, and project approvals.

Assistant City Manager Morariu explained the item before Council was to complete administrative actions resulting from the dissolution of the Redevelopment Agency and to complete the transfer of the Residual Burbank Site from the City of Hayward to the Successor Agency.

Council Member Salinas requested the inclusion of a memorandum of understanding with the developer to ensure they continuously include the neighborhood community as the project proceeds. Assistant City Manager Morariu said she offered to meet with Ms. Blair and members of the neighborhood community. City Manager David said staff was willing to meet with members of the community via the Neighborhood Partnership Program.

It was moved by Council Member Zermeño, seconded by Council Member Salinas, and carried with Council Member Halliday absent, to adopt the following:

Resolution 12-138, “Resolution of the City Council of the City of Hayward Approving the Transfer of Specified Property to the Successor Agency for the Redevelopment Agency of the City of Hayward and Making Certain Findings Relating Thereto”

Redevelopment Successor Agency Resolution 12-06, “Resolution of the City Council of the City of Hayward, Acting as the Governing Board of the Successor Agency for the Redevelopment Agency of the City of Hayward, A Separate Legal Entity, Approving the Transfer of Specified Property from the City of Hayward to the Successor Agency, Approving the Transfer of the Property by the Successor Agency to Urban Dynamic, and Making Certain Findings Relating Thereto”

13. Industrial Parkway Landscaping Improvement Project: Approval of Plans and Specifications and Call For Bids

Staff report submitted by Assistant City Engineer Owusu, dated July 17, 2012, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Salinas, and carried with Council Member Halliday absent, to adopt the following:



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Resolution 12-133, “Resolution Approving Plans and Specifications for the Industrial Parkway Corridor Landscaping Improvement Project, Project No. 5184, and Call for Bids”

14. Adoption of an Ordinance Amending Chapter 11, Article 3, Section 11-3.255 of the Hayward Municipal Code Relating to Sewer System Connection Fees

Staff report submitted by City Clerk Lens, dated July 17, 2012, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Salinas, and carried with Council Member Halliday absent, to adopt the following:

Ordinance 12-03, “An Ordinance Amending Chapter 11, Article 3, Section 11-3.255 of the Hayward Municipal Code Relating to Sewer System Connection Fees”

15. Extension of Agreement for Consulting Services between the City of Hayward and Cheryl Miller for the Ward Creek Drainage Community Defensible Space Grant Management

Staff report submitted by Fire Chief Contreras, dated July 17, 2012, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Salinas, and carried with Council Member Halliday absent, to adopt the following:

Resolution 12-134, “Resolution Authorizing the City Manager to Execute the Agreement for Extending Consulting Services between the City of Hayward and Cheryl Miller for the Ward Creek Drainage Community Defensible Space Grant Management”

16. Authorization to Negotiate a Professional Services Agreement with Townsend Public Affairs, Inc., to Assist in Securing State and Federal Funding for Affordable Housing, Economic Development, Public Safety, Library, Infrastructure, Utility and Recycling Activities and Transportation Related Activities; and to Appropriate Funding

Staff report submitted by Administrative Analyst II Blohm, dated July 17, 2012, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Salinas, and carried with Council Member Halliday absent, to adopt the following:

Resolution 12-135, “Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Townsend Public Affairs, Inc., to Assist in Securing State and Federal Funding for Affordable Housing, Economic Development, Public Safety, Library, Infrastructure, and Transportation Related Activities, and Public Facilities”

Resolution 12-136, “Resolution Amending Resolution 12-119, as Amended, the Operating Budget Resolution for Fiscal Year 2013 Relating to an Appropriation of Funds from the General Fund, Fund 100”

17. Authorization to Negotiate and Execute a Professional Services Agreement with Tracy Maiden-Baillie to Provide Literacy Learning Consultant Services Including Reading Specialist/Tutor Advisory Services

Staff report submitted by Director of Library and Community Services Reinhart, dated July 17, 2012, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Salinas, and carried with Council Member Halliday absent, to adopt the following:

Resolution 12-137, “Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Tracy Maiden-Baillie to Provide Specialized Literacy Learning Consultant Services Including Tutor Training and Advisory Services”

LEGISLATIVE BUSINESS

18. Resolution Authorizing and Appropriating Funds for General Plan Update

Staff report submitted by Senior Planner Pearson, dated July 17, 2012, was filed.

Development Services Director Rizk announced the report and Senior Planner Pearson provided a synopsis of the report.

Mayor Sweeney reiterated the need to consider options to lower costs for the General Plan Update.

Council Member Jones suggested the number of General Plan Task Force Committee members be manageable and that members representing the following groups be included: seniors, recreation district, transportation agencies, and the real estate community. Mr. Jones noted that during the General Plan update there needs to be a process of handling rezoning and conditional use permit applications. Mr. Jones shared that during the Council’s Economic Development Committee meeting the need to identify catalyst sites and integration of economic development strategies was



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discussed and he asked if there was a process to integrate those ideas into the General Plan update. Mr. Pearson noted they could be identified in the Economic Development Element of the General Plan and that staff planned on incorporating the Economic Development Strategy into the General Plan update.

Council Member Salinas commented that the consultants needed to have a strategy to recruit and engage the student community to participate in the process.

Council Member Peixoto expressed that staff/consultant need to actively outreach to the community by meeting with community groups and homeowner's associations and he noted the Form-Based Code outreach was successful in engaging the community. He said the passive outreach technics of emails, water bill inserts, and announcements in the newspaper, were not sufficient.

Council Member Zermeño commented about the importance of bringing the General Plan update costs down. He suggested that Council could nominate individuals for the Task Force. City Manager David pointed out that the Boards and Commissions application and interview process would be a good model to follow in order to achieve a balanced Task Force that could represent all community interests.

Council Member Mendall noted that it was important to have a process in place in which interested individuals could apply to serve on the Task Force and the Council, or a sub-committee of the Council, would interview them. He added that Council could help by reaching out to prospective applicants. In terms of economic development, he suggested including high technology businesses in the area surrounding the new power plant and identifying locations for clusters of youth-friendly businesses. In terms of public outreach, he recommended holding a second community meeting in the South Hayward neighborhood area. Mr. Mendall mentioned he was also concerned about the costs associated with the update and suggested prioritizing items that should be accomplished during the first phase.

Mayor Sweeney opened the public hearing at 8:07 p.m.

Ms. Sherry Blair, Alice Street resident, suggested one cost cutting measure would be to let the neighborhoods tell Council what changes were needed to their specific neighborhood plans. Ms. Blair also mentioned the productive visioning meetings, facilitated by Library and Community Services Director Reinhart, on Urban Agriculture and noted that ideas from these meetings could fit into the City's General Plan.

Mr. Jim Drake, Franklin Avenue resident, asked what hourly rate the consultant was going to charge. Mayor Sweeney commented that the consultant costs presented were staff's best estimates and actual costs would be known when requests for proposals were submitted.

Mayor Sweeney closed the public hearing at 8:12 p.m.

Mayor Sweeney offered a motion to approve the resolution appropriating funds and offered the following suggestions: that the General Plan Task Force recruitment have an application and interview process conducted by the City Clerk with selection made by the Council; that the Task Force be comprised of Hayward residents who would represent the City's diversity; that a technical advisory group be formed; that the Task Force would join efforts with staff to engage segments of the community such as youth, seniors, businesses, and educational institutions; that two community meetings were not adequate; and that any land use issues should be addressed early in the process. Mayor Sweeney stressed the importance of conducting the General Plan update correctly and managing costs appropriately. He requested that staff supply Council, on a regular basis, with written updates on the General Plan update progress.

Council Member Mendall suggested conducting General Plan outreach at the street parties.

It was moved by Council Member Sweeney, seconded by Council Members Mendall and Salinas, and carried with Council Member Halliday absent, to adopt the following:

Resolution 12-139, "Resolution Authorizing and Appropriating
Funds for the General Plan Update"

19. Authorization for the City Manager to Execute an Agreement with California State University, East Bay to Deliver Services in Support of the Hayward Promise Neighborhood Initiative

Staff report submitted by Neighborhood Services Manager Korth,
dated July 17, 2012, was filed.

Assistant City Manager Morariu and Library and Community Services Director Reinhart provided a synopsis of the report.

Council Member Peixoto liked the Hayward Promise Neighborhood (HPN) Initiative approach that encompassed the cradle to graduation component, and covered issues of safety, health, and support services. Mr. Peixoto felt the tutoring concept would be an excellent resource for college students to become connected to real work situations. Neighborhood Services Manager Korth shared that gang prevention strategies were a part of the HPN plan.

Council Member Salinas suggested posting the logo 'Hayward PROMISE Neighborhood' throughout the City.

Council Member Zermeño liked the collaborative efforts of the partnership and said the directives were excellent. Mr. Zermeño wanted the inclusion of a Spanish program that would include Hayward's large Hispanic population and possibly encourage them to become professional linguists. Mr. Zermeño expressed concern that the job placement element needed to be strengthened.

Council Member Jones congratulated all the partners in support of the Hayward Promise Neighborhood Initiative and said he looked forward to seeing the positive results. Mr. Jones said this was a great opportunity to forge relationships and encouraged all partners to sustain the



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relationships that will result from the partnership. Mr. Jones expressed concern about what would happen to the program when the funding ends after five years. Mr. Jones added that Hayward was fortunate to have received the grant during difficult economic times.

Council Member Mendall was excited for the opportunity to build and strengthen relationships and encouraged the partners to continue the relationships even after the five years. He pointed out that community service was not a Hayward Unified School District (HUSD) graduation requirement and suggested that students could volunteer in community programs and build a volunteer base and, if there are too many volunteers, the City could help place them in the Literacy Plus Program, Library programs, and the Keep Hayward Clean & Green Task Force.

Mayor Sweeney opened the public hearing at 8:46 p.m.

Dr. Carolyn Nelson, Dean for the College of Education and Allied Studies at California State University East Bay (CSUEB), expressed appreciation and concurred with comments that the partnerships could be sustained and how they could help leverage the funds to be used more efficiently.

Council Member Salinas inquired if students from the Jackson Triangle who successfully complete HUSD requirements and meet the CSUEB entry criteria would be guaranteed admission at CSUEB. Dr. Nelson said an agreement could be worked out in the next couple of years, thought this was a great idea and looked forward to discussion.

Council Member Zermeño said he would like the proposed policy of a guaranteed seat at CSUEB be extended to Chabot College students. Dr. Nelson commented that the proposal could be part of the discussion and noted that Hayward students should be given priority.

Ms. Sherry Blair, Alice Street resident, cautioned that the Hayward Promise Neighborhood could result in the colonizing of the neighborhood rather than uplifting the neighborhood. Ms. Blair said the agencies should look to the Jackson Triangle neighborhood for inspiration and hoped the agencies and neighborhood could come together for a solution.

Mr. Rocky Fernandez, Jackson Triangle resident, expressed he was excited about the program and thanked staff and the partners for helping the Jackson Triangle neighborhood.

Mayor Sweeney closed the public hearing at 8:56 p.m.

It was moved by Council Member Zermeño and Council Member Salinas, seconded by Council Member Peixoto, and carried with Council Member Halliday absent, to adopt the following:

Resolution 12-140, “Resolution Authorizing the City Manager to Enter into a Service Agreement and Execute Other Related Documents with California State University, East Bay to Deliver Community Services In Support of the Hayward Promise Neighborhood Initiative”

20. Designation of Voting Delegates and Alternates for the League of California Cities 2012 Annual Conference

Staff report submitted by City Manager David, dated July 10, 2012, was filed.

City Manager David provided a synopsis of the report.

Mayor Sweeney suggested that Council Member Salinas be the voting delegate and Council Members Peixoto and Halliday the alternates.

It was moved by Council Member Jones, seconded by Council Member Mendall, and carried with Council Member Halliday absent, to adopt the following:

Resolution 12-141, “A Resolution Designating a Voting Delegate and Two Alternate Voting Delegates as Hayward’s Representatives to the League of California Cities 2012 Annual Conference”

21. Approval of: 1) Modified Recognized Obligation Payment Schedule for the Period July 1 – December 31, 2012; 2) Recognized Obligation Payment Schedule and Successor Agency Administrative Budget for the Period January 1 – June 30, 2013; and 3) Approval of Resolutions Authorizing Execution of Property Transfers for Two Housing Properties from the City to the Housing Authority

Staff report submitted by Assistant City Manager Morariu, dated July 17, 2012, was filed.

Assistant City Manager Morariu provided a synopsis of the report. Ms. Morariu indicated that staff presented a memorandum that corrected an oversight in the staff report and Attachments VI and VII regarding the RDA Successor Agency Recognized Obligation Payment Schedules (ROPS). According to AB1484, repayment of the Supplemental Education Revenue Augmentation Fund (SERAF) loan cannot begin until FY2014.

In response to Mayor Sweeney’s question as to what the SERAF loan was used for, Assistant City Manager Morariu responded that the Redevelopment Agency borrowed money from the Low and Moderate Income Housing Fund to pay the State so the City could cover its funding obligations to schools.

There being no comments, Mayor/Chair Sweeney opened and closed the public hearing at 9:12 p.m.



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City Manager David acknowledged Assistant City Manager Morariu, Assistant City Attorney Conneely and the City Attorney's Office, and the partnership of Goldfarb staff for the work accomplished during this Redevelopment Agency dissolution process.

It was moved by Council/RSA/HA Member Zermeño, seconded by Council/RSA/HA Member Jones, and carried with Council/RSA/HA Member Halliday absent, to adopt the following:

Redevelopment Successor Agency Resolution 12-07, "Resolution of the City Council of the City of Hayward, Acting as the Governing Board of the Successor Agency for the Redevelopment Agency of the City of Hayward, A Separate Legal Entity, Amending Specified Items on the Approved Recognized Obligation Payment Schedule for the Period July through December 2012"

Redevelopment Successor Agency Resolution 12-08, "Resolution of the City Council of the City of Hayward, Acting as the Governing Board of the Successor Agency for the Redevelopment Agency of the City of Hayward, A Separate Legal Entity, Approving the Recognized Obligation Payment Schedule and an Administrative Budget for the Period January 1 through June 30, 2013, and Directing the City Manager to Take All Actions Necessary to Effectuate Associated Requirements of ABX1 26"

Resolution 12-142, "Resolution of the City Council of the City of Hayward Approving the Transfer of Specified Properties to the City of Hayward Housing Authority, Housing Successor for the Redevelopment Agency of the City of Hayward, and Making Certain Findings Relating Thereto"

Housing Authority Resolution 12-03, "Resolution Approving the Transfer of Specified Properties from the City of Hayward and Making Certain Findings Relating Thereto"

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Council Member Salinas announced the "Let's Do Lunch Hayward...and Breakfast Too," program and noted that there were about four weeks left for kids to receive free breakfasts and lunches at 32 participating locations. He reported that volunteers were serving 3100 breakfasts and lunches per day. Mr. Salinas reminded everyone about the Chamber of Commerce/Downtown BIA Hayward Street Parties on July 19 and August 16, 2012. He also welcomed Council Members Jones and Mendall.

Council Member Zermeño encouraged everyone to attend clean-up events, shop in Hayward, and sign up to take classes at Chabot College during the Council recess. Mr. Zermeño noted that prior to the July 4th holiday, the City had a plan which was executed to mitigate problems, but there were certain individuals who still created problems. He added that the City Manager was not responsible for firework-related problems, vacant lots in downtown, or other perceived problems.

Mayor Sweeney noted that the Council would be meeting on July 24, 2012, to conduct board, committee, commissions, and task force interviews. Mr. Sweeney reiterated the City Clerk's announcement about the recruitment noting the deadline to apply was July 18, 2012, by 5:00 p.m., and interested individuals could contact the office of the City Clerk to obtain additional information.

ADJOURNMENT

Mayor/Chair Sweeney adjourned the meeting at 9:17 p.m.

APPROVED:

Michael Sweeney, Mayor City of Hayward
Chair, Redevelopment Successor Agency
Chair, Housing Authority

ATTEST:

Miriam Lens, City Clerk, City of Hayward
Secretary, Redevelopment Successor Agency
Secretary, Housing Authority



**MINUTES OF THE SPECIAL CITY COUNCIL MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 24, 2012, 7:00 p.m.**

MEETING

The Special Meeting of the City Council was called to order by Mayor Sweeney at 4:30 p.m., in Room 2B.

PUBLIC COMMENTS

There were no public comments. The City Clerk and Council Members discussed the logistics for the interviews.

BOARD, COMMISSIONS, COMMITTEE AND TASK FORCE INTERVIEWS

The Council interviewed 20 qualified applicants from a pool of 23 applications received by the City Clerk. Two applicants withdrew their applications and one applicant requested a telephone interview. The Council considered and accepted the request, but the applicant could not be reached at the time of his interview.

At the conclusion of the interviews, the Council reviewed seven reappointment requests for action on September 11, 2012. The Council identified 11 individuals for formal appointment and swearing-in at the Council meeting on Tuesday, September 11, 2012.

ADJOURNMENT

Mayor Sweeney adjourned the meeting at 9:43 p.m.

APPROVED:

Michael Sweeney, Mayor City of Hayward

ATTEST:

Miriam Lens, City Clerk, City of Hayward



DATE: September 11, 2012

TO: Mayor and City Council

FROM: Director of Public Works – Utilities & Environmental Services

SUBJECT: Electrical and Mechanical Improvements to High School Reservoir Project:
Award of Contract and Appropriation of Additional Funds

RECOMMENDATION

That Council adopts the attached resolutions:

1. Awarding the contract to Pacific Infrastructure Corporation in the amount of \$464,000; and
2. Appropriating an additional \$250,000 to the project budget from the Water System Capital Improvement Fund in order to complete this project.

BACKGROUND

The Hayward water system is divided into various elevation zones. The High School Reservoir, located off City Center Drive behind the Creekwood Apartments, is a reinforced concrete tank built in 1920 with a one million gallon storage capacity, and serves the northern-most portion of the 250-foot elevation pressure zone. In late 2010, this tank was upgraded with replacement roofing. A remaining item to be addressed is the maintenance of water quality related to the length of time water remains in the tank before it is consumed and water in the tank refreshed.

The normal water pressure of the City's distribution system is generally about the same as the pressure head in the tank because of the tank's relatively low elevation. As a result, the water remains in the tank until a drop in pressure occurs within the distribution system, due to increased consumption during the day. Sometimes, the system's drop in pressure is not significant or long enough to allow adequate water turnover in the tank. When water remains in the tank, unused for long periods of time, it eventually loses its disinfection chloramine residual, which would make the water potentially susceptible to contamination. A drop in chloramine residual occurred in early 2011, and water had to be drained from the tank to allow high quality water in the distribution system to refill the tank. To prevent future occurrences, Utilities staff has since stopped filling the reservoir and has temporarily taken it out of service.

In this project, a new pump will be installed, along with associated piping and valves, to allow the water in the High School Reservoir to be circulated back into the distribution system while the

water is still fresh. An electrical panel, Programmable Logic Controller (PLC) and antenna will be put in place to supply power to the equipment. This equipment will permit the City's SCADA system to remotely operate the pump and valves, and control the reservoir's water level. To protect the equipment and site from vandalism, a concrete vault will be constructed to house the pump. Site lighting and alarms will be installed to surround the reservoir. The project also includes installation of an emergency shut-off valve (also known as sudden loss valve) to preserve water in the reservoir in case of an earthquake or other catastrophic event.

In January 2012, the City entered into a professional service agreement with consultant Psomas for design and construction administration services for the Electrical and Mechanical Improvements to High School Reservoir Project.

To supply power to the new pumping system and communication equipment, the City has worked with PG&E to install conduits and a transformer to provide electrical service to the High School Reservoir site. The installation was completed in February 2012.

DISCUSSION

On July 24, 2012, the City received six bids that ranged in cost from \$464,000 to \$608,300 for the construction of this project. Pacific Infrastructure Corporation submitted the low bid in the amount of \$464,000, which is 41 % above the engineer's estimate. It must be noted that the consultant engineer's cost estimate was initially higher. However, due to lower construction costs over the past four years, staff requested that the engineer's estimate be revised to reflect a lower cost. Due to the higher than expected bids, staff asked Pacific Infrastructure Corp. for a cost break down. After analyzing the contractor's cost break down, the increased cost appeared to be the result of staff under estimating the probable cost of the effort and equipment needed to complete the work. No single bid item stands out as having an unreasonably high cost. Considering the lowest three bids are within 5% of each other, staff finds the low bid to be at market rate and reasonable under the circumstances.

All bid documents and licenses are in order. Staff recommends award of contract to the low bidder, Pacific Infrastructure Corporation, in the amount of \$464,000.

FISCAL AND ECONOMIC IMPACT

The estimated project costs are as follows:

Connect PG&E Electrical Service to Reservoir Site	\$ 130,000
Design and Construction Administration Services – Consultant	55,000
Design Administration – City Staff	20,000
Construction Contract	464,000
Inspection and Testing	<u>51,000</u>
Total:	\$ 720,000

When initially creating this project in the CIP, the budget did not include the cost of installing PG&E electrical service. Staff originally anticipated the PG&E service connection would be done as

part of the High School Reservoir improvement work, which included the roof replacement, graffiti removal, and interior coating. However, due to lengthy negotiations with PG&E for a service agreement and obtaining the necessary Right-of-Way, the work was not completed until this year. Therefore, the higher bids and the extra costs associated with PG&E electrical service installation have increased the total project funding requirement to \$720,000. The FY 2013 Capital Improvement Program includes \$470,000 for the Electrical and Mechanical Improvements to the High School Reservoir Project in the Water System Capital Improvement Fund. Staff requests an additional appropriation of \$250,000 from the Water System Capital Improvement Fund to complete the project. There is sufficient balance in the fund to cover this additional amount.

PUBLIC CONTACT

Although access to the High School Reservoir work site will require going through the Creekwood Apartment parking area from City Center Drive, parking will not be affected. During construction, staff will work closely with the property owner to notify apartment residents of the work schedule and potential impacts.

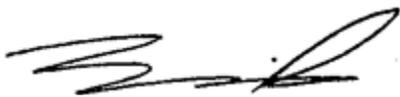
SCHEDULE

Award Contract	September 11, 2012
Begin Work	October 2012
Complete Work	February 2013

Prepared by: Thomas Lam, Associate Civil Engineer

Recommended by: Alex Ameri, Director of Public Works – Utilities & Environmental Services

Approved by:



Fran David, City Manager

Attachments:

- Attachment I - Resolution - Award
- Attachment II - Resolution - Appropriation
- Attachment III - Project Location Map
- Attachment IV - Bid Summary

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-_____

Introduced by Council Member _____

RESOLUTION AWARDING THE CONTRACT FOR THE ELECTRICAL AND MECHANICAL IMPROVEMENTS TO HIGH SCHOOL RESERVOIR PROJECT, PROJECT NO. 7137 TO PACIFIC INFRASTRUCTURE CORPORATION

WHEREAS, by resolution on June 26, 2012, the City Council approved the plans and specifications for the Electrical And Mechanical Improvements To High School Reservoir Project, Project No. 7137, and called for bids to be received on July 24, 2012; and

WHEREAS, on July 24, 2012, six bids were received ranging from \$464,000 to \$608,300; Pacific Infrastructure Corporation of Pleasanton submitted the low bid in the amount of \$464,000, which is 41 percent above the Engineer’s Estimate of \$330,000;

NOW, THEREFORE, BE IT RESOLVED that Pacific Infrastructure Corporation is hereby awarded the contract for the Electrical and Mechanical Improvements to High School Reservoir Project, Project No. 7137, in accordance with the plans and specifications adopted therefore and on file in the office of the City Clerk of the City of Hayward, at and for the price named and stated in the final proposal of the hereinabove specified bidder, and all other bids are hereby rejected.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute an agreement with Pacific Infrastructure Corporation in the name of and for and on behalf of the City of Hayward, in an amount not to exceed \$464,000, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

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

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-_____

Introduced by Council Member _____

RESOLUTION AMENDING RESOLUTION 11-094, BUDGET RESOLUTION FOR CAPITAL IMPROVEMENT PROJECTS FOR FISCAL YEAR 2013, FOR AN APPROPRIATION OF FUNDS FROM THE WATER SYSTEM CAPITAL IMPROVEMENT FUND (FUND 622) TO ELECTRICAL AND MECHANICAL IMPROVEMENTS TO HIGH SCHOOL RESERVOIR PROJECT NO. 7137

BE IT RESOLVED by the City Council of the City of Hayward that Resolution No. 11-094, Budget Resolution for Capital Projects for Fiscal Year 2013, is hereby amended by approving an additional appropriation of \$250,000 from the Water System Capital Improvement Fund (Fund 622) to the Electrical and Mechanical Improvements to High School Reservoir Project, Project No. 7504.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

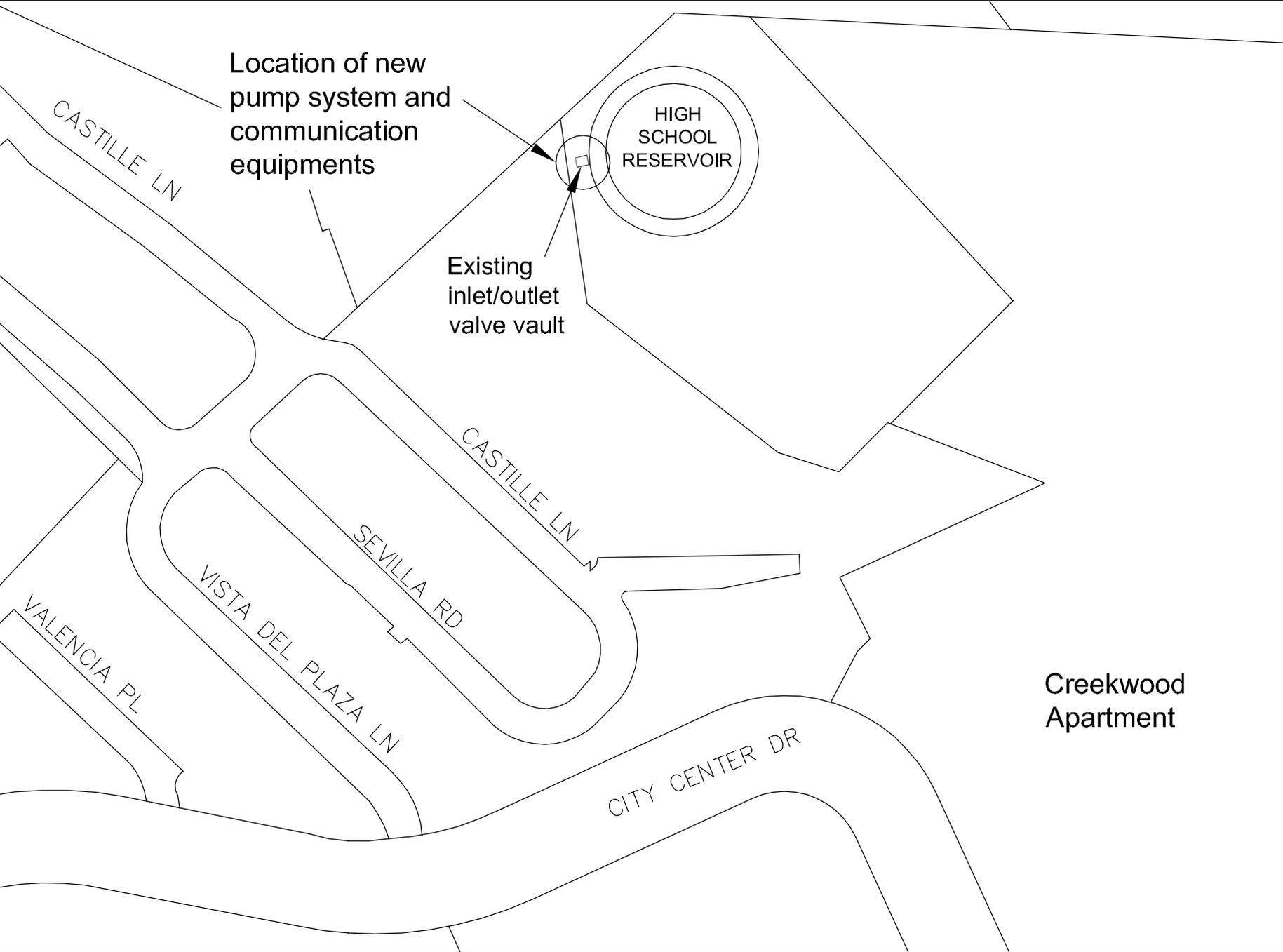
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



Project Location Map

CITY OF HAYWARD
 CONSTRUCTION OF ELECTRICAL AND MECHANICAL IMPROVEMENT TO HIGH SCHOOL RESERVOIR
 PROJECT NO. 622-7137
 BIDS OPENED: 7/24/12
 (NUMBER OF BIDS RECEIVED - 6)

BID SUMMARY					ENGINEER'S ESTIMATE		Pacific Infrastructure, Corp.	
							435 Boulder Ct #200 Pleasanton, CA 94566 (925) 249-0011 (925) 249-0009 Fax	
ITEM	ITEM CODE	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1025	1	LS	MOBILIZATION	10,000.00	10,000.00	23,000.00	23,000.00
2	1025	1	LS	ELECTRICAL AND MECHANICAL IMPROVEMENT TO HIGH SCHOOL RESERVOIR	265,000.00	265,000.00	405,000.00	405,000.00
3	1025	1	LS	SHEETING, SHORING, AND BRACING	20,000.00	20,000.00	5,000.00	5,000.00
4	10-1.17	1	LS	RECYCLING IMPLEMENTATION	5,000.00	5,000.00	1,000.00	1,000.00
5	10-1.20	1	LS	ADMINISTRATIVE CHANGE ORDERS	30,000.00	30,000.00	30,000.00	30,000.00
TOTAL						330,000.00		464,000.00

CITY OF HAYWARD
 CONSTRUCTION OF ELECTRICAL AND MECHANICAL IMPROVEMENT TO HIGH SCHOOL RESERVOIR
 PROJECT NO. 622-7137
 BIDS OPENED: 7/24/12
 (NUMBER OF BIDS RECEIVED - 6)

BID SUMMARY					ENGINEER'S ESTIMATE		Trinet Construction, Inc.	
							2560 Marin Street San Francisco, CA 94124 (415) 695-7814 (415) 695-7830 Fax	
ITEM	ITEM CODE	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1025	1	LS	MOBILIZATION	10,000.00	10,000.00	15,000.00	15,000.00
2	1025	1	LS	ELECTRICAL AND MECHANICAL IMPROVEMENT TO HIGH SCHOOL RESERVOIR	265,000.00	265,000.00	435,000.00	435,000.00
3	1025	1	LS	SHEETING, SHORING, AND BRACING	20,000.00	20,000.00	5,000.00	5,000.00
4	10-1.17	1	LS	RECYCLING IMPLEMENTATION	5,000.00	5,000.00	1,000.00	1,000.00
5	10-1.20	1	LS	ADMINISTRATIVE CHANGE ORDERS	30,000.00	30,000.00	30,000.00	30,000.00
TOTAL						330,000.00		486,000.00

CITY OF HAYWARD
 CONSTRUCTION OF ELECTRICAL AND MECHANICAL IMPROVEMENT TO HIGH SCHOOL RESERVOIR
 PROJECT NO. 622-7137
 BIDS OPENED: 7/24/12
 (NUMBER OF BIDS RECEIVED - 6)

BID SUMMARY					ENGINEER'S ESTIMATE		Casey Construction 620 Handley Trail Emerald Hills, CA 94062 (650) 369-1876 (650) 366-8578 Fax	
ITEM	ITEM CODE	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1025	1	LS	MOBILIZATION	10,000.00	10,000.00	6,900.00	6,900.00
2	1025	1	LS	ELECTRICAL AND MECHANICAL IMPROVEMENT TO HIGH SCHOOL RESERVOIR	265,000.00	265,000.00	446,871.00	446,871.00
3	1025	1	LS	SHEETING, SHORING, AND BRACING	20,000.00	20,000.00	8,400.00	8,400.00
4	10-1.17	1	LS	RECYCLING IMPLEMENTATION	5,000.00	5,000.00	2,000.00	2,000.00
5	10-1.20	1	LS	ADMINISTRATIVE CHANGE ORDERS	30,000.00	30,000.00	30,000.00	30,000.00
TOTAL						330,000.00		494,171.00

CITY OF HAYWARD
 CONSTRUCTION OF ELECTRICAL AND MECHANICAL IMPROVEMENT TO HIGH SCHOOL RESERVOIR
 PROJECT NO. 622-7137
 BIDS OPENED: 7/24/12
 (NUMBER OF BIDS RECEIVED - 6)

BID SUMMARY					ENGINEER'S ESTIMATE		Spiess Construction Co, Inc. PO Box 2849 Santa Maria, CA 93457 (805) 937-5859 (805) 934-4432 Fax	
ITEM	ITEM CODE	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1025	1	LS	MOBILIZATION	10,000.00	10,000.00	16,200.00	16,200.00
2	1025	1	LS	ELECTRICAL AND MECHANICAL IMPROVEMENT TO HIGH SCHOOL RESERVOIR	265,000.00	265,000.00	419,670.00	419,670.00
3	1025	1	LS	SHEETING, SHORING, AND BRACING	20,000.00	20,000.00	74,000.00	74,000.00
4	10-1.17	1	LS	RECYCLING IMPLEMENTATION	5,000.00	5,000.00	1,000.00	1,000.00
5	10-1.20	1	LS	ADMINISTRATIVE CHANGE ORDERS	30,000.00	30,000.00	30,000.00	30,000.00
TOTAL						330,000.00		540,870.00

CITY OF HAYWARD
 CONSTRUCTION OF ELECTRICAL AND MECHANICAL IMPROVEMENT TO HIGH SCHOOL RESERVOIR
 PROJECT NO. 622-7137
 BIDS OPENED: 7/24/12
 (NUMBER OF BIDS RECEIVED - 6)

BID SUMMARY					ENGINEER'S ESTIMATE		Pleasanton Engineering Contr.	
							PO Box 417 Pleasanton, CA 94566 (925) 719-9325 (866) 571-5416 Fax	
ITEM	ITEM CODE	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1025	1	LS	MOBILIZATION	10,000.00	10,000.00	29,000.00	29,000.00
2	1025	1	LS	ELECTRICAL AND MECHANICAL IMPROVEMENT TO HIGH SCHOOL RESERVOIR	265,000.00	265,000.00	515,000.00	515,000.00
3	1025	1	LS	SHEETING, SHORING, AND BRACING	20,000.00	20,000.00	5,000.00	5,000.00
4	10-1.17	1	LS	RECYCLING IMPLEMENTATION	5,000.00	5,000.00	1,000.00	1,000.00
5	10-1.20	1	LS	ADMINISTRATIVE CHANGE ORDERS	30,000.00	30,000.00	30,000.00	30,000.00
TOTAL						330,000.00		580,000.00

CITY OF HAYWARD
 CONSTRUCTION OF ELECTRICAL AND MECHANICAL IMPROVEMENT TO HIGH SCHOOL RESERVOIR
 PROJECT NO. 622-7137
 BIDS OPENED: 7/24/12
 (NUMBER OF BIDS RECEIVED - 6)

BID SUMMARY					ENGINEER'S ESTIMATE		D.W. Nicholson Corporation	
							24747 Clawiter Road Hayward, CA 94545 (510) 887-0900 (510) 783-9948	
ITEM	ITEM CODE	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1025	1	LS	MOBILIZATION	10,000.00	10,000.00	14,200.00	14,200.00
2	1025	1	LS	ELECTRICAL AND MECHANICAL IMPROVEMENT TO HIGH SCHOOL RESERVOIR	265,000.00	265,000.00	503,300.00	503,300.00
3	1025	1	LS	SHEETING, SHORING, AND BRACING	20,000.00	20,000.00	60,300.00	60,300.00
4	10-1.17	1	LS	RECYCLING IMPLEMENTATION	5,000.00	5,000.00	500.00	500.00
5	10-1.20	1	LS	ADMINISTRATIVE CHANGE ORDERS	30,000.00	30,000.00	30,000.00	30,000.00
TOTAL						330,000.00		608,300.00

DATE: September 11, 2012

TO: Mayor and City Council

FROM: Human Resources Director

SUBJECT: Adoption of Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2013

RECOMMENDATION

That the City Council adopts the attached Resolution approving an amendment to the City of Hayward Salary Plan for Fiscal Year 2013 (“FY 2013”), which designates all classifications and the corresponding salary range for employment in the City government of the City of Hayward as of September 12, 2012, superseding Resolution No. 12-109 and all amendments thereto.

BACKGROUND

On June 26, 2012, the City Council adopted the FY 2013 budget which sets forth the number of positions allocated to each City department. At that time, the Council also adopted the Salary Plan for FY 2013, as recommended by the Personnel Commission at its June 7, 2012 meeting.

As part of the budget process, Council approved a request to add one (1) Traffic Signal Technician and one (1) Senior Transportation Engineer in the Public Works Department. Based on these approvals, the salary of the Transportation Manager had to be adjusted to ensure continued compliance with Section 7.16 of the Memorandum of Understanding (MOU) between the City of Hayward and the Hayward Association of Management Employees (HAME), which provides for a ten percent (10%) salary differential between the top step base rate paid to HAME-represented supervisory classifications and the top base rate of their highest paid subordinate. These changes occurred after the June 7, 2012 Personnel Commission meeting and were not reflected in the Salary Plan adopted by Council on June 26, 2012.

The Salary Plan has been amended to reflect the changes Council approved as part of the budget process and to maintain compliance with the HAME MOU. The amended Salary Plan was presented to the Personnel Commission on July 19, 2012. After a public hearing, the Personnel Commission recommends that the City Council adopt an amended FY 2013 Salary Plan.

DISCUSSION

As required by the Municipal Code, the Salary Plan for FY 2013 (Attachment II) has been amended to reflect all of the classifications in the City's classified service, including all changes approved by the City Council during the FY 2013 budget process. The Salary Plan reflects changes within the Public Works Department as follows:

1) Traffic Signal Technician - The City has a demonstrated need to improve lighting and traffic synchronization throughout the City, especially in the downtown and major arterials. In order to address these issues, it was proposed that a new position of Traffic Signal Technician be created. The City is currently utilizing an employee from Republic Electric to address some of these issues (traffic signal maintenance only). On average, the City has spent approximately \$275,000 per year in each of the last two years for the services provided by Republic Electric. The cost to add a Traffic Signal Technician to City staff (salaries & benefits) for a higher level of service (for both street lighting and traffic signal maintenance) is approximately \$108,000, which is substantially less than the amount currently being paid to Republic Electric.

The salary for this position was set internally and is comparable to the existing Engineering Technician classification, which has a top step of \$36.24 per hour. With benefits, it is expected that this position would cost approximately \$108,000 per year. This position is funded in the approved FY 2013 Operating Budget for the Public Works Department.

2) Senior Transportation Engineer - Council expressed a desire to see improvements to traffic circulation throughout the City. While the Traffic Signal Technician position will address the day-to-day concerns, a long-term plan needs to be developed to prevent future traffic issues. To that end, staff requested and Council approved the addition of a Senior Transportation Engineer position for this express purpose.

The salary for this position would be comparable to the Senior Civil Engineer classification, which has a top step of \$59.79 per hour. With benefits, it is expected that this position would cost approximately \$164,000 per year. This position is currently funded as part of the approved Capital Improvement Programs Budget, Citywide Intersection Improvement Study Project.

3) Transportation Manager - Section 7.16 of the HAME MOU provides "the City shall maintain a minimum pay differential of ten percent (10%) between the top step base rate paid to the HAME – represented supervisory classifications and the top step base rate of their highest-paid subordinate classification." The Senior Transportation Engineer is subordinate to the Transportation Manager. To maintain compliance with Section 7.16 of the HAME MOU, the salary range for the classification of Senior Transportation Engineer needs to be adjusted to provide a top step of \$65.77 per hour.

In addition to the above changes, the Salary Plan also reflects a change in title in the Technology Services Department. The Director's title has been changed from Director of Technology Services to Director of Information and Technology/Chief Information Officer. This change is more consistent with the title of similar positions in comparable jurisdictions. There is no change in salary associated with the title change.

The terms and conditions of employment for classifications in represented bargaining units are detailed in approved MOUs and/or Side Letters of Agreement (Side Letters). The MOUs, Side Letters, and Resolution set forth annual salaries for FY 2013 for all the classifications referenced in each.

FISCAL IMPACT

The above-described changes will positively impact the Hayward community because it enhances the current level of service with greater efficiency and utilization of resources.

The changes in salaries and full time positions related to the reorganizations results in an increase of two FTE at an approximate cost of \$272,000 in salaries and benefits. The Traffic Signal Technician position (\$108,000) has been approved in the FY 2013 Operating Budget. The Senior Engineer position (\$164,000) will be funded by the approved Capital Improvement Programs Budget, as part of the Citywide Intersection Improvement Study Project.

The adjustment to the Transportation Manager salary range results in an increase of approximately \$16,000 in salary and benefits, which will be absorbed in non-General Fund projects that have been approved in the FY 2013 Operating Budget.

Prepared and Recommended by: Frances M. Robustelli, Human Resources Director

Approved by:



Fran David, City Manager

Attachment I: Resolution Approving Amendment to the FY 2013 Salary Plan
Attachment II: Revised FY 2013 Salary Plan

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION APPROVING THE AMENDED FISCAL YEAR 2013 SALARY PLAN DESIGNATING POSITIONS OF EMPLOYMENT IN THE CITY GOVERNMENT OF THE CITY OF HAYWARD AND SALARY RANGE; AND SUPERSEDING RESOLUTION NO. 12-109 AND ALL AMENDMENTS THERETO

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

Section 1. That a revised Positions and Salaries Schedule relating to the positions of employment in the City of Hayward, and the hourly rates of pay for those positions, is hereby set forth in Attachment "I," attached hereto and made a part hereof. The positions enumerated under the columns headed "Class Title" are hereby designated as the positions of employment in the City of Hayward, and the hourly rates of pay shown in the columns under the heading "Hourly Salary Range" are the salary rates or the maximum rates of pay for such positions.

Section 2. Salaries paid to occupants of said positions shall be administered in accordance with the Personnel Rules and Memoranda of Understanding and Side Letter Agreements approved by the City Council and currently in effect.

Section 3. All class titles used herein refer to the specifications of the position classification plan as reviewed by the Personnel Commission of the City of Hayward, or as set forth in the City Charter.

Section 4. The City Manager may approve in advance of an established effective date, payment to certain classifications in the Management Unit of all or a portion of a general salary increase previously approved by the City Council. Such advance payments shall be made only for those management classifications where the salary range is less than 10 percent above an immediately subordinate classification. The amount of advance payment approved by the City Manager shall not exceed the amount required to establish a 10 percent salary differential between the affected classifications. The City Manager shall advise the City Council and each bargaining unit in advance of any payments made pursuant to the provisions of this section.

Section 5. The salary ranges set forth in Attachment "II" shall be revised to reflect salary changes provided in any Memorandum of Understanding, Side Letters of

Agreement, or resolution setting forth the wages, hours, and other terms and conditions of employment for a bargaining unit or group of unrepresented employees of the City. Any revisions made pursuant to the provisions of this section shall be incorporated into a document prepared by the Human Resources Director and distributed to affected employees or their representatives that reflects the date of the revision and cites both the authority provided by this section and the provision of the memorandum or resolution being effectuated by the revision.

Section 6. This resolution supersedes Resolution No. 12-109 and all amendments thereto.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

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

**SALARY PLAN FOR ALL CLASSIFICATIONS
(PER MUNI CODE SEC.2-4.30)
FY 2012**

ATTACHMENT II
Recommended by
Personnel Commission
on July 19, 2012
Approved by Council
on _____, 2012

Classification Title	Hourly Salary Range					Job Code	Service Type
	A	B	C	D	E		
CITY WIDE ADMINISTRATIVE/ANALYTICAL SUPPORT							
ADMINISTRATIVE ANALYST III	42.64	44.77	47.01	49.36	51.83	723	Classified
ADMINISTRATIVE ANALYST II	38.38	40.30	42.31	44.43	46.65	724	Classified
ADMINISTRATIVE ANALYST I	34.90	36.65	38.48	40.40	42.42	744	Classified
EXECUTIVE ASSISTANT	34.79	36.39	38.03	39.66	41.41	418	Unclassified
ADMINISTRATIVE SECRETARY (CONFIDENTIAL)	32.17	33.49	34.80	36.09	37.53	420	Classified
ADMINISTRATIVE SECRETARY	30.62	31.89	33.14	34.38	35.76	108	Classified
SENIOR SECRETARY (CONFIDENTIAL)	29.40	30.51	31.77	32.93	34.22	414	Classified
SENIOR SECRETARY	27.99	29.09	30.27	31.38	32.59	107	Classified
ADMINISTRATIVE ASSISTANT	27.30	28.67	30.10	31.60	33.18	743	Classified
SECRETARY (CONFIDENTIAL)	25.91	27.07	28.45	29.79	31.13	413	Classified
SECRETARY	24.63	25.76	27.05	28.31	29.66	106	Classified
ADMINISTRATIVE CLERK II (CONFIDENTIAL)	23.85	24.82	25.80	26.93	28.28	401	Classified
ADMINISTRATIVE CLERK II	22.71	23.63	24.59	25.69	26.95	102	Classified
ADMINISTRATIVE CLERK I (CONFIDENTIAL)	21.01	22.07	23.20	24.46	25.71	400	Classified
ADMINISTRATIVE CLERK I	19.99	21.04	22.11	23.28	24.50	101	Classified
ADMINISTRATIVE INTERN				15.00	20.00	907	Classified
MAIL CLERK			12.47	13.12	13.76	134	Classified
CITY WIDE MAINTENANCE							
ELECTRICIAN II	39.14	40.70	42.30	44.09	45.92	329	Classified
ELECTRICIAN I	35.59	37.06	38.53	40.15	41.77	328	Classified
CITY WIDE CLASSIFICATIONS							
SENIOR PERMIT TECHNICIAN	31.66	32.96	34.24	35.74	37.56	179	Classified
PERMIT TECHNICIAN	28.55	29.69	30.88	32.21	33.85	180	Classified
CITY ATTORNEY DEPARTMENT							
CITY ATTORNEY					88.99	1216	Unclassified
ASSISTANT CITY ATTORNEY	59.90	62.90	66.05	69.35	72.82	1134	Classified
DEPUTY CITY ATTORNEY II	41.91	44.01	46.21	48.52	50.95	1179	Classified
DEPUTY CITY ATTORNEY I	34.56	36.29	38.10	40.00	42.00	1178	Classified
LEGAL SECRETARY II	28.89	30.57	32.87	33.56	35.29	416	Classified
LEGAL SECRETARY I	26.02	27.39	28.83	30.38	32.00	415	Classified
CITY CLERK DEPARTMENT							
CITY CLERK					54.84	1225	Unclassified
DEPUTY CITY CLERK	32.63	34.26	35.97	37.77	39.66	747	Classified
CITY MANAGER DEPARTMENT							
OFFICE OF THE CITY MANAGER							
CITY MANAGER					107.04	1297	Unclassified
ASSISTANT CITY MANAGER	73.72	77.41	81.28	85.34	89.61	1122	Unclassified
DEPUTY CITY MANAGER	64.02	67.22	70.58	74.11	77.82	1121	Unclassified
ASSISTANT TO CITY MANAGER	46.10	48.41	50.83	53.37	56.04	1126	Classified
COMMUNITY AND MEDIA RELATIONS OFFICER	40.34	42.36	44.48	46.70	49.04	1103	Classified
MANAGEMENT FELLOW					16.82	1128	Classified
CODE ENFORCEMENT SUPERVISOR	39.78	41.77	43.86	46.05	48.35	786	Classified
ECONOMIC DEVELOPMENT							
ECONOMIC DEVELOPMENT MANAGER	56.50	59.32	62.29	65.40	68.67	709	Classified
ECONOMIC DEVELOPMENT COORDINATOR	50.82	53.36	56.03	58.83	61.77	711	Classified
ECONOMIC DEVELOPMENT SPECIALIST	40.53	42.57	44.65	46.92	49.21	669	Classified

**SALARY PLAN FOR ALL CLASSIFICATIONS
(PER MUNI CODE SEC.2-4.30)
FY 2012**

ATTACHMENT II
Recommended by
Personnel Commission
on July 19, 2012
Approved by Council
on _____, 2012

Classification Title	Hourly Salary Range					Job Code	Service Type
	A	B	C	D	E		
NEIGHBORHOOD PARTNERSHIP SERVICES							
NEIGHBORHOOD DEVELOPMENT MANAGER	56.50	59.32	62.29	65.40	68.67	799	Classified
NEIGHBORHOOD PARTNERSHIP MANAGER	50.82	53.36	56.03	58.83	61.77	703	Classified
COMMUNITY PRESERVATION INSPECTION SUPERVISOR	39.78	41.77	43.86	46.05	48.35	715	Classified
SENIOR COMMUNITY PRESERVATION INSPECTOR	36.15	37.96	39.86	41.84	43.95	620	Classified
COMMUNITY PRESERVATION INSPECTOR	32.22	33.83	35.55	37.35	39.24	617	Classified
REDEVELOPMENT AGENCY							
REDEVELOPMENT DIRECTOR	56.50	59.32	62.29	65.40	68.67	795	Classified
REDEVELOPMENT PROJECT MANAGER	50.82	53.36	56.03	58.83	61.77	794	Classified
HOUSING MANAGER	50.82	53.36	56.03	58.83	61.77	726	Classified
HOUSING DEVELOPMENT SPECIALIST	40.53	42.57	44.65	46.92	49.21	674	Classified
REDEVELOPMENT SPECIALIST	40.53	42.57	44.65	46.92	49.21	649	Classified
HOMEOWNERSHIP COORDINATOR	35.60	37.39	39.19	41.18	43.20	605	Classified
DEVELOPMENT SERVICES DEPARTMENT							
DEVELOPMENT SERVICE ADMINISTRATION							
DIRECTOR OF DEVELOPMENT SERVICES	66.64	69.97	73.47	77.14	81.00	1116	Unclassified
BUILDING DIVISION							
CITY BUILDING OFFICIAL	56.50	59.32	62.29	65.40	68.67	740	Classified
HOUSING REHABILITATION COORDINATOR	37.35	39.29	41.29	43.32	45.44	662	Classified
SUPERVISING BUILDING INSPECTOR	47.97	50.37	52.89	55.53	58.31	741	Classified
SENIOR BUILDING INSPECTOR/STRUCTURAL	40.04	42.17	44.30	46.40	48.71	663	Classified
SENIOR BUILDING INSPECTOR/PLUMBING-MECHANICAL	40.04	42.17	44.30	46.40	48.71	659	Classified
SENIOR BUILDING INSPECTOR/ELECTRICAL	40.04	42.17	44.3	46.4	48.71	658	Classified
BUILDING INSPECTOR	34.57	36.19	38.04	39.97	42.59	656	Classified
SUPERVISING HOUSING INSPECTOR	47.97	50.37	52.89	55.53	58.31	748	Classified
SENIOR HOUSING INSPECTOR	36.15	37.96	39.86	41.84	43.95	657	Classified
HOUSING INSPECTOR	31.64	33.20	34.83	36.60	38.42	660	Classified
SUPERVISING PLAN CHECKER AND EXPEDITOR	40.93	42.98	45.13	47.39	49.76	798	Classified
PLAN CHECKING ENGINEER	46.81	49.08	51.55	54.23	57.00	610	Classified
SENIOR PLAN CHECKER	40.04	42.17	44.30	46.40	48.71	611	Classified
PLAN CHECKER	36.41	38.33	40.27	42.19	44.29	609	Classified
PLANNING DIVISION							
PLANNING MANAGER	56.50	59.32	62.29	65.40	68.67	797	Classified
PRINCIPAL PLANNER	50.82	53.36	56.03	58.83	61.77	720	Classified
SENIOR PLANNER	45.52	47.80	50.19	52.70	55.34	796	Classified
ASSOCIATE PLANNER	40.65	42.64	44.77	47.07	49.32	650	Classified
ASSISTANT PLANNER	33.36	34.99	36.87	38.67	40.65	624	Classified
JUNIOR PLANNER	29.57	31.14	32.60	34.23	35.90	622	Classified
GRAPHICS/PLANNING ILLUSTRATOR	28.12	29.48	31.04	32.59	34.17	627	Classified
DEVELOPMENT REVIEW ENGINEER	49.19	51.65	54.23	56.94	59.79	781	Classified
DEVELOPMENT REVIEW SPECIALIST	35.54	37.27	39.29	41.22	43.32	604	Classified
LANDSCAPE ARCHITECT	45.52	47.80	50.19	52.70	55.34	753	Classified
FINANCE DEPARTMENT							
ADMINISTRATION DIVISION							
DIRECTOR OF FINANCE	70.42	73.94	77.64	81.52	85.60	1118	Unclassified
BUDGET OFFICER	45.34	47.61	49.99	52.49	55.11	700	Classified
FINANCIAL ANALYST	41.22	43.28	45.44	47.71	50.10	712	Classified
AUDITOR	45.34	47.61	49.99	52.49	55.11	745	Classified
COLLECTIONS OFFICER	33.40	35.11	36.90	38.75	40.67	653	Classified
ACCOUNTING MANAGER	45.34	47.61	49.99	52.49	55.11	730	Classified
REVENUE MANAGER	45.34	47.61	49.99	52.49	55.11	729	Classified
FINANCE SUPERVISOR	41.2	43.26	45.42	47.69	50.07	734	Classified

**SALARY PLAN FOR ALL CLASSIFICATIONS
(PER MUNI CODE SEC.2-4.30)
FY 2012**

ATTACHMENT II
Recommended by
Personnel Commission
on July 19, 2012
Approved by Council
on _____, 2012

Classification Title	Hourly Salary Range					Job Code	Service Type
	A	B	C	D	E		
SENIOR ACCOUNTANT	41.2	43.26	45.42	47.69	50.07	749	Classified
SENIOR ACCOUNTING TECHNICIAN	31.24	32.78	34.38	36.11	37.94	100	Classified
ACCOUNTING TECHNICIAN	28.39	29.82	31.28	32.83	34.49	140	Classified
FINANCE TECHNICIAN	31.21	32.77	34.41	36.13	37.94	115	Classified
SENIOR ACCOUNT CLERK	26.11	27.38	28.56	29.95	31.34	156	Classified
ACCOUNT CLERK	23.80	24.84	26.02	27.22	28.58	155	Classified
SENIOR CUSTOMER ACCOUNT CLERK	26.11	27.38	28.56	29.95	31.34	130	Classified
CUSTOMER ACCOUNT CLERK	23.80	24.84	26.02	27.22	28.58	125	Classified
PURCHASING DIVISION							
PURCHASING AND SERVICES MANAGER	47.23	49.59	52.07	54.67	57.40	739	Classified
PURCHASING TECHNICIAN	28.39	29.82	31.28	32.83	34.49	110	Classified
PURCHASING ASSISTANT	28.03	29.18	30.33	31.46	32.68	111	Classified
MAIL AND PURCHASING CLERK	21.55	22.63	23.69	24.92	26.15	112	Classified
FIRE DEPARTMENT							
SWORN							
FIRE CHIEF	73.92	77.62	81.50	85.58	89.86	1101	Unclassified
DEPUTY FIRE CHIEF (40 HR)	66.16	69.37	72.78	76.37	80.19	1006	Classified
FIRE MARSHAL (40 HR)	60.14	63.17	66.23	69.50	72.90	1003	Classified
FIRE TRAINING OFFICER (40 HR)	59.98	62.98	66.13	69.44	72.91	1007	Classified
BATTALION CHIEF (56 HR)	39.05	41.01	42.99	45.10	47.34	1004	Classified
BATTALION CHIEF (40 HR)	54.67	57.43	60.22	63.18	66.28	1005	Classified
STAFF FIRE CAPTAIN (40 HR)			54.76	57.40	60.26	244	Classified
FIRE CAPTAIN (56 HR)			35.57	37.26	39.13	245	Classified
FIRE CAPTAIN (40 HR)			49.79	52.16	54.77	246	Classified
FIRE PREVENTION INSPECTOR (40 HR)	42.24	44.26	46.48	48.70	51.14	230	Classified
FIRE PREVENTION INSPECTOR (56 HR)	30.15	31.61	33.20	34.78	36.53	231	Classified
APPARATUS OPERATOR (56 HR)	28.52	29.93	31.41	32.92	34.60	220	Classified
APPARATUS OPERATOR (40 HR)	39.93	41.90	44.35	46.10	48.40	221	Classified
FIREFIGHTER (56 HR)	26.91	28.22	29.65	31.08	32.62	215	Classified
FIREFIGHTER (40 HR)	37.69	39.50	41.51	43.46	45.66	216	Classified
FIREFIGHTER TRAINEE (40 HR)	34.26	35.91				973	Classified
PROFESSIONAL STAFF							
HAZARDOUS MATERIALS PROGRAM COORDINATOR	47.97	50.37	52.89	55.53	58.31	705	Classified
FIRE PROTECTION ENGINEER	46.81	49.08	51.55	54.23	57.00	640	Classified
EMERGENCY MEDICAL SERVICES COORDINATOR	43.05	45.20	47.46	49.83	52.32	710	Classified
HAZARDOUS MATERIALS INVESTIGATOR	39.45	41.42	43.49	45.67	47.93	676	Classified
ENVIRONMENTAL SPECIALIST	39.45	41.42	43.49	45.67	47.93	677	Classified
FIRE SERVICES SUPERVISOR	43.05	45.20	47.46	49.83	52.32	701	Classified
FIRE TECHNICIAN II	27.85	29.24	30.70	32.24	33.85	113	Classified
FIRE TECHNICIAN I	25.30	26.57	27.90	29.30	30.77	109	Classified
HUMAN RESOURCES DEPARTMENT							
DIRECTOR OF HUMAN RESOURCES	67.45	70.82	74.36	78.08	81.98	1119	Unclassified
HUMAN RESOURCES MANAGER	42.98	45.13	47.39	49.76	52.25	1156	Classified
EMPLOYEE BENEFITS ADMINISTRATOR	39.09	41.04	43.09	45.24	47.50	1142	Classified
SENIOR HUMAN RESOURCES ANALYST	39.09	41.04	43.09	45.24	47.50	1155	Classified
HUMAN RESOURCES ANALYST II	35.70	37.48	39.33	41.30	43.36	1177	Classified
HUMAN RESOURCES ANALYST I	29.60	31.08	32.63	34.26	35.97	1176	Classified
HUMAN RESOURCES ADMINISTRATIVE SECRETARY	30.88	32.42	34.04	35.74	37.53	1175	Classified
HUMAN RESOURCES TECHNICIAN	27.49	28.86	30.30	31.81	33.40	1174	Classified
LIBRARY AND COMMUNITY SERVICES DEPARTMENT							

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ADMINISTRATION DIVISION							
DIRECTOR OF LIBRARY AND COMMUNITY SERVICES	67.52	70.90	74.45	78.17	82.08	1120	Unclassified
COMMUNITY SERVICES							
SOCIAL SERVICES PLANNING MANAGER	50.82	53.36	56.03	58.83	61.77	785	Classified
COMMUNITY DEVELOPMENT SPECIALIST	40.53	42.57	44.65	46.92	49.21	647	Classified
COMMUNITY PROGRAMS SPECIALIST	37.35	39.29	41.29	43.32	45.44	670	Classified
COMMUNITY PROGRAMS AIDE	24.24	25.37	26.60	27.83	29.15	648	Classified
SENIOR PROPERTY REHABILITATION SPECIALIST	41.08	43.21	45.41	47.64	49.97	673	Classified
PROPERTY REHABILITATION SPECIALIST	37.35	39.29	41.29	43.32	45.44	665	Classified
PARATRANSIT COORDINATOR	35.60	37.39	39.19	41.18	43.20	664	Classified
EDUCATIONAL SERVICES COORDINATOR	27.76	29.15	30.61	32.14	33.75	644	Classified
LIBRARY SERVICES DIVISION							
LIBRARY OPERATIONS MANAGER	36.01	37.81	39.70	41.68	43.76	768	Classified
SUPERVISING LIBRARIAN I	36.01	37.81	39.70	41.68	43.76	736	Classified
LIBRARIAN II	30.65	32.18	33.75	35.46	37.13	626	Classified
LIBRARIAN I	27.79	29.19	30.64	32.10	33.75	625	Classified
LEAD LIBRARY ASSISTANT	25.17	26.45	27.71	29.07	30.59	191	Classified
SENIOR LIBRARY ASSISTANT	23.24	24.27	25.39	26.51	27.79	189	Classified
LIBRARY ASSISTANT	21.06	22.04	23.03	24.09	25.22	187	Classified
SENIOR LIBRARY PAGE					16.47	199	Classified
LIBRARY PAGE					15.03	198	Classified
LITERACY PROGRAM COORDINATOR	27.79	29.19	30.64	32.10	33.75	623	Classified
MAINTENANCE SERVICES DEPARTMENT							
ADMINISTRATION DIVISION							
DIRECTOR OF MAINTENANCE SERVICES	67.62	71.00	74.55	78.28	82.19	1113	Unclassified
FACILITIES MANAGEMENT							
FACILITIES AND BUILDING MANAGER	48.18	50.59	53.12	55.78	58.57	760	Classified
FACILITIES LEADWORKER	43.30	45.02	46.78	48.71	50.79	300	Classified
FACILITIES MAINTENANCE SUPERVISOR	35.68	37.46	39.33	41.30	43.37	792	Classified
FACILITIES PAINTER II	31.95	33.25	34.55	35.98	37.48	330	Classified
FACILITIES PAINTER I	29.07	30.24	31.47	32.79	34.08	324	Classified
FACILITIES CARPENTER II	31.82	33.08	34.47	35.89	37.39	327	Classified
FACILITIES CARPENTER I	28.94	30.14	31.38	32.65	34.01	326	Classified
AUDITORIUM LEADWORKER	26.24	27.22	28.30	29.44	30.64	304	Classified
STOREKEEPER - EXPEDITER	25.86	26.93	27.94	29.01	30.13	371	Classified
FACILITIES SERVICEWORKER II	23.51	24.45	25.45	26.34	27.39	320	Classified
FACILITIES SERVICEWORKER I	21.42	22.20	23.08	24.03	24.88	318	Classified
FLEET MANAGEMENT DIVISION							
EQUIPMENT MANAGER	48.18	50.59	53.12	55.78	58.57	738	Classified
FLEET MANAGEMENT SUPERVISOR	43.70	45.89	48.18	50.59	53.12	771	Classified
SENIOR EQUIPMENT MECHANIC	32.42	34.04	35.74	37.53	39.40	305	Classified
EQUIPMENT MECHANIC II	29.49	30.87	32.43	34.13	35.82	312	Classified
EQUIPMENT MECHANIC I	26.85	28.20	29.63	31.10	32.62	310	Classified
EQUIPMENT SERVICE ATTENDANT	22.86	23.76	24.75	25.58	26.57	308	Classified
EQUIPMENT PARTS STOREKEEPER	24.78	26.09	27.35	28.72	30.17	307	Classified
LANDSCAPE MAINTENANCE DIVISION							
LANDSCAPE MAINTENANCE MANAGER	48.18	50.59	53.12	55.78	58.57	752	Classified
LANDSCAPE MAINTENANCE SUPERVISOR	43.70	45.89	48.18	50.59	53.12	761	Classified
GRANDSKEEPER III	32.41	33.72	35.08	36.56	37.99	343	Classified
TREE TRIMMER	29.16	30.32	31.55	32.67	33.95	340	Classified
GRANDSKEEPER II	28.42	29.55	30.76	31.84	33.07	342	Classified
GRANDSKEEPER I	25.81	26.84	27.97	28.93	30.08	338	Classified
STREET MAINTENANCE DIVISION							
STREETS MAINTENANCE MANAGER	48.18	50.59	53.12	55.78	58.57	756	Classified
STREETS MAINTENANCE SUPERVISOR	43.70	45.89	48.18	50.59	53.12	764	Classified

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SENIOR MAINTENANCE LEADER	33.03	34.35	35.73	37.25	38.71	367	Classified
MAINTENANCE LEADER	29.00	30.13	31.38	32.48	33.73	360	Classified
SENIOR SWEEPER EQUIPMENT OPERATOR	28.57	30.00	31.50	33.07	34.72	306	Classified
SWEEPER EQUIPMENT OPERATOR	27.09	28.00	29.12	30.36	31.56	362	Classified
MAYOR AND COUNCIL DEPARTMENT							
MAYOR					Annual Salary: 39,960.00	1300	Unclassified
CITY COUNCIL					Annual Salary: 24,975.00	1301	Unclassified
POLICE DEPARTMENT							
SWORN							
CHIEF OF POLICE	76.21	80.02	84.02	88.22	92.63	1102	Unclassified
POLICE CAPTAIN	65.79	69.08	73.23	76.89	80.73	802	Classified
POLICE LIEUTENANT				66.67	69.91	555	Classified
POLICE SERGEANT			55.06	57.72	60.67	545	Classified
INSPECTOR	47.29	49.65	52.08	54.55	57.22	520	Classified
POLICE OFFICER	41.95	43.96	46.10	48.33	50.62	515	Classified
POLICE OFFICER TRAINEE	29.95	31.44				174	Classified
PROFESSIONAL STAFF							
CRIME ANALYST	42.64	44.77	47.01	49.36	51.83	731	Classified
POLICE PROGRAMS ANALYST	38.38	40.30	42.31	44.43	46.65	704	Classified
COMMUNITY SERVICE OFFICER	26.23	27.37	28.69	30.00	31.43	169	Classified
POLICE RECORDS CLERK II	24.92	25.91	26.95	28.14	29.52	120	Classified
POLICE RECORDS CLERK I	21.90	23.04	24.26	25.48	26.84	119	Classified
FIELD OPERATIONS DIVISION							
CRIME PREVENTION SUPERVISOR	30.19	31.49	32.98	34.50	36.14	190	Classified
SENIOR CRIME PREVENTION SPECIALIST	28.77	29.97	31.42	32.86	34.42	186	Classified
CRIME PREVENTION SPECIALIST	26.16	27.27	28.55	29.89	31.29	188	Classified
TRAFFIC SAFETY ASSISTANT					12.43	901	Classified
SPECIAL OPERATIONS DIVISION							
YOUTH AND FAMILY SERVICES ADMINISTRATOR	54.90	57.65	60.53	63.56	66.74	790	Classified
COUNSELING SUPERVISOR	43.05	45.20	47.46	49.83	52.32	737	Classified
FAMILY COUNSELOR I	34.80	36.52	38.36	40.12	42.21	632	Classified
PROPERTY/EVIDENCE ADMINISTRATOR	42.57	44.70	46.94	49.29	51.75	725	Classified
PROPERTY AND EVIDENCE SUPERVISOR	38.71	40.65	42.68	44.81	47.05	776	Classified
POLICE ID SPECIALIST	30.68	32.21	33.83	35.53	37.21	652	Classified
CRIME SCENE TECHNICIAN	27.37	28.59	29.91	31.26	32.76	175	Classified
PROPERTY TECHNICIAN	26.23	27.37	28.69	30.00	31.43	170	Classified
SUPPORT SERVICES DIVISION							
OPERATIONS SUPPORT SERVICES MANAGER	65.79	69.08	73.23	76.89	80.73	1104	Classified
PUBLIC SAFETY INFORMATION SYSTEMS ADMINISTRATOR	40.08	42.08	44.18	46.39	48.71	708	Classified
ANIMAL SERVICES ADMINISTRATOR	41.44	43.51	45.69	47.97	50.37	714	Classified
ANIMAL SERVICES SUPERVISOR	28.85	30.14	31.54	32.99	34.56	144	Classified
VETERINARY TECHNICIAN	29.79	31.27	32.83	34.49	36.20	103	Classified
ANIMAL SHELTER SUPERVISOR	23.83	24.88	25.84	26.95	28.31	145	Classified
SENIOR ANIMAL CONTROL OFFICER	27.48	28.69	30.05	31.42	32.91	184	Classified
ANIMAL CONTROL OFFICER	24.81	26.09	27.28	28.56	29.90	185	Classified
SENIOR ANIMAL CARE ATTENDANT	22.67	23.69	24.61	25.68	26.96	183	Classified
ANIMAL CARE ATTENDANT	20.65	21.52	22.38	23.36	24.51	181	Classified
COMMUNICATIONS ADMINISTRATOR	42.57	44.70	46.94	49.29	51.75	775	Classified
COMMUNICATIONS SUPERVISOR	35.33	37.11	38.96	40.89	42.96	141	Classified

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SENIOR COMMUNICATIONS OPERATOR	33.64	35.34	37.12	38.95	40.91	164	Classified
COMMUNICATIONS OPERATOR	30.65	32.21	33.80	35.51	37.30	165	Classified
RECORDS ADMINISTRATOR	40.46	42.48	44.60	46.83	49.17	707	Classified
RECORDS SUPERVISOR	28.36	29.64	31.15	32.54	34.08	143	Classified
SENIOR POLICE RECORDS CLERK	26.99	28.23	29.66	30.97	32.48	121	Classified
JAIL ADMINISTRATOR	40.46	42.48	44.60	46.83	49.17	706	Classified
JAIL SUPERVISOR	31.53	32.85	34.44	36.05	37.78	142	Classified
SENIOR JAILER	30.01	31.29	32.81	34.32	35.97	168	Classified
PUBLIC WORKS DEPARTMENT							
ADMINISTRATION DIVISION							
DIRECTOR OF PUBLIC WORKS	74.50	78.23	82.14	86.25	90.56	1111	Unclassified
DEPUTY DIRECTOR OF PUBLIC WORKS	64.13	67.34	70.71	74.25	77.96	1112	Classified
SENIOR UTILITY SERVICE REPRESENTATIVE	32.19	33.79	35.40	37.21	39.03	373	Classified
STOREKEEPER - EXPEDITER	25.86	26.93	27.94	29.01	30.13	371	Classified
AIRPORT DIVISION SUMMARY							
AIRPORT MANAGER	56.50	59.32	62.29	65.40	68.67	713	Classified
AIRPORT OPERATIONS MANAGER	45.23	47.49	49.86	52.35	54.97	732	Classified
SENIOR AIRPORT MAINTENANCE WORKER	30.35	31.47	32.72	34.06	35.43	302	Classified
NOISE ABATEMENT ANALYST	27.79	29.19	30.64	32.10	33.75	643	Classified
AIRPORT MAINTENANCEWORKER	27.57	28.58	29.70	30.94	32.21	303	Classified
AIRPORT ATTENDANT	20.64	21.55	22.34	23.32	24.48	301	Classified
ENGINEERING/TRANSPORTATION DIVISION							
ASSISTANT CITY ENGINEER	56.56	59.39	62.36	65.48	68.75	721	Classified
DESIGN AND CONSTRUCTION SERVICES MANAGER	53.97	56.67	59.50	62.48	65.50	787	Classified
SENIOR CIVIL ENGINEER	49.19	51.65	54.23	56.94	59.79	788	Classified
ASSOCIATE CIVIL ENGINEER	43.75	45.95	48.18	50.63	53.10	606	Classified
ASSISTANT CIVIL ENGINEER	37.69	39.63	41.66	43.68	45.85	602	Classified
JUNIOR CIVIL ENGINEER	32.78	34.39	36.05	37.82	39.75	601	Classified
REAL PROPERTY MANAGER	41.46	43.53	45.71	48.00	50.40	763	Classified
REAL PROPERTY ASSOCIATE	36.80	38.72	40.67	42.64	44.75	667	Classified
REAL PROPERTY ASSISTANT	31.36	32.92	34.50	36.22	38.05	666	Classified
ENGINEERING TECHNICIAN	29.91	31.35	32.94	34.59	36.24	668	Classified
SENIOR UTILITIES ENGINEER	49.19	51.65	54.23	56.94	59.79	765	Classified
SURVEY ENGINEER	45.52	47.80	50.19	52.70	55.34	778	Classified
SURVEYOR	35.58	37.34	39.20	41.14	43.21	612	Classified
TRANSPORTATION MANAGER	54.11	56.82	59.66	62.64	65.77	757	Classified
SENIOR TRANSPORTATION ENGINEER	49.19	51.65	54.23	56.94	59.79	733	Classified
ASSOCIATE TRANSPORTATION ENGINEER	43.75	45.95	48.18	50.63	53.10	608	Classified
ASSISTANT TRANSPORTATION ENGINEER	37.69	39.63	41.66	43.68	45.85	615	Classified
JUNIOR TRANSPORTATION ENGINEER	32.78	34.39	36.05	37.82	39.75	616	Classified
SENIOR TRANSPORTATION PLANNER	45.52	47.80	50.19	52.70	55.34	770	Classified
ASSOCIATE TRANSPORTATION PLANNER	40.65	42.64	44.77	47.07	49.32	671	Classified
TRAFFIC SIGNAL TECHNICIAN	29.81	31.30	32.87	34.51	36.24	675	Classified
SUPERVISING CONSTRUCTION INSPECTOR	47.97	50.37	52.89	55.53	58.31	780	Classified
SENIOR CONSTRUCTION INSPECTOR	40.04	42.17	44.30	46.40	48.71	642	Classified
CONSTRUCTION INSPECTOR	33.55	35.27	36.92	38.79	40.76	661	Classified
RECYCLING-SOLID WASTE							
SOLID WASTE MANAGER	42.64	44.77	47.01	49.36	51.83	727	Classified
RECYCLING SPECIALIST	31.64	33.20	34.83	36.60	38.42	636	Classified
WATER POLLUTION CONTROL FACILITY (WPCF)							

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WATER POLLUTION CONTROL FACILITY MANAGER	54.76	57.50	60.37	63.39	66.56	759	Classified
WPCF OPERATIONS AND MAINTENANCE MANAGER	49.44	51.91	54.51	57.24	60.10	717	Classified
WPCF MAINTENANCE SUPERVISOR	44.59	46.82	49.16	51.62	54.20	719	Classified
WPCF OPERATIONS SUPERVISOR	44.59	46.82	49.16	51.62	54.20	718	Classified
WPCF LEAD OPERATOR	34.66	36.04	37.46	38.94	40.51	351	Classified
WPCF OPERATOR	31.51	32.77	34.08	35.41	36.84	350	Classified
OPERATOR-IN-TRAINING	28.84	29.99	31.24	32.30	33.56	347	Classified
LAB SUPERVISOR	44.59	46.82	49.16	51.62	54.20	702	Classified
LABORATORY TECHNICIAN	32.49	33.71	35.01	36.45	37.81	637	Classified
WATER POLLUTION SOURCE CONTROL							
ENVIRONMENTAL SERVICES MANAGER	51.28	53.84	56.53	59.36	62.33	738	Classified
WATER POLLUTION CONTROL ADMINISTRATOR	44.59	46.82	49.16	51.62	54.20	769	Classified
SENIOR WATER POLLUTION SOURCE CONTROL INSPECTOR	37.15	39.08	41.04	42.98	45.17	680	Classified
WATER POLLUTION SOURCE CONTROL INSPECTOR	33.76	35.52	37.14	39.05	40.99	679	Classified
TECHNICAL INTERN					15.00	908	Classified
WATER DISTRIBUTION							
UTILITIES SUPERINTENDENT	60.24	63.25	66.41	69.73	73.22	735	Classified
UTILITIES OPERATIONS AND MAINTENANCE MANAGER	49.44	51.91	54.51	57.24	60.10	716	Classified
UTILITIES OPERATIONS AND MAINTENANCE SUPERVISOR	46.82	49.16	51.62	54.20	56.91	773	Classified
UTILITIES FIELD SERVICES SUPERVISOR	46.82	49.16	51.62	54.20	56.91	784	Classified
WATER INSTALLATION AND MAINTENANCE SUPERVISOR	38.78	40.72	42.76	44.90	47.14	793	Classified
SENIOR UTILITY CUSTOMER SERVICE LEADER	33.63	34.98	36.37	37.91	39.42	378	Classified
CROSS CONNECTION CONTROL SPECIALIST	29.47	30.49	31.69	33.00	34.31	376	Classified
WATER METER MECHANIC	28.64	29.74	30.97	32.24	33.53	375	Classified
WATER METER READER	25.60	26.61	27.70	28.71	29.85	369	Classified
BACKFLOW/CROSS CONNECTION TESTER	24.77	25.95	27.16	28.48	29.85	370	Classified
UTILITIES MAINTENANCE SUPERVISOR	44.59	46.82	49.16	51.62	54.20	766	Classified
UTILITIES SERVICE WORKER	28.24	29.36	30.57	31.64	32.87	368	Classified
GENERAL MAINTENANCE							
EQUIPMENT OPERATOR	28.39	29.43	30.60	31.84	33.13	361	Classified
MAINTENANCE WORKER	26.33	27.39	28.53	29.50	30.68	357	Classified
LABORER	22.72	23.56	24.50	25.50	26.42	336	Classified
SENIOR UTILITY LEADER	35.35	36.77	38.23	39.88	41.46	377	Classified
UTILITY LEADER	31.06	32.30	33.64	34.82	36.16	374	Classified
UTILITY WORKER	28.24	29.36	30.57	31.64	32.87	372	Classified
UTILITIES MAINTENANCE MECHANIC	32.39	33.64	34.96	36.37	37.84	325	Classified
TECHNOLOGY SERVICES DEPARTMENT							
DIRECTOR OF INFORMATION TECHNOLOGY/CHIEF INFORMATION OFFICER (CIO)	67.71	71.10	74.65	78.38	82.30	1105	Unclassified
INFORMATION SYSTEMS MANAGER	50.57	53.10	55.76	58.55	61.48	772	Classified
DATA AND SYSTEMS COORDINATOR	45.50	47.78	50.17	52.68	55.31	728	Classified
NETWORK SYSTEMS SPECIALIST	40.90	42.95	45.10	47.35	49.72	755	Classified
GEOGRAPHIC INFO SYSTEMS COORDINATOR	39.30	41.26	43.22	45.40	48.41	635	Classified
PROGRAMMER ANALYST	38.58	40.47	42.57	44.67	46.87	628	Classified
WEB SPECIALIST	38.02	39.94	41.92	44.01	46.21	634	Classified
INFORMATION TECHNOLOGY ANALYST II	38.56	40.49	42.51	44.64	46.87	655	Classified
INFORMATION TECHNOLOGY ANALYST I	35.06	36.81	38.65	40.58	42.61	646	Classified
NETWORK/MICROCOMPUTER SPECIALIST	35.02	36.77	38.60	40.52	42.58	630	Classified
INFORMATION SYSTEMS SUPPORT TECHNICIAN	28.68	30.11	31.65	33.22	34.83	633	Classified

**SALARY PLAN FOR ALL CLASSIFICATIONS
(PER MUNI CODE SEC.2-4.30)
FY 2012**

ATTACHMENT II
Recommended by
Personnel Commission
on July 19, 2012
Approved by Council
on _____, 2012

Classification Title	Hourly Salary Range					Job Code	Service Type
	A	B	C	D	E		
COMPUTER OPERATOR ANALYST	32.42	34.03	35.69	37.50	39.37	629	Classified
COMPUTER OPERATOR	27.33	28.66	30.13	31.63	33.14	631	Classified
DATA SYSTEMS OPERATOR	24.65	25.78	27.05	28.33	29.67	160	Classified
AUDIO VIDEO SPECIALIST	27.33	28.66	30.13	31.63	33.14	641	Classified
VIDEO ASSISTANT					15.00	645	Classified

DATE: September 11, 2012

TO: Mayor and City Council

FROM: Assistant City Manager

SUBJECT: Appointment of a City Council Member to the Board of the South Hayward BART Station Access Joint Powers Authority

RECOMMENDATION

That the Council adopts the attached resolution (Attachment I) appointing one of its members to replace former Councilmember Olden Henson to serve as one of the two City-appointed members of the Board of the South Hayward BART Station Access Joint Powers Authority (JPA).

BACKGROUND AND DISCUSSION

On July 26, 2011, the Council approved a Joint Exercise of Powers Agreement with Bay Area Rapid Transit District (BART) in conjunction with numerous other project approvals related to the South Hayward BART Transit-Oriented Development (TOD) project. In January 2011, the Developers of the TOD project (JMJ Development LLC (formerly known as "Wittek/Montana") and Eden Housing) re-phased the TOD project and advised that the new "Phase 1" would include 151 affordable units (64 senior units and 87 family units) (the "Phase 1 Affordable Housing Development") and 203 market-rate rental units (the "Phase 1 Market Rate Housing Development"). In connection with the re-phasing, the Development Services Director approved a minor modification to the approved Preliminary Development Plan on June 8, 2011. The TOD project was originally awarded \$47 million of State Proposition 1-C Bond "Round II" Infill Infrastructure Grant and Transit Oriented Development Housing Program Funds (the State Housing and Community Development Department or "HCD" Funds) in 2009. Because of the re-phasing, HCD recalculated the amount of the HCD Funds award. HCD is now willing to provide \$31.6 million for the TOD project, consisting of \$16.4 million in Infill Infrastructure Grant Funds ("HCD IIG Funds") and \$15.1 million of Transit-Oriented Development Housing Funds ("HCD TOD Funds").

In connection with the TOD project, BART intends to convey its East Overflow Lot at the South Hayward BART Station to JMJ Development (the "East Lot"). JMJ Development intends to construct the Phase 1 Market Rate Development on the East Lot (and the western portion of the Perry and Key Site located along Mission Boulevard). Due to concerns related to the loss of parking at the East Lot site, BART has advised that the formation of the JPA must occur and

must come to an agreement regarding the activities of the JPA before BART will convey the property to JMJ Development for the BART East Lot.

For BART, the JPA provides assurance that the City will continue to work with BART to ensure that BART patrons will have sufficient ongoing access and parking at or near the South Hayward BART Station. BART has had some experience with JPAs. Notably, a JPA was established at the Pleasant Hill BART station to facilitate the TOD development at that station. The JPA would serve the City's interests as well. It would help to protect the neighborhoods surrounding the South Hayward BART Station from excess overflow commuter parking and potentially provide a funding source for neighborhood improvements such as sidewalks and walkways.

The JPA that the Council approved on July 26, 2011 has been formed based on negotiations between the City and BART. The JPA Agreement sets forth the purpose and powers of the JPA, as well as the limitations imposed on the JPA by its members. The JPA is staffed by two Co-Executive Directors: the City Manager and a BART Executive. The City Finance Director acts as the Treasurer and BART's internal auditor serve as the Auditor of the JPA. (An outside accountant will be used to prepare annual audits, however.)

BART and City staff executed the JPA documents and appointed their initial Members in the fall of 2011. Councilmembers Francisco Zermeño and Olden Henson were appointed September 27, 2011. Councilmember Zermeño will continue to serve as a Board Member, but a new appointment must be made for former Councilmember Henson's seat on the JPA Board. Both Councilmembers Mendall and Salinas have expressed an interest in serving on the JPA Board. Councilmember Mendall lives in South Hayward and, as such, has expressed a strong interest in the South Hayward BART transit-oriented development. Mayor Sweeney has recommended that the Council appoint Councilmember Mendall to the JPA Board.

ECONOMIC IMPACT

The successful development of the South Hayward TOD project will have an immense positive economic impact on south Hayward. The commencement of housing construction in this area should spur the development of the area. Proposed nearby projects would likely re-commence their planning, leading to construction. The development of housing in the area should lead to stronger interest from retailers, and thereby, planning and construction of retail centers. Initial development under Phase 1 of the TOD project would also have a positive economic impact by creating approximately 500 immediate high-quality construction, design and engineering services jobs through the three-year development cycle and new housing in the area. The TOD project will increase BART ridership and decrease vehicle miles traveled and thus will help reduce greenhouse gas emissions associated with vehicles, which is in line with the goals in the City's Climate Action Plan. Total Phase I TOD project costs are estimated to be more than \$100 million, exclusive of land costs. The JPA is a critical element to moving the TOD project forward.

The future activities of the JPA will not impact the City's General Fund because an Action Plan to be developed will identify an independent financing strategy for the JPA programs and operations. The JPA is intended to be self-funded and to save the City and BART money by

paying for parking and access costs that the City and BART might otherwise face independently. As the JPA Action Plan is not known at this time, it is difficult to estimate future costs of its program but revenue to the JPA can be roughly estimated. For example, if fees are charged at the South Hayward main parking lot and paid to the JPA, approximately \$20,000 could be collected per month or \$240,000 annually. The JPA could use these funds for its programs and operations. The City and BART will need to identify a source of funding to pay for the Access and Parking Study, the initial formation and administration costs of the JPA, and any costs associated with developing the JPA Action Plan. These initial costs will be limited and will likely be in the range of \$50,000-\$75,000. The City and BART may choose to share in these costs or may look to other sources of funding, which would be eligible for reimbursement from future JPA revenues.

NEXT STEPS

Following appointment of the replacement Councilmember, staff will work to conduct the next JPA Board meeting, currently scheduled for September 24, 2012.

Prepared and Recommended by: Kelly McAdoo Morariu, Assistant City Manager

Approved by:



David Rizk, Acting City Manager

Attachments:

Attachment I: Resolution Appointing One Member of the City Council to the JPA Board

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced By Council Member _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD APPOINTING ONE MEMBER TO THE BOARD OF THE SOUTH HAYWARD BART STATION ACCESS AUTHORITY WITH SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT ("BART")

WHEREAS, the City of Hayward ("City") recognizes the benefits associated with managing parking and BART patron access issues at the South Hayward BART Station; and

WHEREAS, in order to facilitate the management of parking and access issues at the South Hayward BART Station, the City Council authorized the City Manager to execute a Joint Exercise of Powers Agreement with BART to form the South Hayward BART Station Access Authority ("JPA") pursuant to the Joint Exercise of Powers Act (California Government Code Section 65000 et seq.), which will operate within the jurisdiction of the City; and

WHEREAS, the JPA agreement has been executed by both the City and BART; and

WHEREAS, the JPA Board is comprised of two members appointed by the BART Board of Directors and two members appointed by the City Council and one of the City-appointed positions on the JPA Board is currently vacant.

NOW, THEREFORE, BE IT RESOLVED that the City Council, finds the above recitals true and correct and by this reference makes them a part hereof.

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that Council Member _____ is hereby designated as one of the City's two voting representatives on the JPA Board.

BE IT FURTHER RESOLVED, that this Resolution shall take immediate effect upon its adoption.

IN COUNCIL, HAYWARD, CALIFORNIA, September 11, 2012

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 for the City of Hayward

DATE: September 11, 2012
TO: Mayor and City Council
FROM: City Clerk
SUBJECT: Council's Appointed Officials Handbook

RECOMMENDATION

That the City Council approves the attached resolution adopting a Council's Appointed Officials Handbook.

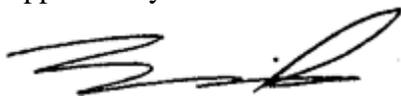
BACKGROUND

The City Clerk's Department has compiled information and created a Handbook to set forth as the official policy of the City of Hayward with regards to the service of the Council's Appointed Officials¹, the legislative procedures, and the conduct of meetings. The Handbook is designed to ensure that all relevant requirements for the appointed service of volunteers is adequately explained, and that current regulations for the conduct of meetings are clear, concise, and in compliance with existing policies. Also included in the Handbook is information pertaining to likely questions raised by appointed officials and City staff regarding appointed service and the conduct of meetings.

A draft copy of the Council's Appointed Officials Handbook is included as Attachment II, and a final copy will be provided to every member of the City's appointed bodies upon adoption of the proposed resolution.

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:



Fran David , City Manager

Attachments:

Attachment I	Resolution Establishing a Handbook
Attachment II	Draft Copy of Handbook

¹ The term "Council's Appointed Officials" refers to those individuals appointed by Council to serve as volunteers on the City's boards, committees, commissions, and task forces. It does not include the City's Appointed Officer positions of City Manager, City Attorney, or City Clerk.

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-

Introduced by Council Member _____

RESOLUTION ADOPTING A COUNCIL’S APPOINTED OFFICIALS HANDBOOK

WHEREAS, the Council’s Appointed Officials Handbook is an important resource for Council’s Appointed Officials, staff liaisons, City staff, and the public; and

WHEREAS, policies and regulations have been adopted regarding the service of the Council’s Appointed Officials and the conduct of meetings.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Hayward that the Council’s Appointed Officials Handbook is hereby adopted and set forth as the official policy of the City of Hayward with regards to the service of the Council’s Appointed Officials, the legislative procedures, and the conduct of meetings.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012.

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



**COUNCIL'S APPOINTED OFFICIALS
HANDBOOK**

September 11, 2012

WELCOME

On behalf of the City Council, we want to express our appreciation for your interest in serving our City. We have developed this Handbook to help you understand the requirements for commission service. In addition to the Handbook, the City's website www.hayward-ca.gov provides useful information.

Welcome to the City! We look forward to working with you.

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INTRODUCTION TO CITY GOVERNMENT

The City of Hayward operates within a Council-Manager form of government. ([City Charter Section 300](#))

The City of Hayward Council is composed of six Council Members and a Mayor who are elected by the qualified voters of the City at large. The Mayor is the official head of the City for all ceremonial purposes, presides at the meetings of the Council, and signs official documents of the Council. The powers of the Council are subject to the provisions of the City Charter and the Constitution of the State of California. The City Manager is the head of the administrative branch of the City government.

City boards and commissions are established by the City Charter, the Municipal Code, and the City Council. The Planning Commission and Personnel Board are established by the City Charter. All other boards and commissions are established by ordinances. The City Council may also establish committees and task forces by resolution.

Special purpose Advisory Committees are formed at the discretion of the City Council to provide greater citizen participation in the development of plans and recommendations in relation to a committee's specific assignment. ([City Charter 900](#))

CITY OF HAYWARD ORGANIZATION

The City of Hayward operates within the Council-Manager form of government.

The Mayor and City Council adopt and implement legislation and policy, as well as appoint the City Manager, City Clerk, City Attorney, and the various boards and commissions.

The City Manager is the city's chief executive officer and appoints all other city staff including department heads. The City Manager is responsible for the daily administration of the City government and provides direction and leadership to the departments in implementing the policies of City Council.

Follow the link below for the City of Hayward's Organizational Chart.

<http://www.hayward-ca.gov/CITY-GOVERNMENT/DEPARTMENTS/CITY-CLERK/pdf/2012/CityofHaywardOrganization.pdf>

CITY OF HAYWARD CHARTER

The City of Hayward Charter was adopted on March 7, 1956. The Charter defines the form of government and its functions and regulations.

Follow the link below for the City of Hayward Charter.

<http://www.hayward-ca.gov/CITY-GOVERNMENT/documents/CHARTER.pdf>

HAYWARD CITY COUNCIL PRIORITIES FISCAL YEAR 2013

In approving the annual budget for the City, the Council established priorities. City staff is responsible for managing these priorities and adjusting them as directed by the City Council. The priorities for Fiscal Year 2013 are Safe, Clean, and Green.

Follow the link below for details of City Council priorities.

<http://www.hayward-ca.gov/CITY-GOVERNMENT/documents/CouncilPriorities.pdf>

CITY OF HAYWARD BUDGET

The City Council adopts an annual City budget for all services. The Council holds budget work sessions in May and June, which are open to the public. The draft budget is also scheduled for a public hearing in June at a City Council meeting, and adopted at the following City Council meeting.

For comprehensive information regarding the City budget, follow the link below.

<http://www.hayward-ca.gov/CITY-GOVERNMENT/DEPARTMENTS/FINANCE/>

GENERAL INFORMATION

Membership:

In order to be eligible for appointment to any Board, Commission, Committee, or Task Force, (Council's Appointed Officials) a person shall be a qualified elector of the incorporated area of the City of Hayward. ([City Charter Section 900](#))

In the case of the Downtown Hayward Business Improvement Area (BIA) Advisory Board, the Council shall strive to appoint at least one representative from each business classification of the Assessment Area: professional business, service business, financial businesses, miscellaneous businesses, and retail businesses.

In the case of the Council Economic Development Committee, members must be residents of Hayward or own/operate a business in Hayward, be senior management at a corporate business in Hayward, or be formally affiliated with and represent another entity or agency concerned with economic development in the City of Hayward.

No member of any board of commission shall be a member of any other board or commission or hold any paid office or employment in the City government ([City Charter Section 900](#))

The Council's appointed officials serve without compensation, but may receive reimbursement for necessary traveling and other expenses incurred on official duty when such expenditures have received authorization by the Council. ([City Charter Section 905](#))

Before members can participate as voting members of their respective bodies, they must take the Oath of Office as required by law. The City Clerk or her designee administers the Oath of Office to appointed members.

Term of Office:

All members are appointed by the Council and they could be subject to removal by a motion of at least four affirmative votes of the Council. The Council's appointed officials shall serve for no more than two and one-half consecutive full terms of four years on any one board or commission. ([Resolution 73-235](#))

The term of office for the City's appointed officials, with the exception of the Hayward Youth Commission, should terminate on September 30th of the final year of said term.

Moreover, the City will conduct recruitment for the Council's appointed bodies, with the exception of the Hayward Youth Commission, during July and August annually, with interviews and appointment each September. Recruitment for the Hayward Youth Commission will be conducted each April and May, with interviews and appointments annually in June.

Any appointees shall comply with appropriate provisions of law relative to disclosure of financial interests, if applicable.

Current board or commission members who have served a minimum of two consecutive years on the same body will be eligible to request consideration of appointment to a different body. Their request will be considered by City Council during *their annual interviews*.

Attendance and Vacancies:

If a member of a board or commission absents himself from three consecutive regular meetings of such board or commission, unless by permission of such board or commission expressed in its official minutes, or is convicted of a crime involving moral turpitude, or ceases to be a qualified elector of the City, his office shall become vacant and shall be so declared by the Council. ([City Charter Section 905](#))

Members shall be required to attend no less than 75 percent of all regular meetings held. If a member misses two consecutive meetings, the staff liaison designated to the Council's appointed body will notify the City Clerk of said absences. The City Clerk will notify the member in writing that failure by a member to attend three consecutive regular meetings of a board or commission will be cause for Council to declare the member's position vacant. After three consecutive absences or in the event attendance at 75 percent of meetings is not maintained, the City Clerk will notify the Council. Attendance records will be reviewed by the City Clerk in May of each year based on the preceding period from October to April and will issue notices to members with attendance issues. The City Clerk will present an attendance record to the Council during the annual interview process for the Council's appointed bodies.

The Keep Hayward Clean and Green Task Force considers its "Monthly Clean-Up Events" as an invaluable function and therefore equally important of its attendance policy; therefore, the attendance policy in [City Resolution 87-323 C.S.](#) related to regular meetings will be extended to the monthly clean-up events.

A member wishing to resign shall submit a letter of resignation to the City Clerk. Once the letter is submitted, the City Clerk will prepare a recommendation for Council to accept the resignation.

Any vacancies in any board or commission shall be filled by appointment by the Council during the annual appointment process for the City's Appointed Officials to Boards and Commissions.

Government [Code Section 54974](#) provides that whenever an unscheduled vacancy occurs, a special vacancy notice shall be posted in the office of the City Clerk, and as may otherwise be directed by the City Council, within 20 days after the vacancy occurs; and that final appointment to fill such vacancy shall not be made for at least 10 working days after such posting.

It shall normally be the policy to take applications on a regular ongoing basis; applications shall be considered current for one year from the date received.

The City Clerk shall, pursuant to Government [Code Section 54972](#), prepare an appointments list of all regular and ongoing boards and commissions which are appointed by the City Council, which shall contain the information required in said section. All efforts will be made to provide public information relative to vacancies prior to such appointments.

Election of Officers:

The Council's appointed officials shall organize by electing one of its members to serve as the presiding officer at the pleasure of such board or commission. Each board of commission shall hold such regular and special meetings as such board or commission may require. All proceedings shall be open to the public. ([City Charter Section 904](#))

Staff Liaison Role:

Staff support is available to boards and commissions via staff members assigned as liaisons to each appointed body. The staff liaison is responsible for creating meeting schedules, preparing meeting agendas and reports, and notifying the City Clerk of attendance problems, resignations, and members' change of contact information. The staff liaison is responsible for ensuring that appointed members are oriented about policies and procedures as they relate to the body. The staff liaison is also responsible for updating bylaws by working with members and City Attorney and sending the original to the City Clerk after formal adoption by the board or commission.

All communications addressed to a specific appointed body are received by the staff liaison or his/her designee and relayed to the appointed body. The roster of appointed officials is a public document available in the office of the City Clerk. The roster includes the name, residence or mailing address, and either a home or business telephone number for each member. Commissioners may interact with the public; however, if they are contacted by the public outside a meeting, commissioners should encourage citizens to send their comments to the staff liaison or his/her designee for distribution to all commissioners or come to a meeting and speak during public comment.

Council Liaison Role:

Every year, the Mayor will appoint Council Members to serve as liaisons to the Council's appointed bodies. It shall be the responsibility of a Council liaison to attend as many board or commission meetings as possible in order to be currently aware of issues being dealt with, to listen and observe, and to bring back to the Council any needs, requests, or information from a board or commission. A Council Liaison shall not take part in the deliberations of the commission.

Budget:

Budget allocations are not established for boards and commissions; however, funds necessary for the routine business of boards and commissions are included in the departmental budget for each City department which provides staff support to a board or commission.

The use of the City logo is restricted to communications generated from a City department. The City of Hayward does not provide business cards for members of appointed boards and commissions.

Bylaws:

The Council's appointed officials may adopt bylaws which are not inconsistent with the City Charter, or other policies that may be established by the Council. Bylaws must be filed with the City Clerk.

Orientation:

City staff provides yearly trainings with regard to the structure and the operation of City government and the legal and ethical duties and responsibilities of board and commission members. All members of City boards and commissions are required to attend the training either in person or by viewing a training video of the live training session. This requirement must be fulfilled within six months of the appointment of any member. Record and compliance with this requirement will be maintained in the Office of the City Clerk. Staff liaisons provide new members with pertinent materials which will assist new members in becoming fully functioning members of the body. Chairpersons are required to become familiar with parliamentary procedure of conducting and presiding over meetings.

Ethics Training:

AB 1234, now California Government [Code Section 53234](#), was signed into law on October 7, 2005. This law requires, among other things, that all local agencies that provide compensation,

salary or a stipend to, or reimburses the expenses of members of a legislative body must provide Ethics Training to local agency officials by January 1, 2007, and every two years thereafter.

Assembly Bill 1234 requires local officials who are compensated for their service or reimbursed for their expenses to complete ethics training on a biennial basis.

On September 16, 2008, the City Council adopted [Resolution 08-130](#) which amended the Hayward Council Member Handbook by expanding the Ethics Training requirement to members of boards, commissions, task forces, and committees established by Council.

Harassment Prevention Training:

In 2005, AB 1825, now California Government [Code Section 12950.1](#), was signed into law. It mandates immediate and continual Sexual Harassment Training for supervisors. This law increases the training obligations of all employers, who have employees within the State of California, and extends their obligations beyond the training requirements discussed by the U.S. Supreme Court, the Equal Employment Opportunity Commission ("EEOC"), and other federal and state courts and legislative bodies. While AB 1825 does not specifically define "supervisor," the definition contained in the California Fair Employment and Housing Act ("FEHA") will presumably apply. Under the FEHA, a supervisor is any individual having the authority "to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward or discipline other employees, or the responsibility to direct them, or to adjust their grievances, or effectively to recommend that action...if the exercise of that authority is not of a merely routine or clerical nature, but requires the use of independent judgment. Training is mandatory for all employees who become supervisors after January 1, 2006 within six months of assumption of a supervisory position and a once every two years thereafter.

Members of boards, commissions, task forces and committees established by Council are also required to obtain the above described training.

On October 12, 2010, the City Council adopted [Resolution 10-159](#), which updated the City's Harassment Policy by extending the policy against harassment and retaliation to City Council and all Appointees.

MEETING RESPONSIBILITIES

Public Meetings:

The Brown Act or “Open Meeting Law” is officially known as the Ralph M. Brown Act and is found in the California Government Code § 54950 et seq. The Brown Act was enacted in 1953 to guarantee the public’s right to attend and participate in meetings of local legislative bodies. A legislative body is defined as “A commission, committee, board, or other body of a local agency, whether permanent or temporary, decision-making or advisory, created by charter, ordinance, resolution, or formal action of a legislative body.” ([Government Code § 54950 \(b\)](#))

All meetings must be properly noticed under the Brown Act. Meetings include retreats, workshops, and similar types of events. A meeting can be in person, via telephone, or email.

According to the Brown Act, the agenda for a regular meeting must be posted in “a location that is freely accessible to members of the public” at least 72 hours before the meeting. Any meeting not on the regular meeting schedule is a special meeting. Notice of a special meeting must be posted at least 24 hours prior to a meeting. Agendas are posted on the bulletin board in front of City Hall, on the bulletin board in the Office of the City Clerk, and on the City’s website.

Meetings that are not noticed are considered serial meetings, which are illegal. “A majority of the members of a legislative body shall not, outside a meeting authorized by the Act, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.” ([Government Code § 54952.2 \(b\)](#))

A type of unintentional serial meeting could result from improper use of e-mail. To avoid this, members of legislative bodies should never use the “reply to all” function to an email that may be addressed to a quorum of the legislative body.

Attendance at a public conference is permissible as long as a quorum of the body do not discuss among themselves specific business that is within the subject matter of the jurisdiction. Purely social events are not considered meetings as long as the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the local agency ([Government Code § 54952.2 \(c\) \(5\)](#))

[Government Code 54954](#) requires that each legislative body of a local agency, except for advisory committees or standing committees, provide the time and place for holding regular meetings.

[Government Code 54953](#) allows meetings to be conducted by teleconferencing under procedures including the requirement that each location be identified in the agenda and made accessible to

the public, that all votes must be by roll call, and public comment may be made at any of the noticed locations.

[Government Code 54954.3](#) requires that public comment for regular meetings be allowed on any item of interest to the public that is within the subject matter jurisdiction of the city. At special meetings the public comments can be restricted to the subject matter to be considered at the special meeting.

[Government Code 54954.2](#) allows members of the legislative body or its staff to make brief responses to comments made at public comment, but cannot be used to start a discussion between commissioners or to take action in response to comments.

When a meeting is canceled a notice of cancellation shall be posted at all the locations where the notice and the agenda are regularly posted. Interested members of the public shall be noticed as soon as possible.

It is recommended that boards and commissions follow the procedures for the conduct of meetings as established in the Parliamentary Procedure and Robert's Rules of Order. In instances where Robert's Rules of Order are inconsistent with the provisions of the City Charter, the Charter shall take precedence.

While the appointed body is in session, the members should not interrupt the proceedings, any commissioners, or any member of the public who has the floor. Persons attending the meeting should observe the rules and procedures of the legislative body. Members who do not follow the rules for decorum may be asked to leave the meeting.

Council liaison and members of boards and commissions have a mutual obligation to accord the utmost courtesy to one another and shall refrain from rude and derogatory remarks, abusive comments or other chastising, particularly in public.

If a Council liaison has a specific concern about the behavior and/or statements of an individual board or commission member, he/she should bring it first to the attention of the board or commission Chairperson in private. If no resolution is affected then the matter should be brought to the attention of the Mayor for his/her action.

Conversely, board and commission members should discuss a concern about a Council liaison with their respective Chairperson and not go directly to the Mayor or to other Council Members.

Decorum among board and commission members shall be the same as applicable to the Council.

Copies of rules, bylaws, and meeting minutes of each board or commission shall be kept on file in the Office of the City Clerk where they shall be available for public inspection.

CONFLICT OF INTEREST GUIDELINES

Conflict of Interest:

According to [Government Code 81000](#), also known as the “Political Reform Act,” public officials should perform their duties in an impartial manner, free from bias, caused by their own financial interest. The regulation prohibits a commissioner from making, participating in making, or influencing a governmental decision, if the commissioner knows that the decision will have a material financial effect on interests of the commissioner.

[The State Fair Political Practices Commission \(FPPC\)](#) enforces these prohibitions. Members are encouraged to consult with the City Attorney or the FPPC before participating in a matter that would create a possible conflict of interest. Public officials specified in [Government Code 87200](#), such as planning commissioners, must publicly identify the economic interest that creates the conflict, step down from the dais, and must then leave the room. The identification of the conflict of interest must be made orally and as part of the official record.

The State of California requires that designated commissions file statements of economic interests in which they disclose financial interests. [The Hayward Conflict of Interest Code, Administrative Rule 9.1](#) specifies the commissions that are subject to the disclosure requirement. Designated members have 30 days after the date of appointment to file and Assuming Office Statement of Economic Interests with the City Clerk. If a member resigns or is terminated, a Leaving Office Statement of Economic Interests must be filed within 30 days of termination. All designated members will be routinely advised of the requirements and deadlines by the City Clerk.

Incompatible Public Offices:

The common law doctrine of incompatible public offices prohibits a public official from occupying two public offices which are incompatible in terms of their duties.

RESOURCES

Application

<http://www.hayward-ca.gov/CITY-GOVERNMENT/BOARDS-COMMISSIONS-COMMITTEES/index.shtm>

List of Current Council's Appointed Officials

[Local Appointments List June 5, 2012](#)

Council's Appointed Bodies

[Community Services Commission](#)

[Downtown Business Improvement Area Advisory Board](#)

[Hayward Youth Commission](#)

[Keep Hayward Clean & Green Task Force](#)

[Library Commission](#)

[Personnel Commission](#)

[Planning Commission](#)

[Council Economic Development Committee](#)

California Law

<http://www.leginfo.ca.gov/>

Conflict of Interest

<http://www.fppc.ca.gov/index.php?id=37>

Statement of Economic Interests – Form 700

<http://www.fppc.ca.gov/index.php?id=500>

Attendance Policy – Resolution 87-323

http://www.hayward-ca.gov/CITY-GOVERNMENT/BOARDS-COMMISSIONS-COMMITTEES/DOCUMENTS/RES_87-323.pdf

Robert's Rules of Order

<http://www.robertsrules.org/>

DATE: September 11, 2012

TO: Mayor and City Council

FROM: City Attorney
Development Services Director

SUBJECT: Introduction of an Ordinance Amending Building Abatement Code,
Chapter 9 - Article 3 of the Hayward Municipal Code

RECOMMENDATION

That the City Council introduces the attached Ordinance amending the Building Abatement Code.

SUMMARY

The proposed amendment to the Building Abatement Code (the “Code”) will change key features in the existing Code. The amended Code would establish a three-person building abatement panel (versus a five-member board) to hear appeals when the City’s Building Official deems a building or structure substandard. The proposed Code also provides a procedure to appeal a lien/special assessment to this three-person hearing panel. These amendments will improve enforcement options to address substandard buildings in the City of Hayward.

BACKGROUND

Chapter 9, Article 3 of the Hayward Municipal Code (HMC), otherwise known as the Building Abatement Code (“Code”), makes it unlawful for a property owner to maintain a building or structure on a property in a condition that is unsafe, substandard, or dangerous. The purpose of the Code is to provide a method whereby buildings or structures that are deemed substandard can be repaired or demolished.

The Code establishes a process for abatement of substandard buildings. If the City’s Building Official deems a building or structure to be substandard, the Building Official is required to notify the property owner of the substandard condition and order its repair. If a property owner does not comply with the Building Official’s order to repair, the City may perform the abatement. Currently, a property owner may also appeal the Building Official’s order to a five-member appeal board.

The Code also establishes a procedure for recovery of the cost of abatement. If the City abates a substandard building condition after an owner fails to comply with an order to repair, the City may recover its costs. The Building Official must prepare a report specifying the abatement costs and present it to the City Council at a hearing. The property owner may object to the costs at the

hearing and the City Council may approve, deny, or modify any charge in the report. Any costs approved by the City Council are recovered through special assessments submitted to and collected by the Alameda County Tax Collector.

DISCUSSION

The Code is a robust code enforcement tool to abate unsafe, substandard, and dangerous buildings in the City of Hayward. However, it has remained underutilized in part due to the challenge in constituting an appeals board. Furthermore, the process for collection of unpaid code enforcement costs does not align with other City code enforcement ordinances. The proposed Code amendment addresses these issues.

The Building Abatement Appeals Board

In its current form, the Code establishes a five-member Building Abatement Appeals Board to hear a property owner's appeal of an order to repair a building. Members of the appeals board must be qualified by experience and training to review matters pertaining to building construction and maintenance. As the appeals board is a Council-appointed body, the City Charter requires members of the board to be residents of the City.

At the present time, the appeals board is not constituted. The residency requirement limits the pool of qualified candidates to serve on the board and has presented a challenge to it being constituted. Although City staff has reached out to potential candidates, including telephone calls and emails to technical professionals in the area, staff has been unable to locate interested residents with the necessary experience and without a potential conflict of interest to serve on the board. The proposed amendment seeks to increase the pool of qualified candidates by eliminating the Code's residency requirement, changing the appointment process, and reducing the number of members.

The proposed Code would establish a three-member hearing panel appointed by the City Manager. By authorizing the City Manager to appoint three hearing officers to the panel, the City could appoint persons who do not reside in the City but are otherwise qualified by experience and training concerning building construction and maintenance. The panel makes determinations on technical issues concerning the safety of particular building structures and is not a policy-making body. This appointment procedure for hearing officers resembles the appointment process in other City code enforcement ordinances, such as the Community Preservation and Inspection Ordinance and the Residential Rental Inspection Ordinance.

Recovery of Abatement Costs

Under the current Code, the Council is required to conduct an annual hearing to consider the City's unpaid costs of abating a substandard building. If the Council affirms the abatement costs, the unpaid amount becomes a special assessment against the property affected and collected as part of the property tax bill. A property owner may oppose the imposition of the abatement costs at the City Council hearing.

This process – in which Council conducts a hearing concerning unpaid abatement costs – has been modified in other City code enforcement ordinances. The Community Preservation and Inspection Ordinance and the Residential Rental Inspection Ordinance were both amended in 2009 to create a hearing process before a hearing officer on the technical merits of the abatement costs instead of a hearing before the Council. The Council then considers the determinations of the hearing officers by holding a hearing at which they confirm the special assessments for collection by the County on the tax bills. These 2009 amendments increased hearing opportunities for property owners and improved the City’s ability to recover costs without denying Council’s ability to review cases under appeal.

The proposed Code creates a similar hearing process before the three-member hearing panel. Under the proposed Code, a property owner could appeal an abatement cost to the three-member hearing panel. If the hearing panel approved the costs, the Council would still be involved in the process by confirming the special assessment for collection by the County, as it does for special assessments arising from other City code enforcement ordinances.

PUBLIC NOTICE

Public notice regarding this Council meeting was provided as required by law. If the Council introduces the Ordinance, the City Clerk will cause the proposed Ordinance to be published at least five (5) days prior to and fifteen (15) days after adoption by the Council and a certified copy will be posted in the City Clerk’s Office, pursuant to Government Code 36933.

FISCAL IMPACT

None identified at this time, since all costs incurred by the City under the proposed Code would be recoverable through the special assessment process.

Prepared by: Rafael E. Alvarado Jr., Assistant City Attorney

Recommended by: Michael S. Lawson, City Attorney
David Rizk, AICP, Development Services Director

Approved by:



David Rizk, Acting City Manager

Attachments:

- Attachment I: Proposed Ordinance Amending Chapter 9, Article 3 of the Hayward Municipal Code
- Attachment II: Existing Building Abatement Code (Chapter 9, Article 3)

ORDINANCE NO. _____

ORDINANCE AMENDING ARTICLE 3 OF CHAPTER 9,
SECTIONS 9-3.101 THROUGH 9-3.906, OF THE HAYWARD
MUNICIPAL CODE RELATING TO BUILDING ABATEMENT

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

Section 1. Finding. The City Council of the City of Hayward hereby finds and determines that the enactment of this Ordinance relating to Building Abatement is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Title 14 of the California Code of Regulations, Section 15301, in that the Ordinance requires the repair, abatement or demolition of unsafe, dangerous and/or substandard, existing facilities, which action will not have the potential of causing a significant, adverse environmental effect.

Section 2. Upon the adoption of this Ordinance, Sections 9-3.101 through 9-3.906 of the Hayward Municipal Code are hereby repealed and, in substitution thereof, new Sections 9-3.101 through 9-3.901 of the Hayward Municipal Code are hereby enacted to read as follows:

ARTICLE 3

BUILDING ABATEMENT

Section	Subject Matter
9-3.101	TITLE
9-3.102	PURPOSE
9-3.103	SCOPE
9-3.104	ALTERATIONS, ADDITIONS, AND REPAIRS

ENFORCEMENT

9-3.201	CITY BUILDING OFFICIAL
9-3.202	ADMINISTRATION
9-3.203	INSPECTIONS
9-3.204	RIGHT OF ENTRY

9-3.205	ABATEMENT
9-3.206	INSPECTION OF WORK
	DEFINITIONS
9-3.301	GENERAL
9-3.302	UNSAFE, SUBSTANDARD, AND DANGEROUS BUILDING

NOTICES AND ORDERS OF BUILDING OFFICIAL

9-3.401	NOTICE AND ORDER
9-3.402	POSTING OF SIGNS
9-3.403	RECORDATION
9-3.404	STANDARDS TO BE FOLLOWED
Section	Subject Matter
9-3.405	DEMOLITION, AN ALTERNATIVE TO REPAIR

APPEAL OF BUILDING OFFICIAL'S NOTICE AND ORDER

9-3.501	BUILDING ABATEMENT HEARING PANEL
9-3.502	RIGHT TO APPEAL NOTICE AND ORDER
9-3.503	FAILURE TO APPEAL NOTICE AND ORDER
9-3.504	NOTICE OF HEARING
9-3.505	EFFECT OF APPEAL
9-3.506	DECISION OF HEARING PANEL

ENFORCEMENT OF ORDER

9-3.601	FAILURE TO COMPLY WITH ORDER
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9-3.602 BUILDING OFFICIAL AUTHORIZED TO DO
WORK

PERFORMANCE OF WORK

9-3.701 PLANS AND SPECIFICATIONS FOR WORK

9-3.702 FINANCING OF WORK

RECOVERY OF COSTS

9-3.801 NOTICE OF LIEN/SPECIAL ASSESSMENT

9-3.802 LIEN/SPECIAL ASSESSMENT HEARING

9-3.803 REPORT OF COSTS

9-3.804 NOTICE OF REPORT

9-3.805 COLLECTION ON TAX ROLL

Section Subject Matter

JUDICIAL REVIEW

9-3.901 JUDICIAL REVIEW OF HEARING PANEL
DECISION

ARTICLE 3

BUILDING ABATEMENT

(Added by Ord. No. 69-027 C.S., adopted October 21, 1969, Replaced in full by Ord. No. 97-11, adopted July 15, 1997)

SEC. 9-3.101 TITLE. These regulations shall be known as the Building Abatement Code of the City of Hayward, may be cited as such, and will be referred to herein as "this code."

SEC. 9-3.102 PURPOSE. It is the purpose of the provisions of this code to provide a just, equitable, and practicable method, to be cumulative with and in addition to any other remedy otherwise available at law or equity, whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety, or welfare of the general public or their occupants, may be required to be repaired, rehabilitated, vacated, removed, or demolished.

SEC. 9-3.103 SCOPE. The provisions of this code shall apply to all unsafe, substandard, and dangerous buildings, as herein defined, which are now in existence or which may hereafter be constructed in the City of Hayward.

SEC. 9-3.104 ALTERATIONS, ADDITIONS, AND REPAIRS. Any alterations, additions, or repairs to buildings or structures which are required to be repaired or rehabilitated under the provisions of this code shall be subject to the provisions of the Hayward Building Code.

ENFORCEMENT

SEC. 9-3.201 CITY BUILDING OFFICIAL. For the purposes of this code, Building Official shall be defined as the City Building Official of the City of Hayward or his or her designee.

SEC. 9-3.202 ADMINISTRATION. The Building Official is hereby authorized to enforce the provisions of this code. The Building Abatement Hearing Panel as established by section 9-3.500 of this article is empowered to hear appeals from notice and orders issued by the Building Official.

SEC. 9-3.203 INSPECTIONS. The Public Works Director, County Health Officer, Fire Marshal, Building Official, or their duly authorized representatives are hereby authorized to make such inspections and take such actions as may be required to enforce provisions of this code.

SEC. 9-3.204 RIGHT OF ENTRY.

- (a) Upon presentation of proper credentials, the Building Official, after having obtained the consent of the owner or occupant, may enter at reasonable times during daylight hours and for probable cause, any building, structure, or premises in the City to perform any duty imposed upon him by this code.
- (b) Except in emergency situations, the Building Official shall not enter any building, structure, or premises without the consent of the owner or occupant thereof, unless he possesses an inspection warrant obtained and issued in the manner provided by sections 1822.50 et seq. of the Code of Civil Procedure of the State of California or any amendments thereto to or replacements thereof.

- (c) Except as hereinabove permitted, no person shall hinder or prevent the Building Official while in the performance of the duties described above, from entering upon, and into any building, structure, or premises under his jurisdiction, at all reasonable hours during daylight hours and for probable cause, for the purpose of inspecting the same to determine whether or not the provisions of this code are observed therein.

SEC. 9-3.205 ABATEMENT. All buildings or portions thereof which are determined after inspection by the Building Official to be unsafe, substandard, and dangerous as defined in this code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal as specified in this code.

SEC. 9-3.206 INSPECTION OF WORK. All buildings within the scope of this code and all construction or work for which a permit is required shall be subject to inspection by the Building Official in accordance with and in the manner provided by the Hayward Building Code.

DEFINITIONS

SEC. 9-3.301 GENERAL. For the purpose of this code, certain words, phrases, and terms, and their derivatives shall be construed as specified herein. Words, phrases, and terms used in this code, but not specifically defined herein, shall have the meanings stated therefor in the Hayward Building Code or Hayward Housing Code. Where not defined in this code or in said Building Code or Housing Code, such words, phrases, and terms shall have the meanings generally prescribed by dictionary definition.

SEC. 9-3.302 UNSAFE, SUBSTANDARD, AND DANGEROUS BUILDING. For the purpose of this code, any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be a public nuisance and an unsafe, substandard, and dangerous building, provided that such conditions or defects exist to the extent that the life, health, property, or safety of the public or its occupants are endangered.

- (a) Whenever any door, aisle, passageway, stairway, or other means of exit is not of sufficient width or size, or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
- (b) Whenever the stress in any materials, member, or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed in the Hayward Building Code, for new buildings of similar structure, purpose, or location.
- (c) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Hayward Building Code, for new buildings of similar structure, purpose, or location.
- (d) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

- (e) Whenever any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached, or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in said Hayward Building Code, for new buildings of similar structure, purpose, or location without exceeding the working stresses permitted in said Hayward Building Code for such buildings.
- (f) Whenever any portion thereof has wracked, warped, buckled, or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
- (g) Whenever the building or structure, or any portion thereof, because of:
 - (1) dilapidation, deterioration, or decay;
 - (2) faulty construction;
 - (3) the removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such building;
 - (4) the deterioration, decay, or inadequacy of its foundation; or
 - (5) any other cause

is likely to partially or completely collapse.
- (h) Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
- (i) Whenever the exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.
- (j) Whenever the building or structure, exclusive of the foundation shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its nonsupporting members, enclosing or outside walls or coverings.
- (k) Whenever the building or structure has been so damaged by fire, wind, earthquake, or flood, or has become so dilapidated or deteriorated as to become:
 - (1) an attractive nuisance to children;
 - (2) a harbor for vagrants, criminals, or immoral persons; or
 - (3) as to enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
- (l) Whenever any building or structure has been constructed, or exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this City, as specified in the Hayward Building Code, or Hayward Housing Code, or of any law or ordinance of this state or the City of Hayward relating to the condition, location, or structure of buildings.
- (m) Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any nonsupporting part, member or portion, less

than 50 percent, or in any supporting part, member, or portion less than 66 percent of the (1) strength, (2) fire-resisting qualities or characteristics, or (3) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height, and occupancy in the same location.

- (n) Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction, or arrangement, inadequate light, air, or sanitation facilities, or otherwise, is determined by the County Health Officer to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease.
- (o) Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the Fire Marshal to be a fire hazard.
- (p) Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.
- (q) Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure, or whenever any building or structure is abandoned for a period in excess of six months, so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

NOTICES AND ORDERS OF BUILDING OFFICIAL

SEC. 9-3.401 NOTICE AND ORDER. The Building Official shall examine or cause to be examined every building or structure or portion thereof to determine whether it is unsafe, substandard, and dangerous, and if such is found to be an unsafe, substandard, and dangerous building as herein defined, the Building Official shall notify or cause to have notified the owner of such building or structure and other persons having a beneficial or legal interest of record in the building or structure as hereinafter stated.

- (a) The notice shall contain the street address and a description sufficient for identification of the premises upon which the building is located. The notice shall state the conditions which render the building or structure an unsafe, substandard, and dangerous building. The notice shall order the correction or abatement thereof either by repair, rehabilitation, demolition, or removal within such time (not to exceed 30 calendar days from the date of the order) as the Building Official shall determine is reasonable under all of the circumstances. If in the opinion of the Building Official such conditions can be corrected or abated by repair or rehabilitation thereof, the notice shall state the repairs or rehabilitation which will be required. Such notice shall also state that if the repairs, rehabilitation, demolition, or removal are not completed within the time specified, or within such extension of time as may be granted by the Building Official, the work specified in the notice may be done or caused to be done by the Building Official and the cost thereof levied as a special assessment against the property.

If necessary, such notice may also require the building, structure, or portion thereof to be vacated forthwith and not reoccupied until the required repairs and improvements

are completed, inspected, and approved by the Building Official. The notice shall also state that any person having any beneficial or legal interest of record in the building may appeal from the notice and order or any action of the Building Official to the Building Abatement Hearing Panel, provided the appeal is made in writing as provided in this code, and filed with the Building Official within 10 calendar days from the date of service of such notice and order, unless the Building Official determines that immediate action is necessary and must take action pursuant to chapter 1, section 102 of the Uniform Building Code. The notice shall further state that failure to appeal as provided in this code shall constitute a waiver of all right to an administrative hearing and determination of the matter and will waive all right to maintain any action, suit, or proceeding to set aside or modify the Building Official's notice, order, and action.

- (b) If such building is encumbered by a mortgage or a deed of trust, of record, and the owner of such building shall not have complied with the order of the Building Official on or before the expiration of time specified on such notice and order, the mortgagee or beneficiary under such deed of trust may, within the same period, comply with the requirements of the order of the Building Official. For good cause shown, the Building Official may extend the time within which to complete said repairs, rehabilitation, demolition, or removal.
- (c) The notice required hereinabove shall be given in the following manner:

The Building Official shall post or cause to be posted conspicuously at least one copy of the notice on the building and a copy of such notice shall be personally served upon, or sent by certified mail, postage prepaid, return receipt requested, to the person owning the land on which the building is located, as such person's name and address appear on the last equalized assessment roll of the County of Alameda. One copy of the notice shall be personally served upon, or sent by certified mail, postage prepaid, return receipt requested, to each of the following: the holder of any mortgage or deed of trust or other lien or encumbrance of record; the owner or holder of any lease of record; and the holder of any other estate or legal interest of record in or to the building or the land on which it is located. The notice shall be sent to such persons at their address as appears on the last equalized assessment roll of the County of Alameda or as is known to the Building Official. If the address of any known person entitled to service of the notice and order is unknown to the Building Official, then a copy shall be mailed, addressed to such person, at the address of the building involved in the proceedings.

A declaration of posting and mailing shall be made under penalty of perjury by the person or persons who posted and/or mailed said notice, certifying to the time and manner in which such notice was given, and such declaration shall be filed in the Development Inspection Services Division of the Department of Community and Economic Development of the City of Hayward. There shall also be filed therewith any receipt card which may have been returned in acknowledgment of receipt of such notice by registered mail. The failure of any owner or other person to receive such notice shall not affect in any manner the validity of any proceeding taken hereunder.

SEC. 9-3.402 POSTING OF SIGNS. In those cases in which the Building Official has determined that it is necessary that such building, structure, or portion thereof be vacated forthwith, he shall cause to be posted at each entrance to such building a notice to read: 'DO NOT

ENTER. UNSAFE TO OCCUPY. Development Inspection Services Division of the Department of Community and Economic Development of the City of Hayward.’ Such notice shall remain posted until the required repairs, demolition, or removal are completed. Such notice shall not be removed without written permission of the Building Official and no person shall enter the building except for the purpose of making the required repairs or of demolishing the building until the required repairs, demolition, or removal have been completed and a Certificate of Occupancy issued pursuant to the provisions of the Hayward Building Code.

SEC. 9-3.403 RECORDATION. If compliance with the Building Official's order is not achieved within the time specified therein, and no appeal has been properly and timely filed, or an appeal has been filed but determined by the Building Abatement Hearing Panel adversely to the appellant, the Building Official shall file in the office of the Recorder of the County of Alameda a certificate describing the property and certifying that the building is an unsafe, substandard, and dangerous building and that the owner has been so notified. Whenever the corrections ordered shall thereafter have been completed or the building demolished so that it no longer exists as an unsafe, substandard, and dangerous building on the property described in the certificate, the Building Official shall file a new certificate with the Alameda County Recorder certifying that the building has been demolished or all required corrections have been made so that the building is no longer unsafe, substandard, and dangerous, whichever is appropriate.

SEC. 9-3.404 STANDARDS TO BE FOLLOWED. The following standards shall be followed by the Building Official (and by the Building Abatement Hearing Panel if an appeal is taken) in ordering the repair, vacation, or demolition of any dangerous building or structure:

- (a) If the building or structure reasonably can be repaired so that it will no longer exist as a dangerous building, it shall be ordered to be repaired; otherwise it shall be ordered to be demolished.
- (b) If the building or structure is in such condition as to make it immediately dangerous to life, limb, property, or safety of the public or its occupants, it shall be ordered to be vacated.

SEC. 9-3.405 DEMOLITION, AN ALTERNATIVE TO REPAIR. An order to demolish shall not indicate an alternative permission to repair; however, an order to repair may be satisfied by demolition.

APPEAL OF BUILDING OFFICIAL’S NOTICE AND ORDER

SEC. 9-3.501 BUILDING ABATEMENT HEARING PANEL. In order to provide for appeals from the Building Official's notice and order, there is hereby established a Building Abatement Hearing Panel consisting of three members who are not employees of the City of Hayward, and who are qualified by experience and training to pass upon matters pertaining to building construction and maintenance. The Building Official shall act as secretary to said hearing panel. The City Manager shall appoint three persons to the hearing panel. The hearing panel shall render all decisions and findings in writing to the appellant with a copy to the Building Official. The hearing panel may reverse or affirm, wholly or partly, or modify any notice and order of the Building Official.

SEC. 9-3.502 RIGHT TO APPEAL NOTICE AND ORDER. Any person, firm, or corporation entitled to service under section 9-3.401 may appeal any notice and order or any action

of the Building Official under this code by filing at the office of the Building Official within 10 calendar days from the date of the service of such notice and order, a written appeal to the Building Abatement Hearing Panel, except in cases where the Building Official must take immediate action pursuant to chapter 1, section 102 of the Uniform Building Code.

SEC. 9-3.503 FAILURE TO APPEAL NOTICE AND ORDER. Failure of any person, firm, or corporation to file an appeal with the Building Official within 10 calendar days from the date of service of the Building Official's notice and order shall constitute a waiver of all right to an administrative hearing and determination of the matter by the Building Abatement Hearing Panel and will waive all right to maintain any action, suit, or proceeding to set aside or modify the Building Official's notice, order, and action.

SEC. 9-3.504 NOTICE OF HEARING. Written notice of the time and place of the hearing shall be given at least 10 calendar days prior to the date of the hearing to each appellant either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his address shown on the appeal.

SEC. 9-3.505 EFFECT OF APPEAL. Except for vacation orders made pursuant to section 9-3.402, enforcement of any notice and order of the Building Official issued under this code shall be stayed during the pendency of an appeal therefrom which is properly and timely filed.

SEC. 9-3.506 DECISION OF HEARING PANEL. The effective date of the decision of the Building Abatement Hearing Panel shall be as stated therein. The decision of the hearing panel is final. Any aggrieved party may bring an action in a court of competent jurisdiction to contest the validity of the proceedings or decision of the hearing panel as provided in Section. 9-3.901, otherwise all right to maintain any action, suit, or proceeding to set aside or modify the board's decision will be waived.

ENFORCEMENT OF ORDER

SEC. 9-3.601 FAILURE TO COMPLY WITH ORDER. After any order or decision of the Building Official or the Building Abatement Hearing Panel made pursuant to this code shall have become final, no person to whom any such order is directed shall fail, neglect, or refuse to obey any such order. Any such person who fails to comply with any such order is guilty of a misdemeanor and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any provisions of this code is committed, continued, or permitted and, upon conviction of any violation, such person shall be punishable by a fine of not more than \$500, or by imprisonment for not more than six months, or by both such fine or imprisonment.

SEC. 9-3.602 BUILDING OFFICIAL AUTHORIZED TO DO WORK. If, after any order of the Building Official or Building Abatement Hearing Panel made pursuant to this code has become final, the person(s), firm(s), or corporation(s) to whom such order is directed shall fail, neglect, or refuse to obey such order, the Building Official may cause such person to be prosecuted under section 9-3.601 of this code, and institute any appropriate action to abate such building as a public nuisance. The Building Official may, in addition to any other remedy herein provided, cause the building to be repaired to the extent necessary to correct the conditions which render the building dangerous as set forth in the notice and order, or, if the notice and order required demolition, to cause the building to be sold and demolished or demolished and the materials, rubble, and debris therefrom removed and the lot cleaned. Any such repair or demolition work shall be

accomplished and the cost thereof paid and recovered in the manner hereinafter provided in this code. Any surplus realized from the sale of any such building, or from the demolition thereof, over and above the cost of demolition and of cleaning the lot shall be paid over to the person or persons lawfully entitled thereto.

PERFORMANCE OF WORK

SEC. 9-3.701 PLANS AND SPECIFICATIONS FOR WORK. When any work of repair or demolition is to be done pursuant to section 9-3.602 of this code, the Building Official shall issue his order and the work shall be accomplished by City personnel or by private contract. Plans and specifications therefor may be prepared by said Building Official, or architectural and engineering personnel hired on a contract basis as deemed reasonably necessary. If any part of the work is to be accomplished by private contract, Standard Public Works contractual procedures shall be followed.

SEC. 9-3.702 FINANCING OF WORK. The cost of such work shall be paid from a special revolving fund to be established for such purpose and entitled 'Repair and Demolition Fund' or as authorized by the Hayward City Council on a case-by-case basis. Said costs may be made a special assessment against the property involved, in accordance with the procedure set forth in sections 9-3.801 to 9-3.805.

RECOVERY OF COSTS

SEC. 9-3.801 NOTICE OF LIEN/SPECIAL ASSESSMENT. Pursuant to California State Government Code Sections 38773.1 and 38773.5, prior to placing any liens or special assessments against a property for unpaid costs, fees, charges or penalties, all applicable owners shall be properly served written notice of past due amounts, and the right to have a Lien/Special Assessment Hearing as described hereinafter.

SEC. 9-3.802 LIEN/SPECIAL ASSESSMENT HEARING. Any owner may request a Lien/Special Assessment Hearing by written request within 14 days of receipt of the notice of lien/special assessment. The purpose of the Lien/Special Assessment Hearing is to provide an opportunity for any objections which may be raised by the owner liable to be charged for the work of abating cited code violations and related charges associated with their property. The Building Official shall attend said Lien/Special Assessment Hearings with his or her record thereof, and upon the hearing, the Building Abatement Hearing Panel may make the modifications in the proposed lien/special assessment as deemed necessary. When a Lien/Special Assessment Hearing is requested, the amount of the cost of abating cited code violations upheld by the hearing panel, including inspection charges and administrative expenses shall, after being confirmed by the city council, constitute a lien or special assessment on the property for the amount of the charges until paid. The right to judicial review shall be governed by Section 9-3.901.

SEC. 9-3.803 REPORT OF COSTS. The Building Official shall keep an itemized account of the expense incurred by the City of Hayward in the inspection, repair or demolition of any building done pursuant to the provisions of section 9-3.602 of this code. Upon the completion of the work of repair or demolition, said Building Official shall render an annual itemized report in writing to the City Council showing the cost of abatement. The City Council shall review and confirm the annual report and lien/special assessment list, amended as necessary, by way of resolution.

SEC. 9-3.804 NOTICE OF REPORT. The City Clerk shall post a copy of the report and lien/special assessment list on the bulletin board designated for the posting of agendas for City Council meetings together with a notice of filing thereof and of the time and place when and where it will be submitted to the City Council for confirmation by way of resolution. Notice shall also be published once in a newspaper of general circulation that is published and circulated within the City. The posting and first publication of the notice shall be made and completed at least 10 days before the time the report is considered by the City Council.

SEC. 9-3.805 COLLECTION ON TAX ROLL. After City Council confirmation of the annual report and lien/special assessment list, a copy shall be given to the City Director of Finance who may receive the amount due on the abatement cost and issue receipts at any time after the confirmation and until a list of unpaid liens/special assessments is sent annually to the County Auditor for effecting collection on the tax roll at the time and in the manner of ordinary municipal taxes. The descriptions of the parcels reported shall be those used for the same parcels on the County Assessor's map books for the current year. All laws and ordinances applicable to the levy, collection, and enforcement of City taxes are hereby made applicable to such liens or special assessments and this lien or special assessment shall have priority of the taxes with which it is collected.

JUDICIAL REVIEW

SEC. 9-3.901 JUDICIAL REVIEW OF HEARING PANEL DECISION.

- (a) Any person aggrieved by a decision of the hearing panel ordering the abatement of a nuisance or any associated administrative penalties or reimbursement for costs set forth in an order, may seek review of the administrative decision in the Superior Court by filing with the court a petition for writ of mandate pursuant to Section 1094.5 of the Code of Civil Procedure.
- (b) If the responsible party fails to so appeal the notice and order and/or the notice of lien/special assessment, no further administrative remedy will be provided and the failure to appeal shall preclude judicial review of the hearing panel's decision.
- (c) The filing of a request for judicial review shall not stay the operation or effect of an administrative decision or order unless a court of competent jurisdiction issues a specific stay order.

Section 3. Severance. Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided that the remainder of the ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 4. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective until thirty 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 11th day of September, 2012, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the 18th day of September, 2012, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS: _____
MAYOR: Sweeney

NOES: COUNCIL MEMBERS: _____

ABSTAIN: COUNCIL MEMBERS: _____

ABSENT: 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

ARTICLE 3

BUILDING ABATEMENT

Section	Subject Matter
9-3.101	TITLE
9-3.102	PURPOSE
9-3.103	SCOPE
9-3.104	ALTERATIONS, ADDITIONS, AND REPAIRS

ENFORCEMENT

9-3.201	CITY BUILDING OFFICIAL
9-3.202	ADMINISTRATION
9-3.203	INSPECTIONS
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NOTICES AND ORDERS OF BUILDING OFFICIAL

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Section	Subject Matter
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	PERFORMANCE OF WORK
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	RECOVERY OF COSTS
9-3.901	REPORT OF COSTS
9-3.902	HEARING ON REPORT
9-3.905	COLLECTION ON TAX ROLL
9-3.906	VALIDITY OF ASSESSMENT

ARTICLE 3

BUILDING ABATEMENT

SEC. 9-3.101 TITLE. These regulations shall be known as the Building Abatement Code of the City of Hayward, may be cited as such, and will be referred to herein as "this code."

SEC. 9-3.102 PURPOSE. It is the purpose of the provisions of this code to provide a just, equitable, and practicable method, to be cumulative with and in addition to any other remedy otherwise available at law or equity, whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety, or welfare of the general public or their occupants, may be required to be repaired, rehabilitated, vacated, removed, or demolished.

SEC. 9-3.103 SCOPE. The provisions of this code shall apply to all unsafe, substandard, and dangerous buildings, as herein defined, which are now in existence or which may hereafter be constructed in the City of Hayward.

SEC. 9-3.104 ALTERATIONS, ADDITIONS, AND REPAIRS. Any alterations, additions, or repairs to buildings or structures which are required to be repaired or rehabilitated under the provisions of this code shall be subject to the provisions of the Hayward Building Code.

ENFORCEMENT

SEC. 9-3.201 CITY BUILDING OFFICIAL. For the purposes of this code, Building Official shall be defined as the City Building Official of the City of Hayward or his or her designee.

SEC. 9-3.202 ADMINISTRATION. The Building Official is hereby authorized to enforce the provisions of this code. The Building Advisory Committee as established by the Hayward Building Code and section 9-3.500 of this article is empowered to review the determinations made by the Building Official relative to the suitability of alternate materials and methods of construction, to make recommendations to the City Council concerning amendments to this code, and to act as the Building Abatement Appeals Board.

SEC. 9-3.203 INSPECTIONS. The Public Works Director, County Health Officer, Fire Marshal, Building Official, or their duly authorized representatives are hereby authorized to make such inspections and take such actions as may be required to enforce provisions of this code.

SEC. 9-3. 204 RIGHT OF ENTRY.

- a. Upon presentation of proper credentials, the Building Official, after having obtained the consent of the owner or occupant, may enter at reasonable times during daylight hours and for probable cause, any building, structure, or premises in the City to perform any duty imposed upon him by this code.
- b. Except in emergency situations, the Building Official shall not enter any building, structure, or premises without the consent of the owner or occupant thereof, unless he possesses an inspection warrant obtained and issued in the manner provided by sections 1822.50 et seq. of the Code of Civil Procedure of the State of California or any amendments thereto to or replacements thereof.
- c. Except as hereinabove permitted, no person shall hinder or prevent the Building Official while in the performance of the duties described above, from entering upon,

and into any building, structure, or premises under his jurisdiction, at all reasonable hours during daylight hours and for probable cause, for the purpose of inspecting the same to determine whether or not the provisions of this code are observed therein.

SEC. 9-3.205 ABATEMENT. All buildings or portions thereof which are determined after inspection by the Building Official to be unsafe, substandard, and dangerous as defined in this code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal as specified in this code.

SEC. 9-3.206 INSPECTION OF WORK. All buildings within the scope of this code and all construction or work for which a permit is required shall be subject to inspection by the Building Official in accordance with and in the manner provided by the Hayward Building Code.

DEFINITIONS

SEC. 9-3.301 GENERAL. For the purpose of this code, certain words, phrases, and terms, and their derivatives shall be construed as specified herein. Words, phrases, and terms used in this code, but not specifically defined herein, shall have the meanings stated therefor in the Hayward Building Code or Hayward Housing Code. Where not defined in this code or in said Building Code or Housing Code, such words, phrases, and terms shall have the meanings generally prescribed by dictionary definition.

SEC. 9-3.302 UNSAFE, SUBSTANDARD, AND DANGEROUS BUILDING. For the purpose of this code, any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be a public nuisance and an unsafe, substandard, and dangerous building, provided that such conditions or defects exist to the extent that the life, health, property, or safety of the public or its occupants are endangered.

- a. Whenever any door, aisle, passageway, stairway, or other means of exit is not of sufficient width or size, or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
- b. Whenever the stress in any materials, member, or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed in the Hayward Building Code, for new buildings of similar structure, purpose, or location.
- c. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Hayward Building Code, for new buildings of similar structure, purpose, or location.
- d. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- e. Whenever any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached, or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in said Hayward Building Code, for new buildings of

similar structure, purpose, or location without exceeding the working stresses permitted in said Hayward Building Code for such buildings.

- f. Whenever any portion thereof has wracked, warped, buckled, or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
- g. Whenever the building or structure, or any portion thereof, because of:
 - (1) dilapidation, deterioration, or decay;
 - (2) faulty construction;
 - (3) the removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such building;
 - (4) the deterioration, decay, or inadequacy of its foundation; or
 - (5) any other cause

is likely to partially or completely collapse.
- h. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
- i. Whenever the exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.
- j. Whenever the building or structure, exclusive of the foundation shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its nonsupporting members, enclosing or outside walls or coverings.
- k. Whenever the building or structure has been so damaged by fire, wind, earthquake, or flood, or has become so dilapidated or deteriorated as to become:
 - (1) an attractive nuisance to children;
 - (2) a harbor for vagrants, criminals, or immoral persons; or
 - (3) as to enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
- l. Whenever any building or structure has been constructed, or exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this City, as specified in the Hayward Building Code, or Hayward Housing Code, or of any law or ordinance of this state or the City of Hayward relating to the condition, location, or structure of buildings.

- m. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any nonsupporting part, member or portion, less than 50 percent, or in any supporting part, member, or portion less than 66 percent of the (1) strength, (2) fire-resisting qualities or characteristics, or (3) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height, and occupancy in the same location.
- n. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction, or arrangement, inadequate light, air, or sanitation facilities, or otherwise, is determined by the County Health Officer to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease.
- o. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the Fire Marshal to be a fire hazard.
- p. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.
- q. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure, or whenever any building or structure is abandoned for a period in excess of six months, so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

NOTICES AND ORDERS OF BUILDING OFFICIAL

SEC. 9-3.401 NOTICE AND ORDER. The Building Official shall examine or cause to be examined every building or structure or portion thereof to determine whether it is unsafe, substandard, and dangerous, and if such is found to be an unsafe, substandard, and dangerous building as herein defined, the Building Official shall notify or cause to have notified the owner of such building or structure and other persons having a beneficial or legal interest of record in the building or structure as hereinafter stated.

- a. The notice shall contain the street address and a description sufficient for identification of the premises upon which the building is located. The notice shall state the conditions which render the building or structure an unsafe, substandard, and dangerous building. The notice shall order the correction or abatement thereof either by repair, rehabilitation, demolition, or removal within such time (not to exceed 30 calendar days from the date of the order) as the Building Official shall determine is reasonable under all of the circumstances. If in the opinion of the Building Official such conditions can be corrected or abated by repair or rehabilitation thereof, the notice shall state the repairs or rehabilitation which will be required. Such notice shall also state that if the repairs, rehabilitation, demolition, or removal are not completed within the time specified, or within such extension of time as may be granted by the Building Official, the work specified in the notice may be done or caused to be done by the Building Official and the cost thereof levied as a special assessment against the property.

If necessary, such notice may also require the building, structure, or portion thereof to

be vacated forthwith and not reoccupied until the required repairs and improvements are completed, inspected, and approved by the Building Official. The notice shall also state that any person having any beneficial or legal interest of record in the building may appeal from the notice and order or any action of the Building Official to the Building Abatement Appeals Board, provided the appeal is made in writing as provided in this code, and filed with the Building Official within 10 calendar days from the date of service of such notice and order, unless the Building Official determines that immediate action is necessary and must take action pursuant to chapter 1, section 102 of the Uniform Building Code. The notice shall further state that failure to appeal as provided in this code shall constitute a waiver of all right to an administrative hearing and determination of the matter and will waive all right to maintain any action, suit, or proceeding to set aside or modify the Building Official's notice, order, and action.

- b. If such building is encumbered by a mortgage or a deed of trust, of record, and the owner of such building shall not have complied with the order of the Building Official on or before the expiration of time specified on such notice and order, the mortgagee or beneficiary under such deed of trust may, within the same period, comply with the requirements of the order of the Building Official. For good cause shown, the Building Official may extend the time within which to complete said repairs, rehabilitation, demolition, or removal.
- c. The notice required hereinabove shall be given in the following manner:

The Building Official shall post or cause to be posted conspicuously at least one copy of the notice on the building and a copy of such notice shall be personally served upon, or sent by certified mail, postage prepaid, return receipt requested, to the person owning the land on which the building is located, as such person's name and address appear on the last equalized assessment roll of the County of Alameda. One copy of the notice shall be personally served upon, or sent by certified mail, postage prepaid, return receipt requested, to each of the following: the holder of any mortgage or deed of trust or other lien or encumbrance of record; the owner or holder of any lease of record; and the holder of any other estate or legal interest of record in or to the building or the land on which it is located. The notice shall be sent to such persons at their address as appears on the last equalized assessment roll of the County of Alameda or as is known to the Building Official. If the address of any known person entitled to service of the notice and order is unknown to the Building Official, then a copy shall be mailed, addressed to such person, at the address of the building involved in the proceedings.

A declaration of posting and mailing shall be made under penalty of perjury by the person or persons who posted and/or mailed said notice, certifying to the time and manner in which such notice was given, and such declaration shall be filed in the Development Inspection Services Division of the Department of Community and Economic Development of the City of Hayward. There shall also be filed therewith any receipt card which may have been returned in acknowledgment of receipt of such notice by registered mail. The failure of any owner or other person to receive such notice shall not affect in any manner the validity of any proceeding taken hereunder.

SEC. 9-3.402 POSTING OF SIGNS. In those cases in which the Building Official has determined that it is necessary that such building, structure, or portion thereof be vacated

forthwith, he shall cause to be posted at each entrance to such building a notice to read: ‘DO NOT ENTER. UNSAFE TO OCCUPY. Development Inspection Services Division of the Department of Community and Economic Development of the City of Hayward.’ Such notice shall remain posted until the required repairs, demolition, or removal are completed. Such notice shall not be removed without written permission of the Building Official and no person shall enter the building except for the purpose of making the required repairs or of demolishing the building until the required repairs, demolition, or removal have been completed and a Certificate of Occupancy issued pursuant to the provisions of the Hayward Building Code.

SEC. 9-3.403 RECORDATION. If compliance with the Building Official's order is not achieved within the time specified therein, and no appeal has been properly and timely filed, or an appeal has been filed but determined by the Building Abatement Appeals Board adversely to the appellant, the Building Official shall file in the office of the Recorder of the County of Alameda a certificate describing the property and certifying that the building is an unsafe, substandard, and dangerous building and that the owner has been so notified. Whenever the corrections ordered shall thereafter have been completed or the building demolished so that it no longer exists as an unsafe, substandard, and dangerous building on the property described in the certificate, the Building Official shall file a new certificate with the Alameda County Recorder certifying that the building has been demolished or all required corrections have been made so that the building is no longer unsafe, substandard, and dangerous, whichever is appropriate.

SEC. 9-3.404 STANDARDS TO BE FOLLOWED. The following standards shall be followed by the Building Official (and by the Building Abatement Appeals Board if an appeal is taken) in ordering the repair, vacation, or demolition of any dangerous building or structure:

- a. If the building or structure reasonably can be repaired so that it will no longer exist as a dangerous building, it shall be ordered to be repaired; otherwise it shall be ordered to be demolished.
- b. If the building or structure is in such condition as to make it immediately dangerous to life, limb, property, or safety of the public or its occupants, it shall be ordered to be vacated.

SEC. 9-3.405 DEMOLITION, AN ALTERNATIVE TO REPAIR. An order to demolish shall not indicate an alternative permission to repair; however, an order to repair may be satisfied by demolition.

APPEAL

SEC. 9-3.500 BUILDING ABATEMENT APPEALS BOARD. In order to provide for appeals from the Building Official's notice and order, there is hereby established a Building Abatement Appeals Board consisting of five members who are not employees of the City of Hayward, and who are qualified by experience and training to pass upon matters pertaining to building construction and maintenance. The Building Official shall act as secretary to said board. The City Manager shall recommend five persons to City Council for appointment. The board shall adopt reasonable rules and regulations regarding the conduct of its business, which are not in conflict with the Charter of the City of Hayward, and shall render all decisions and findings in writing to the appellant with a copy to the Building Official. The board may reverse or affirm, wholly or partly, or modify any notice and order of the Building Official. Copies of all rules or regulations adopted by the board shall be delivered to the Building Official who shall make them freely accessible to the public.

SEC. 9-3.501 RIGHT TO APPEAL. Any person, firm, or corporation entitled to service under section 9-3.401 may appeal any notice and order or any action of the Building Official under this code by filing at the office of the Building Official within 10 calendar days from the date of the service of such notice and order, a written appeal to the Building Abatement Appeals Board, except in cases where the Building Official must take immediate action pursuant to chapter 1, section 102 of the Uniform Building Code.

SEC. 9-3.502 FAILURE TO APPEAL. Failure of any person, firm, or corporation to file an appeal with the Building Official within 10 calendar days from the date of service of the Building Official's notice and order shall constitute a waiver of all right to an administrative hearing and determination of the matter by the Building Abatement Appeals board and will waive all right to maintain any action, suit, or proceeding to set aside or modify the Building Official's notice, order, and action.

SEC. 9-3.503 NOTICE OF HEARING. Written notice of the time and place of the hearing shall be given at least 10 calendar days prior to the date of the hearing to each appellant either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his address shown on the appeal.

SEC. 9-3.504 EFFECT OF APPEAL. Except for vacation orders made pursuant to section 9-3.402, enforcement of any notice and order of the Building Official issued under this code shall be stayed during the pendency of an appeal therefrom which is properly and timely filed.

SEC. 9-3.505 DECISION OF BOARD. The effective date of the decision of the Building Abatement Appeals Board shall be as stated therein. The decision of the board is final. Any aggrieved party shall have 30 calendar days from the effective date of the decision of the board to bring an action in a court of competent jurisdiction to contest the validity of the proceedings or decision of the board, otherwise all right to maintain any action, suit, or proceeding to set aside or modify the board's decision will be waived.

ENFORCEMENT OF ORDER

SEC. 9-3.701 FAILURE TO COMPLY WITH ORDER. After any order or decision of the Building Official or the Building Abatement Appeals Board made pursuant to this code shall have become final, no person to whom any such order is directed shall fail, neglect, or refuse to obey any such order. Any such person who fails to comply with any such order is guilty of a misdemeanor and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any provisions of this code is committed, continued, or permitted and, upon conviction of any violation, such person shall be punishable by a fine of not more than \$500, or by imprisonment for not more than six months, or by both such fine or imprisonment.

SEC. 9-3.702 BUILDING OFFICIAL AUTHORIZED TO DO WORK. If, after any order of the Building Official or Building Abatement Appeals Board made pursuant to this code has become final, the person(s), firm(s), or corporation(s) to whom such order is directed shall fail, neglect, or refuse to obey such order, the Building Official may cause such person to be prosecuted under section 9-3.701 of this code, and institute any appropriate action to abate such building as a public nuisance. The Building Official may, in addition to any other remedy herein provided, cause the building to be repaired to the extent necessary to correct the conditions which render the building dangerous as set forth in the notice and order, or, if the notice and order required demolition, to

cause the building to be sold and demolished or demolished and the materials, rubble, and debris therefrom removed and the lot cleaned. Any such repair or demolition work shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided in this code. Any surplus realized from the sale of any such building, or from the demolition thereof, over and above the cost of demolition and of cleaning the lot shall be paid over to the person or persons lawfully entitled thereto.

PERFORMANCE OF WORK

SEC. 9-3.801 PLANS AND SPECIFICATIONS FOR WORK. When any work of repair or demolition is to be done pursuant to section 9-3.702 of this code, the Building Official shall issue his order and the work shall be accomplished by City personnel or by private contract. Plans and specifications therefor may be prepared by said Building Official, or architectural and engineering personnel hired on a contract basis as deemed reasonably necessary. If any part of the work is to be accomplished by private contract, Standard Public Works contractual procedures shall be followed.

SEC. 9-3.802 FINANCING OF WORK. The cost of such work shall be paid from a special revolving fund to be established for such purpose and entitled 'Repair and Demolition Fund' or as authorized by the Hayward City Council on a case-by-case basis. Said costs may be made a special assessment against the property involved.

RECOVERY OF COSTS

SEC. 9-3.901 REPORT OF COSTS. The Building Official shall keep an itemized account of the expense incurred by the City of Hayward in the repair or demolition of any building done pursuant to the provisions of section 9-3.702 of this code. Upon the completion of the work of repair or demolition, said Building Official shall prepare and file with the City Clerk a report specifying the work done, the itemized and total cost of the work, a description of the real property upon which the building or structure is or was located, and the names and addresses of the persons entitled to notice pursuant to section 9-3.401.

SEC. 9-3.902 HEARING ON REPORT. Upon receipt of said report, the City Clerk shall present it to the City Council for consideration. The City Council shall fix a time, date, and place for hearing said report, and any protests or objections thereto. The City Clerk shall cause notice of said hearing to be posted upon the property involved, published once in a newspaper of general circulation in the City of Hayward, and served by certified mail, postage prepaid, addressed to the owner of the property as his name and address appears on the last equalized assessment roll of Alameda County, if such so appears, or as known to the Clerk. Notice shall also be given by certified or registered mail to any other person, corporation, or firm entitled thereto under section 9-3.401. Such notice shall be given at least 10 calendar days prior to the date set for hearing and shall specify the day, hour, and place when the City Council will hear and pass upon the Building Official's report, together with any objections or protests which may be filed as hereinafter provided by any person interested in or affected by the proposed charge.

At the time and place of said hearing, the City Council shall hear and pass upon the report of the Building Official together with any such objections or protests. The Council may make such revision, correction, or modification in the report or the charge as it may deem just; and when the Council is satisfied with the correctness of the charge, the report (as submitted or as revised, corrected, or modified) together with the charge, shall be confirmed or rejected. The decision of the City Council on the report and the charge, and on all protests or objections, shall be final and

conclusive.

SEC. 9-3.905 COLLECTION ON TAX ROLL. After confirmation of the charge, the same shall become a special assessment against the property affected. The City Council may provide for the collection of such assessment in not more than five annual installments. The payment of assessments so deferred shall bear interest on the unpaid balance at a rate to be determined by the City Council, not to exceed 10 percent per annum.

A copy of the assessment shall be given to the City Finance Director, who may receive payment thereon until a list of unpaid assessments shall have been sent annually to the County Auditor for effecting collection on the tax roll at the time and in the manner of ordinary municipal taxes. The descriptions of the parcels reported shall be those used for the same parcels on the County Assessor's map books for the current year. All laws and ordinances applicable to the levy, collection, and enforcement of City taxes are hereby made applicable to the assessment hereby imposed, and the lien of said assessment shall have priority of the taxes with which it is collected.

SEC. 9-3.906 VALIDITY OF ASSESSMENT. The validity of any assessment made under the provisions of this article shall not be contested in any action or proceeding unless the same is commenced within 30 calendar days after the assessment is placed upon the assessment roll as provided herein. Such contest shall go only to the question of the validity of the total amount of the assessment and shall not involve any question of the validity of the City's imposition of an assessment, that question must be raised by a proper and timely appeal from the Building Abatement Appeals Board's decision as provided in section 9-3.505.