



CITY OF
HAYWARD
HEART OF THE BAY

CITY COUNCIL AGENDA
APRIL 2, 2013

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 APRIL 2, 2013
777 B STREET, HAYWARD, CA 94541
WWW.HAYWARD-CA.GOV

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

1. PUBLIC COMMENTS

2. Conference with Property Negotiators

Pursuant to Government Code 54956.8

➤ **Property Transaction**

Under Negotiation: 22632 Main Street (APN 428-0066-024-00); 22654 Main Street (APN 428-0066-039-00); 22696 Main Street (APN 428-0066-038-02); 1026 C Street (APN 428-0066-037-00); 1026 C Street (APN 428-0066-038-01)

Property Negotiators: City Manager David, Assistant City Manager McAdoo, City Attorney Lawson

3. Adjourn to City Council Meeting

CITY COUNCIL MEETING
Council Chambers – 7:00 PM

CALL TO ORDER Pledge of Allegiance Council Member Halliday

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATIONS

National Volunteer Week and Recognitions

Business Recognition Award – MSI International, Inc.

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.)*

WORK SESSION (60-Minute Limit)

1. FY 2014 Community Agency Funding Recommendations including Community Development Block Grant (CDBG), Social Services, and Arts and Events (Report from Library and Community Services Director Reinhart)

[Staff Report](#)

[Attachment I Draft Resolution](#)

[Attachment II FY 2014 Funding Recommendations](#)

[Attachment III Application Summaries](#)

[Attachment IV Public Comments](#)

[Attachment V - Draft FY 2014 Annual Action Plan](#)

[Attachment VI Hayward Low Income Census Tracts](#)

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

2. Approval of Minutes of the City Council Meeting on March 19, 2013

[Draft Minutes](#)

3. New Sidewalks FY14 - Huntwood Avenue, D Street, and Industrial Boulevard: Approval of Plans and Specifications and Call for Bids

[Staff Report](#)

[Attachment I](#)

[Attachment II](#)

4. Approval of the Adjusted Urban Area Boundary Map for the City of Hayward

[Staff Report](#)

[Attachment I](#)

[Attachment II](#)



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*
-

PUBLIC HEARING

5. Adoption of Interim Urgency Ordinance Extending a Temporary Moratorium on the Development, Establishment and Operation of Computer Gaming and Internet Access Businesses in Hayward, to Become Effective Immediately (Report from Director of Development Services Rizk and City Attorney Lawson)

[Staff Report](#)

[Attachment I Ordinance](#)

[Attachment II](#)

[Attachment III](#)

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

SPECIAL CLOSED SESSION MEETING – 5:00 PM, TUESDAY, APRIL 9, 2013

NEXT REGULAR MEETING – 7:00 PM, TUESDAY, APRIL 16, 2013

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



DATE: April 2, 2013

TO: Mayor and City Council

FROM: Library and Community Services Director

SUBJECT: FY 2014 Community Agency Funding Recommendations including Community Development Block Grant (CDBG), Social Services, and Arts and Events

RECOMMENDATION

That Council reviews and comments on this report. Staff has attached a draft of the resolution that Council will be asked to adopt at the April 16 Public Hearing on this item to allow for Council and Public review (Attachment I).

SUMMARY

The FY 2014 funding recommendations for the Community Development Block Grant (CDBG), Social Services, and Neighborhoods, Arts & Events programs are presented in this report. The FY 2014 funding recommendations were achieved using a single funding process that integrated the previous, separately facilitated CDBG, Social Services and Arts/Music funding processes. The integrated funding process was conducted in compliance with the City's CDBG [Citizen Participation Plan](#), and is reflective of efficiencies afforded by the consolidation of the Citizens Advisory Commission and Human Services Commission into a single Community Services Commission (CSC), formed by Council in October 2011.

The FY 2014 Funding Recommendations Chart is provided as Attachment II. The CSC's Funding Recommendations and the staff's Funding Recommendations are identical to each other. The exact amount of available CDBG funds depends on the allocation by HUD; and the exact amount of Social Services and Neighborhoods, Arts and Events funds will not be known until Council approves the City's FY 2014 budget. Therefore, the FY 2014 funding recommendations were established using estimated amounts of available funding. Each of the recommendations is presented as a percentage of those estimates, so that when the actual amounts of funding are known, those percentages may be applied to adjust the allocations accordingly. Application summaries are provided as Attachment III, organized sequentially as presented in each of the funding recommendation charts.

BACKGROUND

FY 2014 CDBG PROGRAM OVERVIEW

During FY 2014, the City will administer CDBG funds received from the U.S. Housing and Urban Development (HUD) Department. Hayward is an “Entitlement” CDBG grantee, and as such, funding is provided annually upon HUD’s approval of the Council’s CDBG allocations, which form the substantive portion of the City’s Annual One-Year Action Plan.

It is projected that the City’s FY 2014 CDBG grant will be reduced by 5% to approximately \$1,177,324. This projection consists of a 5% projected cut to the CDBG formula grant program in the federal budget as a result of the federal sequester. The sequester will also affect the current FY 2013 grant. These projections continues the declining trend in the size of the City’s grant.

Figure 1: City’s CDBG Grant Size



As indicated in the above chart, the City’s CDBG grant has reduced in size by approximately forty percent since FY 2011. This has impacted financial support for housing rehabilitation and economic development activities, including grants to nonprofit agencies to support housing stabilization services. The program’s administration and planning budget is also proportionately reduced, and provides for fewer staff to administer the CDBG program, which remains an administratively complex and process-laden program despite the grant’s reduced size. CDBG program funds are available to support applications in the “Infrastructure” and “Housing-Related Services” funding categories. A summary of the FY 2014 CDBG funding process is provided later in this report.

FY 2014 SOCIAL SERVICES PROGRAM OVERVIEW

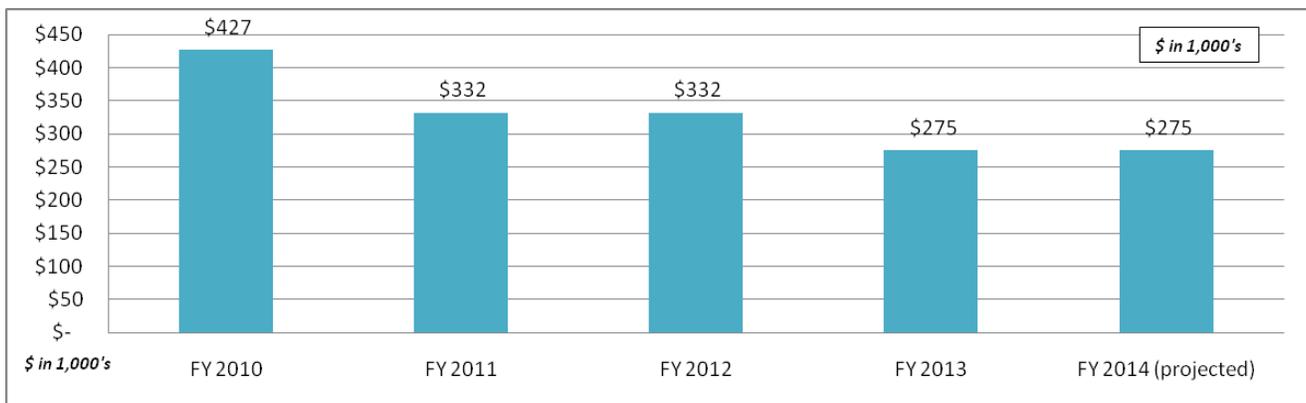
The City’s Social Services Program makes grants from the General Fund to support an array of services provided by non-profit agencies to support low-income Hayward residents. In recent funding cycles, the total amount of funding allocated for Social Services Program grants has been reduced in consideration of diminished General Fund resources.

Because Social Services program funds are sourced from the City’s General Fund, it is not yet known what, if any, Social Services funding will be available for allocation in FY 2014 until the presentation of the City

Manager’s Recommended Budget to Council in May 2013. However, as a starting point for the FY 2014 application process, and because FY 2014 will be the second year of the Biennial (two-year) Adopted Budget, it was estimated that total funding for Social Services grants in FY 2014 would potentially remain at the same level as in FY 2013: \$275,560.

However, it was also acknowledged that in recent funding cycles, the total amount of funding allocated for Social Services Program grants has been consistent with the reduction in the City’s budgeted expenditures overall. For example, as indicated in Figure 2, total funding for Social Service grants was reduced 17% in FY 2013, which was consistent with the level of reduced resources the General Fund experienced overall in that fiscal year.

Figure 2: Available Social Services Program Funding



FY 2014 NEIGHBORHOODS, ARTS & EVENTS PROGRAM OVERVIEW

The City provides grants from the General Fund to support an array of arts and music programs provided by nonprofit agencies for the benefit of Hayward residents, as well as community promotion events that are primarily focused on economic development for the City (i.e., events that draw attendees from outside the area into Hayward, who may then dine at Hayward restaurants, stay at Hayward hotels, and patronize other Hayward businesses during their visit.)

The FY 2014 funding cycle is the second year of integration of that category into the consolidated citizen review and funding recommendation process facilitated by the CSC. In FY 2013, the new Neighborhoods, Arts & Events (NAE) category was mainly comprised of arts & music programs formerly funded through the Community Promotions program.

Because NAE program funds are sourced from the City’s General Fund, it is unknown what, if any, NAE funding will be available for allocation in FY 2014 until the presentation of the City Manager’s Recommended Budget to Council in May 2013. However, as a starting point for the FY 2014 application process, it was estimated that total funding for NAE grants in FY 2014 would potentially remain at the same level as in FY 2013: \$75,000.

DISCUSSION

INTEGRATED APPLICATION REVIEW AND FUNDING RECOMMENDATION PROCESS

The FY 2014 funding process was the second year in which applicants submitted their funding requests electronically using the web-based system CityDataServices. All applicants used the same “common” application regardless of the type of service proposed or source of funding sought. A complete copy of [the application materials](#) was posted to the City’s website so that applicants and community members could review it and/or print it at their convenience without the need to log onto the “City Data Services” system.

The application materials included Council’s Priorities, the *Neighborhood Services Initiative*, and a brief orientation to *Crime Prevention through Environmental Design* (CPTED) principles. Applicants were asked to describe in their applications how the services proposed would support one or more of Council’s Priorities and, as applicable, HUD’s Performance Measures.

Sixty-five applications were submitted before the November 2, 2012 deadline. No late applications were received. Applications were grouped into four major categories so that similar applications would be evaluated in cohorts. The categories are as follows (note that the larger “Social Services” category was divided into three sub-categories):

Figure 3: Application Category Descriptions and Funding Sources

Category	Description of Category	Funding Source
<i>“Infrastructure”</i>	<i>CDBG: Affordable housing development, housing rehabilitation, economic development activities (subject to federal job-creation requirements), and nonprofit facility improvements.</i>	CDBG
<i>“Housing Related Services”</i>	<i>CDBG Public Services: Housing stabilization services (including homeless shelters and fair housing activities), and economic development activities.</i>	CDBG (subject to 15% cap)
<i>“Social Services”</i>	<p><i>A. General Services: Safety net services for low-income Hayward residents – e.g., food pantries, information and referral, counseling, etc.</i></p> <p><i>B. Services for Seniors and People who Have Disabilities: Activities that improve accessibility, and improve and prolong independent living for seniors and people who have disabilities.</i></p> <p><i>C. Youth Services: Activities that directly benefit children, adolescents, and young adults.</i></p>	Social Services (General Fund)

Category	Description of Category	Funding Source
<i>"Neighborhoods, Arts & Events"</i>	<i>Arts and music programs and community events that benefit Hayward residents, with an emphasis on activities that support youth education or economic development.</i>	NAE (General Fund)

Please note that in the "Housing Related Services" category, federal CDBG regulations impose a 15% cap on the amount that can be allocated; projects recommended for funding in this sub-category total \$238,000, which is the amount estimated to be available for FY 2014 in consideration of the 15% cap.

All of the Community Services Commissioners reviewed all of the applications online and provided comments and questions for each of the applicants online via the CityDataServices system. There were three separate Application Review Committees (ARCs): the "Infrastructure" committee; the "Services" committee; and the "Neighborhoods Arts & Events" committee. Each committee interviewed all applicants assigned to that category.

The "Infrastructure" committee was chaired by Commissioner Julius Willis, Jr. Also serving on this ARC were Commissioners Enders, Henderson, Leppert, Manapragada, and Moore. The committee interviewed applicants in that category on Saturday, November 17, 2012, and presented preliminary recommendations to the Community Services Commission on Wednesday, November 28, 2012. After discussion, the CSC established its official draft funding recommendations in that category on that evening, and a Public Comment period was subsequently opened. The Public Comment period extended from November 28, 2012 to February 20, 2013.

The "Housing-Related and Social Services" committee was chaired by Commissioner Linda Moore. Also serving on this ARC were Commissioners Chiasson, Enders, Fagalde, McManus, Samayoa, and Morales-Contreras. The committee interviewed applicants on Saturday, December 15, 2012 and Saturday, January 12, 2013, and presented preliminary funding recommendations to the Community Services Commission on Wednesday, January 16, 2013. After discussion, the Commission established its official draft funding recommendations that evening, and a thirty-day Public Comment period was subsequently opened.

The "Neighborhoods, Arts & Events" committee was chaired by Commissioner Ray Bonilla, Jr. Also serving on this ARC were Commissioners Allen-Thomas, Manapragada, Guernsey, Chiasson, Fagalde, and Samayoa. The committee interviewed applicants on Saturday, February 2, 2013, and presented preliminary funding recommendations to the Community Services Commission on Wednesday, February 20, 2013. After discussion, the Commission established its official draft funding recommendations that evening, and a thirty-day Public Comment period was subsequently opened.

After the conclusion of the Public Comment periods, the Commission discussed and finalized its FY 2014 funding recommendations at its publicly noticed meeting of Wednesday, March 20, 2013. The FY 2014 funding recommendations are provided for Council consideration as Attachment II.

FUNDING RECOMMENDATIONS

All of the applications submitted proposed to support at least one City Council Priority, and all proposed to serve low-income Hayward residents. Attachment II presents the funding recommendations for all funding sources. The chart headings in Attachment II separate the recommendations according to funding source – i.e., those that would be funded using CDBG funds and those that would be funded using Social Services Program funds (from the General Fund).

As Attachment II indicates, there are a number of agencies that were not recommended to receive funding. Brief analyses and rationale regarding each of those recommendations are provided below.

INELIGIBLE APPLICANTS - NOT RECOMMENDED FOR FUNDING

Minimum Contracting Standards for Nonprofit Agencies Requesting City Funds: The City's Minimum Contracting Standards were established a number of years ago in the CDBG and Social Services programs in order to provide a fair and consistent way to confirm that adequate internal controls exist to account for an applicant's resources, including City funds. During times of plentiful resources in past years, exceptions were sometimes made, as City staff resources were adequate to provide extensive monitoring and technical assistance for smaller, informally-organized nonprofit staff and their boards. As resources have declined, fiscal controls have tightened and the reduced number of City staff no longer allows for extensive individualized technical assistance to nonprofit agencies.

One of the Minimum Contracting Standards requires applicants to undergo an annual financial audit. An independent third-party audit can cost \$3,000 - \$5,000 or more depending on the size of an agency's budget, which can be beyond the means of some of Hayward's smaller nonprofit agencies unless they are able to secure pro bono services through their Board members or other supporters. While the cost of an audit can be a barrier from a cash perspective, obtaining an audit can also open doors to additional funding from other sources – i.e., foundations, government grants, etc. These opportunities notwithstanding, the audit requirement represents a barrier for some agencies that seek City funding.

To mitigate this barrier while still maintaining accountability, the City's funding process allows agencies that are unable to meet the Minimum Contracting Standards to apply for funding through a fiscal sponsor. Examples of agencies that have successfully utilized this arrangement in recent years include the Sun Gallery, Hayward Day Labor Center, South Hayward Neighborhood Collaborative, and the Hayward Community Action Network.

This year, applicants were advised in the published Notice of Available Funding, and at the [Funding Forum](#) that an independent financial fiscal audit is required in order to qualify for City funding. The [application materials](#) also clearly indicate that agencies are required to meet the Minimum Contracting Standards (see page 4 of the application materials) in order to be eligible for City funding. Additional clarification regarding the audit requirement is provided on page 4 of the application materials, as follows:

"In order to be eligible to apply for City funding, an applicant must have completed a fiscal audit for FY 10-11 (or calendar year 2011). If awarded funding, in order to execute a FY 13-14 contract, each agency must have completed an audit for FY 11-12 (or calendar year 2012). Submission of the management letters that accompanied the audits is also required. If there were any findings in the audits, a letter from the board of directors explaining the corrective measures taken to resolve the problem(s) must be provided.

"Agencies that do NOT have a current audit as described above are eligible to apply for City funding ONLY under the auspices of a fiscal agent that can meet this standard. The fiscal agent must apply for the funding, and if granted, the fiscal agent may utilize up to 10% of the grant for its own expenses. In exceptional circumstances, on a case-by-case basis, the audit requirement may be waived. Note: applicants in the Neighborhoods, Arts, and Events... categories are not subject to the audit requirement."

The following applicants were determined to be ineligible to receive City funding as they were unable to meet the standard that requires a fiscal audit:

- Empowerment Works: Hope for the Heart (Infrastructure #8)
- Empowerment Works: Tranquility House (Housing-Related Services #6)
- Lighthouse Community Center (Services #7)

In the coming months, staff will confer with each of the applicants to better understand why each one opted to apply independently instead of through a fiscal agent. In addition, the Community Services Commission has instructed staff to explore ways to assist smaller agencies to qualify for City/CDBG funding.

INFRASTRUCTURE CATEGORY (CDBG) – NOT RECOMMENDED FOR FUNDING

Emergency Shelter Program (Infrastructure #7): Agency requested CDBG funds to undertake various renovations and repairs. Commissioners expressed concerns that the proposed renovations did not include specific descriptions of work to be performed. Commissioners also expressed concerns that it was unclear whether the amount requested would be sufficient to cover the costs of the proposed projects that were verbally described by the applicant during the interview. For these reasons, funding is not recommended. (Note: Agency also submitted a separate application for operational support in the Housing-Related Services category, which is recommended for City funding.)

Empowerment Works / Hope for the Heart (Infrastructure #8): Funding for the program is not recommended because the applicant is ineligible to receive City funding. Agency and fiscal sponsor were unable to produce an independent financial audit.

Family Emergency Shelter Coalition (Infrastructure #9): Agency requested CDBG funds to undertake various facility repairs and upgrades to its Counseling Center, including repairs to address a seasonal water leak in the building's basement. Specifically, the line items in the submitted budget included a sump pump and sealants to fix a leak in the basement. During the interview and in the follow-up, the agency reported that the source of the leak is not known. Commissioners expressed concerns that it was unclear whether the proposed project would effectively resolve the issue with the water leak. For these reasons, funding is not recommended. (Note: Agency also submitted a separate application for operational support in the Housing-Related Services Category, which is recommended for City funding.)

La Familia Counseling Service (Infrastructure #11): Agency requested CDBG funds to install an exterior patio overhang on its Neighborhood Resource Center facility. The applicant proposed to install the overhang to offset rain that runs into the building due to a sloped foundation. Commissioners expressed concerns whether the proposed project would resolve the facility issues described by the applicant. Commissioners expressed concerns whether the proposed project constitutes the most cost-effective or efficient solution to the issue described. For these reasons, funding is not recommended.

Seventh Step Foundation (Infrastructure #12): Agency requested CDBG funds to purchase bed frames, undertake industrial sewer line cleaning, and install a new heating system in its facility. Funding is not recommended for the bed frames because they are not a CDBG-eligible expense. Commissioners expressed concern that the agency did not know whether the proposed sewer line cleaning and heating systems would reduce the agency's utility costs. For this reason, funding is not recommended.

Tiburcio Vasquez Health Center (Infrastructure #13): Agency requested CDBG funds for new IT systems and licensing fees needed for TVHC to meet regulatory requirements to operate a pediatric clinic in South Hayward. CDBG funding is not recommended because the requested items are not CDBG-eligible expenses. As well, Commissioners expressed concerns that TVHC did not have site control; at the time of the interviews, it had not yet acquired the clinic from St. Rose Hospital.

HOUSING-RELATED SERVICES CATEGORY (CDBG) – NOT RECOMMENDED FOR FUNDING

Empowerment Works / Tranquility House (Housing-Related Services #6): Funding for the program is not recommended because the applicant is ineligible to receive City funding. Agency and fiscal sponsor were unable to produce an independent financial audit.

Magnolia House (Housing-Related Services #9): Agency requested CDBG Public Services funding to increase the hours of a case manager at its six-bed residential program for homeless women in early recovery from drugs and/or alcohol. Commissioners expressed concerns about the agency's program model, specifically that there are no paid staff at the facility during the overnight hours. Several Commissioners who were involved in the previous year's application process recall that similar concerns were expressed at that time as well. During the interview, the agency confirmed that these issues had not yet been resolved. For these reasons, funding is not recommended.

Seventh Step Foundation (Housing-Related Services #10): Agency requested CDBG Public Services funding for a part-time job developer and mental health therapist. Commissioners expressed concerns that the program does not formally track job placements nor does it track job retention data. During the interview, the agency confirmed that it would not be able to provide empirical data on program effectiveness at job placement and retention. For these reasons, funding is not recommended.

SOCIAL SERVICES CATEGORY – NOT RECOMMENDED FOR FUNDING

Davis Street Family Resource Center (Social Services/ General Services #3): Agency requested funding for part of a family advocate staff position. Commissioners noted that similar services are offered by other service providers that are based in Hayward. Commissioners also noted that services would likely be sustained at this location without additional City funding. For these reasons, funding is not recommended.

Lao Family Community Development (Social Services/ General Services #6): Agency requested funding for general support and referral services to Afghan and other immigrants. Commissioners noted that the program is currently operated with a stable volunteer base, and would likely be sustained without City funding. For these reasons, funding is not recommended.

Lighthouse Community Center (Social Services/ General Services #7): Funding for the program is not recommended because the applicant is ineligible to receive City funding. Agency was unable to produce an independent financial audit.

Magnolia House (Social Services/ General Services #8): Agency requested funding to create a new case manager position. Commissioners expressed concerns about the agency's program model, specifically that there are no paid staff at the facility during the overnight hours. Commissioners also noted that the program would likely be sustained without City funding. For these reasons, funding is not recommended.

Salvation Army (Social Services/ General Services #10): Agency requested funding for food services. Commissioners noted that the agency currently receives City support for these services through the Alameda County Community Food Bank, which receives City grants earmarked for "food scholarships" to local Hayward agencies including Salvation Army. Commissioners also noted that the program would likely be sustained without additional City funding. For these reasons, funding is not recommended.

Bridge of Faith (Social Services/ General Services #10): Agency withdrew application. Commissioners noted that the agency currently receives City support for these services through the Alameda County Community Food Bank, which receives City grants earmarked for "food scholarships" to local Hayward agencies including Bridge of Faith.

Alzheimer's Services of the East Bay (Social Services/ Senior and Disabilities Services #1): Agency requested funding to help support existing Adult Day Care services. Commissioners noted that the agency currently receives \$75,000 in City funding through Measure B - Paratransit. Commissioners also noted that the program would likely be sustained without Social Services program funding from the City. For these reasons, additional funding is not recommended.

The ARC of Alameda County (Social Services/ Senior and Disabilities Services #7): Agency requested funding to provide group field trips to severely mentally challenged clients. The trips would primarily be to locations outside the Hayward area. Commissioners noted that the proposal had potential, but lacked specificity and needed further development. For these reasons, funding is not recommended. *(Note: Program may be eligible for travel training funding under Measure B – Paratransit. Commissioners asked staff to provide technical assistance to agency in that regard.)*

Alameda County Office of Education: Project E.A.T. (Social Services/ Youth Services #1): Agency requested funding for a new staff position at the Tennyson High School farm. Commissioners noted that other more significant sources of funding such as Promise Neighborhood or Urban Greening/Prop. 84 may be available to support this kind of project, and requested that staff provide technical assistance to the agency in this regard. For these reasons, funding is not recommended. *(Note: Agency also submitted a separate application for construction support in the Infrastructure category, which is recommended for City funding.)*

Saint Antonius Coptic Church (Social Services/ Youth Services #10): Agency ineligible for funding because it failed to appear for the interview.

St. Rose Hospital Foundation: FACES (Social Services/ Youth Services #13): Agency requested funding to support staff costs in the program. Commissioners noted that the agency enrolled a full cohort of students in FY 2013 with no City funding. During the interview, Commissioners expressed concerns about the

uncertainties about the future of St. Rose Hospital and the potential impact to the FACES program's ability to deliver services. Agency indicated that the sale of St. Rose Hospital would not affect the program's ability to deliver the proposed services. The agency also shared that the FACES model operates in numerous hospitals under various fiscal sponsor arrangements, and further indicated that the program could move to a different fiscal sponsor or even a different health care provider location, if circumstances required it. For these reasons, Commissioners noted that the program would likely continue to be sustained without City funding, and funding is not recommended at this time. After the interviews were concluded and the Commission's draft funding recommendations were established, the agency indicated that the program had been operated in the FY 2013 with a CalGRIP grant, which the agency stated is due to sunset in FY 2014.

Sunny Hills Services: Bay Area Youth Center (Social Services/ Youth Services #7): Agency requested funding to provide additional operating hours at its drop-in center. Commissioners noted that similar services are offered by other service providers in Hayward, and would likely be sustained at this location without City funding. For these reasons, funding is not recommended.

NEIGHBORHOODS, ARTS & EVENTS CATEGORY – NOT RECOMMENDED FOR FUNDING

Hope for the Heart (NAE #5): Agency requested funding to purchase a high-capacity photocopier. Commissioners noted that the cost of the requested equipment and supplies would likely far exceed the cost of the agency's current practice of utilizing the services of a local printer. For this reason, funding is not recommended.

Imperial Star Empire (NAE #6): Agency requested funding for its annual operations, for the purpose of making the agency's existing budget available to offer grants to local nonprofits. Commissioners noted that the City already directly funds programs that this agency proposes to fund. Commissioners also noted that the program will likely continue to operate successfully without City funding. For these reasons, funding is not recommended.

OTHER UPDATE THAT WILL REQUIRE COUNCIL REVIEW AND AUTHORIZATION

Substantial Amendment to the City's FY 2012-13 CDBG Annual Action Plan: At the April 16, 2013 Public Hearing, staff will bring a Substantial Amendment to the City's FY 2013 CDBG Action Plan for Council review and authorization. The federal CDBG program operates on a reimbursement system. Hayward's entitlement grant rests in a CDBG "line of credit" with the federal Treasury. After eligible CDBG program expenses are incurred by the City and its sub-recipient agencies, City staff then "draws down" the amount of those expenditures from the line of credit as reimbursements. Those reimbursed funds are deposited into City special revenue funds from which the CDBG-eligible expenses were paid. During a clean-up and reconciliation of the City's CDBG drawdowns and line of credit with HUD going back several years, a number of excess drawdown amounts were identified. None of these excess drawdown amounts were spent on any ineligible expenses; those funds remain available in City special revenue funds. Staff immediately contacted the City's HUD representatives in San Francisco and worked with them to develop a plan to return the excess funds to the City's line of credit, where they can be reallocated to other eligible uses in Hayward's CDBG program.

The excess funds are sufficient to offset the anticipated 5% cut to the CDBG program in FY 2013 as a result of the federal sequester; as well, sufficient excess funds are available to complete the acquisition of the Matt

Jimenez Community Center, which will save the City approximately \$32,000 in interest payments over the remainder of the loan, on which five years of payments remain. HUD looks favorably upon this solution because it returns the excess funds to the City's line of credit, then quickly expends them on an already-approved major project that benefits low-income residents throughout the Hayward community (important for the CDBG "timeliness" spending test). As well, using this unique opportunity to pay off the MJCC now would mean that more CDBG funding will be available for grants to subrecipient agencies in future years, since the City would no longer be obligated to make annual loan payments of \$133,330 toward the acquisition of the MJCC. For example, if Council authorizes the Substantial Amendment and the MJCC loan is then paid in full during FY 2013, this could result in some unprogrammed CDBG funds in FY 2014, because the MJCC loan payment currently budgeted in the FY 2014 funding recommendations will not be necessary. This savings will be offset to some extent by the federal sequester cuts, which are projected to entail a 5% reduction in the City's FY 2014 CDBG grant. An in-depth analysis of these projections and the available options for reallocating any unprogrammed CDBG funds will be brought forward for Council consideration at the Public Hearing on April 16.

At the April 16, 2013, Public Hearing, staff will present the proposed Substantial Amendment and options to Council for review and authorization. If Council authorizes the Substantial Amendment on that date, staff will work with HUD to revise the City's FY 2013 CDBG Action Plan, and will use the reauthorized funds to immediately complete the acquisition of the Matt Jimenez Community Center by the City.

FISCAL IMPACT

The CDBG Program has a neutral impact on the City's General Fund, as a portion of CDBG funds (up to 20%) may be used to pay for eligible Planning and Administration of the program, including NEPA environmental review, contracting, Labor Standards monitoring, lead-based paint compliance, procurement of contractors, site inspections, financial management, and federal reporting. As the City's CDBG grant size is reduced, the administrative cap is lowered accordingly, providing for fewer staff resources to administer the CDBG program, which remains an administratively complex and process-laden program despite the grant's reduced size.

The Social Services and NAE Funding Recommendations will be affected by Council's overall budget deliberations as they relate to overall General Fund obligations. As these grants are made using General Funds, reducing or eliminating the grants would have a beneficial impact on the City's budget. However, the majority of Social Services grants do support "safety net" services, i.e., food, housing, support services for low-income people, and information and referral. Reducing or eliminating grants would have a fiscal impact on those affected by reduced or eliminated services, as well as on the nonprofit agencies that have been doubly stressed by the economic downturn – those that have experienced both an increase in client demand and a decrease in public and private funding.

PUBLIC CONTACT

On August 20, 2012, a [Notice of Funding Availability](#) was published in English and Spanish in the *Daily Review* newspaper and on the City's website. The notice was also posted at the Hayward Public Library and City Hall; and paper copies of the Public Notice were mailed and/or emailed to currently funded agencies, previously funded agencies, applicants from previous years, and all other interested parties on the Community Agency Funding mailing list (several hundred individuals and local agencies) maintained by the

Library and Community Services Department. Several broadcast email reminders were also sent in advance of the event.

Application materials were published on Wednesday, September 12, 2012, accessible by logging on to CityDataServices system, or downloadable from the City's website. A Funding Forum and Technical Assistance Workshop were conducted Wednesday, September 19, 2012. Afterward, the [workshop presentation](#) was posted to the City's website so that applicants could refer back to it as necessary.

At the Funding Forum, applicants received an orientation to CDBG, Social Services, and NAE funding. The orientation included an explanation of the purpose and limitations of the CDBG program and advisories that up to 15% of CDBG funds may be used for Public Services, as defined by the CDBG Regulations and Council's Priorities and Categories of Need. Applicants were informed about the City's [Social Services Program](#), which is funded by the City's General Fund, and provides grants to support other types of community services that are outside the parameters of the CDBG program. Applicants were also informed about the NAE program, which is funded by the City's General Fund.

All funding deliberations took place at properly noticed [Community Services Commission meetings](#) that were open to the public. These meetings took place on November 28, 2012, January 16, 2013, February 20, 2013, and March 20, 2013. The weeks in between the November 28, 2012 and February 20, 2013 meetings constituted a public comment period for the Infrastructure (CDBG) draft recommendations, during which members of the public, including applicants, could submit their comments regarding the funding process or the funding recommendations. The weeks in between the January 16, 2013 and February 20, 2013 meetings constituted the public comment period for Housing-Related Services (CDBG) and Social Services (General Fund) draft funding recommendations. The one-month period between February 20, 2013 and March 20, 2013 constituted the public comment period for the NAE (General Fund) draft funding recommendations. During the public comment period, twenty-one written public comments and five verbal public comments were submitted. The public comments received are provided in Attachment IV. All public comments were reviewed by the CSC prior to its establishment of the FY 2014 funding recommendations.

On Saturday, March 9, 2013, [a notice was published](#) in the *Daily Review* newspaper, to announce that City Council will conduct a Public Hearing on Tuesday, April 16, 2013, during which Council will make final FY 2014 CDBG funding decisions and allocations, and preliminary FY 2014 Social Services and NAE funding allocations (subject to final approval by Council in June, 2013, with the adoption of the FY 2014 General Fund budget).

On Saturday, March 16, 2013, [a notice was published](#) in the *Daily Review* newspaper, to announce the proposed Substantial Amendment to the City of Hayward CDBG FY 2012-13 Annual Action Plan, and to invite public comments on the Substantial Amendment prior to the April 16, 2013, Public Hearing when Council will review and authorize the Substantial Amendment.

NEXT STEPS

Council will conduct a public hearing on Tuesday, April 16, 2013, at which it will:

- 1) Make its final FY 2014 CDBG Allocations, which will form the substantive portion of the City's FY 2014 (HUD Program Year 2013) One Year Action Plan; and,
- 2) Authorize the Substantial Amendment to the FY 2012-13 Annual Action Plan to reprogram available funds to complete the acquisition of the Matt Jimenez Community Center in FY 2013.

Also at the public hearing on Tuesday, April 16, 2013, Council will establish preliminary funding decisions in the FY 2014 Social Services and NAE categories. Final Council authorization of funding allocations in those categories will be made within the context of Council's FY 2014 budget deliberations in May and June 2013.

Recommended by: Sean Reinhart, Library and Community Services Director

Approved by:



Fran David, City Manager

Attachments:

- Attachment I: Draft Resolution
- Attachment II: FY 2014 Funding Recommendations
- Attachment III: Application Summaries
- Attachment IV: Public Comments
- Attachment V: FY 2014 Draft Annual Action Plan
- Attachment VI: Hayward Low Income Census Tracts

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION AUTHORIZING AN APPLICATION FOR FEDERAL ASSISTANCE UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FISCAL YEAR 2013-2014 AND APPROVING THE FISCAL YEAR 2013-14 ACTION PLAN.

WHEREAS the Housing and Community Development Act of 1974 makes funds available to qualified cities for certain community development activities, and the City of Hayward is qualified to receive certain funds pursuant to said act; and

WHEREAS the City Council has considered public testimony and the CDBG Program recommendations prepared by staff and the Community Services Commission, a copy of which is attached as Attachment II and hereby referred to for further particulars; and

WHEREAS the Council has considered the environmental impact of the program and hereby finds and determines that the program is composed of projects that are categorically excluded from the National Environmental Protection Act or will be subject to later environmental review and finds and determines that the activities funded by the program are either not subject to the California Environmental Quality Act or will be subject to later environmental review;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Hayward hereby approves the Community Development Block Grant Program and authorizes the City Manager on behalf of the City of Hayward to execute and submit the required applications and all implementing documents in connection therewith.

IN COUNCIL, HAYWARD, CALIFORNIA, April 16, 2013

ADOPTED BY THE FOLLOWING VOTE:

AYES COUNCIL MEMBERS:

NOES COUNCIL MEMBERS:

ABSTAIN COUNCIL MEMBERS:

ABSENT COUNCIL MEMBERS:

MAYOR: Sweeney

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

Community Services Commission
FY 2014 Infrastructure Funding Recommendations
CDBG

Funding Availability	
CDBG (Infrastructure)	683,037
Total Infrastructure Funding Availability	\$683,037

Infrastructure Recommendations by Subcategory	
Housing Rehabilitation	342,000
Community Facilities and Improvements	250,330
Economic Development	90,000
Total Recommended	\$682,330

HOUSING REHABILITATION					
#	Applicant	Prior Year	Req. Amount	Staff Rec	CSC Rec
1	COH: Housing Rehabilitation Program	380,000	380,000	342,000	342,000
Housing Rehabilitation Subtotal		\$380,000	\$380,000	\$342,000	\$342,000

COMMUNITY FACILITIES AND IMPROVEMENTS					
#	Applicant	Prior Year	Req. Amount	Staff Rec	CSC Rec
2	*Alameda County Office of Education	0	153,205	18,000	18,000
3	Acquisition of Malt Jimenez Community Center	133,330	133,330	133,330	133,330
4	Mural Art Program	50,000	50,000	45,000	45,000
5	Emergency Shelter Program	20,000	25,000	0	0
6	*Empowerment WORKS: Hope for the Heart	0	80,000	0	0
7	Family Emergency Shelter Coalition	0	27,200	0	0
8	Hayward Area Recreation and Park District	100,000	60,000	54,000	54,000
9	La Familia Counseling Service	0	36,000	0	0
10	Seventh Step Foundation	0	74,600	0	0
11	Tiburcio Vasquez Health Center	0	105,400	0	0
Community Facilities and Improvements Subtotal		\$303,330	\$744,735	\$250,330	\$250,330

ECONOMIC DEVELOPMENT AND COMMERCIAL REHABILITATION					
#	Applicant	Prior Year	Req. Amount	Staff Rec	CSC Rec
12	4-Cs of Alameda County	30,000	30,000	27,000	27,000
13	COH: Small Business Assistance	0	70,000	63,000	63,000
Economic Development & Commercial Rehabilitation Subtotal		\$30,000	\$100,000	\$90,000	\$90,000

Note: All recommended funding amounts subject to change. Funding allocations are contingent on City Council approval and available funding. Dollar figures presented are based on projections of available FY 2014 funding and are for reference only; final allocations will be established as a respective percentage of overall available funding.

**Community Services Commission
FY 2014 Services Funding Recommendations**

Funding Availability by Source	
CDBG (Housing-Related Services)	238,000
General Fund (Social Services)	327,560
Total Services Funding Availability	\$565,560

Services Recommendations by Subcategory	
Housing-Related Services (CDBG)	238,000
Seniors & People with Disabilities	84,245
General Services	166,260
Youth	77,055
Total Recommended	\$565,560

CDBG

HOUSING-RELATED SERVICES (CDBG)					
#	Applicant	Prior Year	Req. Amount	Staff Rec	CSC Rec
1	*Abode Services: AC Impact	0	30,000	16,240	16,240
2	Centro Legal de la Raza	20,000	40,000	24,750	24,750
3	ECHO: Fair Housing	24,500	29,160	24,500	24,500
4	ECHO: Landlord Tenant	29,500	45,385	24,750	24,750
5	Emergency Shelter Program	26,000	40,000	35,000	35,000
6	Empowerment WORKS: Tranquility House	0	5,600	0	0
7	Family Emergency Shelter Coalition	35,500	40,000	35,500	35,500
8	Family Violence Law Center	47,260	50,000	47,260	47,260
9	Magnolia House	0	30,000	0	0
10	Seventh Step Foundation	0	47,500	0	0
11	South Hayward Parish: Community Action Network	12,000	12,000	10,000	10,000
12	Women on the Way	20,000	20,000	20,000	20,000
Housing-Related Services (CDBG) Subtotal		\$214,760	\$389,645	\$238,000	\$238,000

GENERAL FUND

SERVICES FOR SENIORS AND PEOPLE WITH DISABILITIES					
#	Applicant	Prior Year	Req. Amount	Staff Rec	CSC Rec
1	Alzheimer Services of the East Bay	0	20,000	0	0
2	BACS: Friendly Visitor Program	10,375	10,375	10,375	10,375
3	BACS: Hedco House Wellness Center	14,110	14,110	14,110	14,110
4	Community Resources for Independent Living	20,750	25,000	20,750	20,750
5	Legal Assistance for Seniors	18,260	22,000	18,260	18,260
6	Spectrum Community Services	20,750	30,000	20,750	20,750
7	*The Arc of Alameda County: Leadership Program	0	19,786	0	0
Services for Seniors & People with Disabilities Subtotal		\$84,245	\$141,271	\$84,245	\$84,245

Note: All recommended funding amounts subject to change. Funding allocations are contingent on City Council approval and available funding. Dollar figures presented are based on projections of available FY 2014 funding and are for reference only; final allocations will be established as a respective percentage of overall available funding.

*New Applicant and/or Program

**Community Services Commission
FY 2014 Services Funding Recommendations**

GENERAL FUND

GENERAL SERVICES TO LOW-INCOME RESIDENTS					
#	Applicant	Prior Year	Req. Amount	Staff Rec	CSC Rec
1	Alameda County Community Food Bank	20,750	30,000	20,750	20,750
2	Community Initiatives: Day Labor Center	39,342	44,000	39,342	39,342
3	Davis Street Family Resource Center	12,450	15,000	0	0
4	Eden I&R: 2-1-1 Communications	50,000	50,000	50,000	50,000
5	International Institute of the Bay Area	8,300	12,000	8,300	8,300
6	*Lao Family Comm. Development: Afghan Support Services	0	28,200	0	0
7	*Lighthouse Community Center	0	18,500	0	0
8	Magnolia House	0	29,900	0	0
9	SAVE/COPS	0	30,000	15,000	15,000
11	Salvation Army	0	15,000	0	0
12	South Hayward Parish: Food Pantry	12,201	20,000	12,201	12,201
14	Bridge of Faith	0	6,500	0	0
15	Tri-City Health Center	20,667	20,667	20,667	20,667
General Services to Low-Income Residents Subtotal		\$163,710	\$319,767	\$166,260	\$166,260

YOUTH SERVICES					
#	Applicant	Prior Year	Req. Amount	Staff Rec	CSC Rec
1	*Alameda County Office of Education: Project E.A.T.	0	40,000	0	0
2	CALICO	14,525	20,000	14,525	14,525
3	East Bay Agency for Children	15,355	18,500	15,355	15,355
4	Horizon Services, Inc.	20,750	50,000	28,775	28,775
10	Saint Antonius Coptic Orthodox Church	0	73,750	0	0
13	St. Rose Hospital Foundation: FACES	0	15,000	0	0
5	*Sunny Hills Services: Bay Area Youth Center	0	13,125	0	0
6	Tiburcio Vasquez Health Center: Keepin' It Real	10,375	35,000	18,400	18,400
Youth Services Subtotal		\$61,005	\$265,375	\$77,055	\$77,055

Note: All recommended funding amounts subject to change. Funding allocations are contingent on City Council approval and available funding. Dollar figures presented are based on projections of available FY 2014 funding and are for reference only; final allocations will be established as a respective percentage of overall available funding.

*New Applicant and/or Program

**Community Services Commission
FY 2014 Neighborhoods, Arts, Events
Funding Recommendations**

GENERAL FUND

NAE Funding Availability	
General Fund	106,084
Total NAE Funding Availability	\$106,084

NAE Recommendations by Subcategory	
Neighborhoods, Arts, Events	75,000
Community Promotions	25,500
Civic Programs	5,584
Total Recommended	\$106,084

NEIGHBORHOODS, ARTS, AND EVENTS					
Applicant		Prior Year	Req. Amt.	Staff Rec	CSC Rec
1	*4Cs of Alameda County: Children's Faire	0	3,000	500	500
2	Hayward Arts Council: Band & Orchestra Festival	7,400	7,400	7,400	7,400
3	Hayward Arts Council: Operations	16,485	22,100	16,485	16,485
4	Hayward Municipal Band	14,695	18,509	14,695	14,695
5	*Hope 4 the Heart Food Bank	0	4,000	0	0
6	Imperial Star Empire	500	12,980	0	0
7	Pacific Chamber Symphony: Music is Fun!	4,705	6,000	4,705	4,705
8	Sun Gallery: Hayward Area Forum of the Arts	27,450	37,450	27,450	27,450
9	Youth Orchestra of Southern Alameda County	3,765	4,000	3,765	3,765
NAE Subtotal		\$75,000	\$115,439	\$75,000	\$75,000

COMMUNITY PROMOTIONS					
Applicant		Prior Year	Req. Amt.	Staff Rec	CSC Rec
1	Bay Area Blues Society: Hayward Blues Festival	21,500	22,000	21,500	21,500
2	Hayward Zucchini Festival	4,000	20,000	4,000	4,000
Community Promotions Subtotal		\$25,500	\$42,000	\$25,500	\$25,500

CIVIC PROGRAMS					
Applicant		Prior Year	Req. Amt.	Staff Rec	CSC Rec
3	Cinco de Mayo Celebration	2,524	2,524	2,524	2,524
4	Lone Tree Cemetery Association: 111th Memorial Day Event	800	1,000	800	800
5	Martin Luther King Celebration	1,910	1,910	1,910	1,910
6	Veteran's Day Observance	350	350	350	350
Civic Programs Subtotal		\$5,584	\$5,784	\$5,584	\$5,584

Note: All recommended funding amounts subject to change. Funding allocations are contingent on City Council approval and available funding. Dollar figures presented are based on projections of available FY 2014 funding and are for reference only; final allocations will be established as a respective percentage of overall available funding.

*New Applicant and/or Program

Est. 3/20/13

**Applicants for City Funding
Department of Library and Community Services**

INFRASTRUCTURE APPLICATIONS (CDBG)

Total Amount Requested: \$1,224,405

#1 CITY OF HAYWARD: HOUSING REHABILITATION PROGRAM

Amount Requested

\$380,000

Previous Year Allocation

\$380,000



Before



After

The Housing Rehabilitation Program requests funds to offer loans and grants to low-income Hayward homeowners, including seniors and people who have disabilities. Eligibility is restricted to owner-occupied single family residences in need of accessibility/mobility improvements, code violations corrections, or repairs needed to maintain health and safety.

#2 ALAMEDA COUNTY OFFICE OF EDUCATION, PROJECT EAT

Amount Requested
\$153,205

Previous Year Allocation
New Applicant



Project Educate Act Thrive (EAT) proposes to increase student-led food production and formalize community gardening by creating safe supported garden spaces. Funds requested for facility improvements include lights, fences, wheel chair ramps, elevated garden beds, and distribution centers for differently-abled youth and adults at Tennyson High School’s Education Farm.

#3 CITY OF HAYWARD: ACQUISITION OF MATT JIMENEZ CENTER

Amount Requested
\$133,000

Previous Year Allocation
\$133,000



In fiscal year 2005-2006, Hayward City Council approved twelve years of CDBG allocations for the City of Hayward's acquisition of the former Boys and Girls Club. The site is now known as the Matt Jimenez Community Center and operated by Hayward Area Recreation District. This will be the eighth year of the acquisition, and the annual \$133,000 amount will be removed from the total amount of estimated funding availability in this category.

#4 CITY OF HAYWARD: MURAL ART PROGRAM

Amount Requested

\$50,000

Previous Year Allocation

\$50,000



The Mural Art Program requests funds to install murals and mosaics in some of the most graffiti-prone and vandalized areas in Hayward, which are located in the City's lowest income census tracts. This includes public schools, playgrounds, and local business areas in low-income census tracts.

#5 EMERGENCY SHELTER PROGRAM

Amount Requested

\$25,000

Previous Year Allocation

\$20,000



Emergency Shelter Program provides shelter and support services to low-income women and children who are victims of domestic violence. Funding would allow the shelter to complete renovations and upgrades which include a fence, plumbing, painting, sidewalk repair, purchase of exterior storage units, children's playground, and a new phone system.

#6 EMPOWERMENT WORKS: HOPE FOR THE HEART

Amount Requested

\$80,000

Previous Year Allocation

\$0



Hope for the Heart offers a nutrition program and food boxes to low-income Hayward families. Requested funds are for a new wood and steel ribbon fence (\$40,000) and solar energy system (\$40,000) for their new warehouse to be completed in Spring 2013.

#7 FAMILY EMERGENCY SHELTER COALITION

Amount Requested

\$27,200

Previous Year Allocation

\$0 (Facilities)



Family Emergency Shelter Coalition is requesting funding for retrofits to their Counseling Center, which provides daily counseling to Les Marquis and 3rd Street residents. Retrofits include attic insulation, wall insulation, crawlspace encapsulation, attic vents, sump pump, air seal building envelope, furnace, duct system, air filter cabinet, and a tank-less water heater.

#8 HAYWARD AREA RECREATION AND PARK DISTRICT

Amount Requested

\$60,000

Previous Year Allocation

\$100,000 (Sorensdale)



Funding requested is for completion of American with Disabilities Act (ADA) accessibility upgrades for the Weekes Park Community Center kitchen, which includes an ADA accessibility ramp and low energy security lighting.

#9 LA FAMILIA COUNSELING SERVICE

Amount Requested

\$36,000

Previous Year Allocation

\$0



Funding requested is for facility improvements of La Familia's Neighborhood Resource Center, which is now located on Fuller Avenue. Specifically, funding is being requested for replacement of the conference room flooring from carpet to wood paneling, repairs to weather damage for one of the walls, and construction of a patio terrace.

#10 SEVENTH STEP FOUNDATION

Amount Requested

\$74,600

Previous Year Allocation

\$0



Seventh Step is a shelter and substance abuse rehabilitation facility for low-income adult male parolees. Funding is requested for repairs such as industrial sewer line cleaning, a solar powered heating and hot water system. The proposal also includes purchase of new metal bed frames to replace the current wood bed frames.

#11 TIBURCIO VASQUEZ HEALTH CENTER

Amount Requested

\$105,400

Previous Year Allocation

\$0 (Facilities)



Tiburcio Vasquez Health Center (TVHC) is requesting funds to acquire the Silva Pediatric Clinic, which was previously owned by St. Rose Hospital. The clinic was scheduled to close, however was offered to TVHC for acquisition. Silva is located at Eden Youth and Family Center, and the proposal is specifically for licensing and equipment to bring the building into compliance with the Title 24 Clinical Facilities Licensing Code.

#12 COMMUNITY CHILD CARE COUNCIL OF ALAMEDA COUNTY

Amount Requested

\$30,000

Previous Year Allocation

\$30,000



Community Child Care Council (4-Cs) of Alameda County provides training to family child care providers. Training includes topics such as how to apply for licensing, complete inspections, business practices (record-keeping, contracts, insurance, taxes and marketing), as well as disaster preparedness. Funding is being requested for expansion and stabilization of child care businesses.

Department of Library and Community Services
Applicants for City Funding
Fiscal Year 2013-2014

SERVICES, PART 1 (HOUSING-RELATED: CDBG)

ABODE SERVICES: AC IMPACT

APP. #1 HOUSING-RELATED

Amount Requested
\$30,000

Prior Year Allocation
New Applicant



AC Impact is a permanent supportive housing program targeting chronically homeless people who have a history of interaction with law enforcement and other emergency systems. The program provides a total of fifty homeless individuals, seven of whom are Hayward residents, with permanent rental subsidies and supportive services. Funding is requested for a portion of the Program Coordinator salary.

CENTRO LEGAL DE LA RAZA

APP. #2 HOUSING-RELATED

Amount Requested
\$40,000

Prior Year Allocation
\$20,000



Centro Legal de la Raza provides free, direct legal services and tenants' right education to low-income Hayward residents facing eviction and habitability issues. Centro's attorneys offer assessment and consultations, legal advice, and brief services. Proposal is to increase services from previous years in response to the increase in demand, with 100 unduplicated residents served. Funding requested would support general operating expenses.

ECHO: FAIR HOUSING

APP. #3 HOUSING-RELATED

Amount Requested
\$29,160

Prior Year Allocation
\$59,240



Eden Council for Hope & Opportunity (ECHO) provides Fair Housing counseling and investigation activities. Proposal is to serve 47 unduplicated Hayward residents, providing training, the investigation of discrimination inquiries and complaints, conduct fair housing audits, distribution of informational materials, etc. Funding requested would support general operating expenses.

ECHO: LANDLORD TENANT

APP. #4 HOUSING-RELATED

Amount Requested
\$45,385

Prior Year Allocation
\$0



Eden Council for Hope & Opportunity (ECHO) works with landlords and tenants on housing rights and responsibilities. Proposal is to provide over one thousand clients information for options and resolutions in housing disputes. Proposed activities also include one on one mediation. Funding requested would support general operating expenses.

EMERGENCY SHELTER PROGRAM

APP. #5 HOUSING-RELATED

Amount Requested
\$40,000

Prior Year Allocation
\$26,000



Emergency Shelter Program provides shelter and support services to low-income women and children who are victims of domestic violence, with a forty-two bed capacity. Funding requested would support maintenance personnel, facilities operation, utilities, transportation, and administrative costs.

EMPOWERMENT WORKS: TRANQUILITY HOUSE

APP. #6 HOUSING-RELATED

Amount Requested
\$5,600

Prior Year Allocation
New Applicant



Tranquility House Alternatives provides safe and sober transitional housing to men and women in recovery. The nonprofit currently rents two houses in Hayward, one for women and another for men. Proposal is specifically requesting a total of \$5,600 for repairs and maintenance, appliances, and improved nutrition for residents. This includes two new laundry machines (\$2,600), building materials, plumbing supplies, and labor (\$1,200), and a supplemental grocery budget for meals (\$1,800).

FAMILY EMERGENCY SHELTER COALITION

APP. #7 HOUSING-RELATED

Amount Requested
\$40,000

Prior Year Allocation
\$35,500



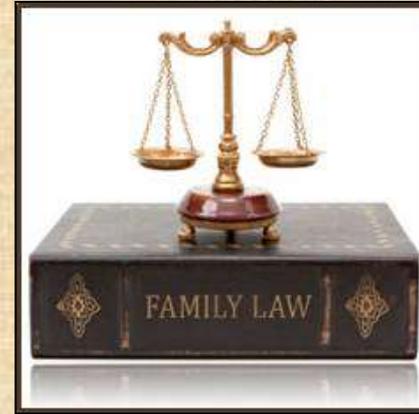
Family Emergency Shelter Coalition provides shelter and support services to approximately 60 homeless families, including children, each year. Services include intake, stabilization, a family needs assessment, and case management. Funds are being requested for partial support for the Les Marquis House emergency shelter.

FAMILY VIOLENCE LAW CENTER

APP. #8 HOUSING-RELATED

Amount Requested
\$50,000

Prior Year Allocation
\$47,260



Family Violence Law Center (FVLC) serves victims of domestic violence in Alameda County, including emergency overnight shelter and serving as a liaison with police and the criminal justice system. The FVLC helps families to leave domestic violence situations without becoming homeless or experiencing further injury. Proposal is to serve 150 unduplicated Hayward residents, and is for general operating expenses.

MAGNOLIA HOUSE: WOMEN'S RECOVERY PROGRAM

APP. #9 HOUSING-RELATED

Amount Requested
\$30,000

Prior Year Allocation
\$0



Magnolia Women's Recovery Program is a six-bed shelter that assists pregnant and post-partum women and their children to recover from the effects of mental illness and co-occurring substance abuse and addictions. Proposal is to provide services to 15 unduplicated Hayward women and children. Funds requested would support operational expenses.

SEVENTH STEP FOUNDATION

APP. #10 HOUSING-RELATED

Amount Requested

\$47,500

Prior Year Allocation

\$0



The Seventh Step Foundation's Freedom House is a 32-bed facility that offers assistance to low-income adult male parolees from the California Correctional System returning to the Hayward area. This application is for 65% of the salary of a full-time committed Job Developer (\$20,200) and 65% of the salary of a Family Therapist (\$27,300) to prepare residents to move from Freedom House to stable housing.

SOUTH HAYWARD PARISH: COMMUNITY ACTION NETWORK

APP. #11 HOUSING-RELATED

Amount Requested

\$12,000

Prior Year Allocation

\$12,000



The Hayward Community Action Network provides outreach, coordination, and case management to homeless individuals who live in Hayward. The program is proposing to serve 100 residents, with intensive case management to thirty individuals, and housing placements for ten of those individuals. Funding requested is for general operating expenses.

WOMEN ON THE WAY

APP. #12 HOUSING-RELATED

Amount Requested

\$20,000

Prior Year Allocation

\$20,000



WOTW is a ten-bed shelter that provides shelter and drug treatment to homeless women, to help them transition to more stable housing. Each woman develops an individual treatment plan, setting goals in each major life area, and meets with her counselor frequently to review progress. Proposal is to assist 12 unduplicated Hayward women. Funding requested would specifically support general operating expenses

Department of Library and Community Services

Applicants for City Funding

Fiscal Year 2013-2014

SERVICES, PART 2

(SOCIAL SERVICES: GENERAL FUND)

ALAMEDA COUNTY COMMUNITY FOOD BANK

APP. #1 GENERAL SERVICES FOR LOW-INCOME RESIDENTS

Amount Requested
\$30,000

Prior Year Allocation
\$20,750



Funding requested would allow the Food Bank to offer scholarships to six member agencies in Hayward, including BOSS, Bridge of Faith, Magnolia House, Salvation Army, Seventh Step, and South Hayward Parish. Scholarships enable the shelters and/or pantries for food purchase. Services are proposed to benefit over 10,000 low-income unduplicated Hayward residents. Funding requested would support general operating expenses.

COMMUNITY INITIATIVES: HAYWARD DAY LABOR CENTER

APP. #2 GENERAL SERVICES FOR LOW-INCOME RESIDENTS

Amount Requested

\$44,000

Prior Year Allocation

\$39,342



The Hayward Day Labor Center provides job placement into both temporary and permanent jobs. It offers referrals, health-care, dental services, literacy classes, and physical activities to residents. It also offers employers a venue for screening and hiring workers. Funding requested is for general operating expenses.

DAVIS STREET FAMILY RESOURCE CENTER

APP. #3 GENERAL SERVICES FOR LOW-INCOME RESIDENTS

Amount Requested
\$15,000

Prior Year Allocation
\$12,450



Davis Street provides emergency food, clothing, subsidized child-care, free acute medical and dental care, mental health counseling, crisis intervention, case management, among many other support services to low-income Hayward residents. It is a multi-service agency proposing to reach 2,445 residents. Funding requested would support general operating expenses.

EDEN INFORMATION AND REFERRAL

APP. #4 GENERAL SERVICES FOR LOW-INCOME RESIDENTS

Amount Requested
\$50,000

Prior Year Allocation
\$50,000



2-1-1 is a telephone number that provides free access to health, housing, and human services information and referral. It enables individuals and families to connect with community based organizations and government agencies. Funding requested is for a portion of the database phone system.

INTERNATIONAL INSTITUTE OF THE EAST BAY

APP. #5 GENERAL SERVICES FOR LOW-INCOME RESIDENTS

Amount Requested
\$12,000

Prior Year Allocation
\$8,300



The International Institute of the East Bay provides legal services and educational workshops to immigrant individuals and families. This includes citizenship, permanent residency, work authorization, family based immigration and visas for survivors of crime and domestic violence. The proposal is for direct services to 500 unduplicated Hayward residents. Funding requested would support general operating expenses.

LAO FAMILY COMMUNITY DEVELOPMENT: AFGHAN INTERNATIONAL

APP. #6 GENERAL SERVICES FOR LOW-INCOME RESIDENTS

Amount Requested
\$28,200

Prior Year Allocation
New Applicant



This project proposes to provide supportive services to 600 low-income unduplicated Hayward residents. Activities include parenting, youth programs, immigration services, case management, advocacy, etc. The project provides services to at least fourteen different ethnic groups. Funding requested is for general operating expenses.

LIGHTHOUSE COMMUNITY CENTER

APP. #7 GENERAL SERVICES FOR LOW-INCOME RESIDENTS

Amount Requested

\$18,500

Prior Year Allocation

New Applicant



The Lighthouse Community Center was organized to serve the lesbian, gay, bisexual, transgender, and questioning community. The center provides a low-cost, community meeting space and sponsors support programs. The Center also organizes lectures, participation in Street Fairs, community art shows, health fairs, legal workshops, and other special events for LGBTQ as well as allies and everyone else in the community. Funding is requested for annual rent costs.

MAGNOLIA HOUSE: WOMEN'S RECOVERY PROGRAM

APP. #8 GENERAL SERVICES FOR LOW-INCOME RESIDENTS

Amount Requested

\$29,900

Prior Year Allocation

\$0



Magnolia Women's Recovery Program is a six-bed shelter that assists pregnant and post-partum women and their children to recover from the effects of mental illness and co-occurring substance abuse and addictions. Proposal is to provide services to 15 unduplicated Hayward women and children. Funds requested would support case management services.

SAFE ALTERNATIVES TO VIOLENT ENVIRONMENTS: COPS

APP. #9 GENERAL SERVICES FOR LOW-INCOME RESIDENTS

Amount Requested

\$30,000

Prior Year Allocation

\$0



SAVE provides crisis intervention services in cooperation with law enforcement responses to homeless, low-income survivors of domestic violence and their children. Resources provided include affordable housing, emergency sheltering, counseling services, clothing, transportation and assistance in obtaining retraining and protection orders, among many other services. Proposal is to work with 350 residents, and funding requested is for general operating expenses.

SAINT ANTONIUS COPTIC ORTHODOX: COPTIC YOUTH CENTER

APP. #10 GENERAL SERVICES FOR LOW-INCOME RESIDENTS

Amount Requested
\$73,750

Prior Year Allocation
\$0



The Coptic Youth Center helps youth develop personal and social skills, and provides a venue for physical activity, education, and information technology. Saint Antonius plans to finish construction of the Coptic Youth Center in June 2013. Funding requested is for portions of the Director, Executive Administrator, and Counselor salaries (\$147,500 total).

SALVATION ARMY: FOOD PROGRAM

APP. #11 GENERAL SERVICES FOR LOW-INCOME RESIDENTS

Amount Requested

\$15,000

Prior Year Allocation

\$0



The Salvation Army in Hayward operates an emergency food service program. The program proposes to serve 1,000 unduplicated Hayward residents. Funding requested would support general operating expenses.

SOUTH HAYWARD PARISH: EMERGENCY FOOD PANTRY

APP. #12 GENERAL SERVICES FOR LOW-INCOME RESIDENTS

Amount Requested
\$20,000

Prior Year Allocation
\$12,201



The South Hayward Parish provides emergency food for 1,200 unduplicated low-income Hayward residents. Food distribution is from Tuesday through Friday, 3:00PM to 5:30PM weekly at the Westminster Hills Outreach Center on Patrick Avenue. Funding is requested to support general operating expenses.

ST. ROSE HOSPITAL FOUNDATION: FACES

APP. #13 GENERAL SERVICES FOR LOW-INCOME RESIDENTS

Amount Requested
\$15,000

Prior Year Allocation
\$0



The FACES program is a health career pipeline for at-risk, minority, high-school youth. Funding would support forty-five Hayward youth residents, which includes exposure to health careers, academic support, and leadership development. Funding requested is for general operating expenses.

THE BRIDGE OF FAITH: MEALS OF LOVE

APP. #14 GENERAL SERVICES FOR LOW-INCOME RESIDENTS

Amount Requested
\$6,500

Prior Year Allocation
\$0



The Meals of Love program provides hot meals, groceries, information and referral services, and clothing to low-income and homeless Hayward residents. Funding requested would support general operating expenses that would assist 925 residents.

TRI-CITY HEALTH CENTER

APP. #15 GENERAL SERVICES FOR LOW-INCOME RESIDENTS

Amount Requested

\$20,667

Prior Year Allocation

\$20,667



Tri-City Health Center provides high quality, comprehensive, and client-centered services to assist and empower individuals living with HIV. Services offered include housing assistance, legal assistance, grocery vouchers, transportation assistance, and emergency financial assistance. Proposal is for case management and mental health counseling for fifty Hayward residents.

ALZHEIMER SERVICES OF THE EAST BAY

APP. #1 SENIORS AND PEOPLE WITH DISABILITIES

Amount Requested
\$20,000

Prior Year Allocation
\$0



Alzheimer Services of the East Bay provides adult day care services for families who are living with Alzheimer's disease and related dementia. The program offers nursing care and physical, occupational and speech therapy. Services includes meals. Proposal is to serve 17 residents.

BAY AREA COMMUNITY SERVICES: FRIENDLY VISITOR

APP. #2 SENIORS AND PEOPLE WITH DISABILITIES

Amount Requested

\$10,375

Prior Year Allocation

\$10,375



The Friendly Visitor Program provides visiting services to senior Hayward residents with a goal of reducing isolation. The program targets homebound individuals, or those at-risk of nursing home placement due to chronic conditions or disabilities. Proposal is to serve 33 Hayward residents.

BAY AREA COMMUNITY SERVICES: HEDCO HOUSE

APP. #3 SENIORS AND PEOPLE WITH DISABILITIES

Amount Requested
\$14,110

Prior Year Allocation
\$14,110



The Hedco House Wellness Center works in collaboration with Alameda County Behavioral Health Care to provide a community based resource for individuals challenged with chronic and persistent mental illness. Proposal is to serve 25 Hayward residents.

COMMUNITY RESOURCES FOR INDEPENDENT LIVING

APP. #4 SENIORS AND PEOPLE WITH DISABILITIES

Amount Requested
\$25,000

Prior Year Allocation
\$20,750



Community Resources for Independent Living provides advocacy and life skills services for people with disabilities. This includes peer counseling, job club and pre-employment assistance, youth empowerment, and disaster preparedness. Proposal is to serve 130 residents.

LEGAL ASSISTANCE FOR SENIORS

APP. #5 SENIORS AND PEOPLE WITH DISABILITIES

Amount Requested
\$22,000

Prior Year Allocation
\$18,260



Legal Assistance for Seniors provides free legal services in regards to consumer law, guardianship of minor children, public benefits, health law, and immigration. The program also provides community education presentations around the issue of health care coverage impacting seniors. Proposal is to serve 55 residents.

SPECTRUM COMMUNITY SERVICES

APP. #6 SENIORS AND PEOPLE WITH DISABILITIES

Amount Requested
\$30,000

Prior Year Allocation
\$20,750



Spectrum Community Services prepares and serves free and low-cost hot meals to Hayward seniors, many who are at-risk of homelessness. Proposal is to serve 300 Hayward residents.

THE ARC OF ALAMEDA COUNTY

APP. #7 SENIORS AND PEOPLE WITH DISABILITIES

Amount Requested
\$19,786

Prior Year Allocation
New Applicant



The Arc proposes to provide leadership training to 12 Hayward residents who have intellectual and/or developmental disabilities. The training program is 9 months, and includes topics such as government, safety, environment, local history, and law enforcement.

ALAMEDA COUNTY OFFICE OF EDUCATION

APP. #1 YOUTH SERVICES

Amount Requested
\$40,000

Prior Year Allocation
New Applicant



Project Educate Act Thrive (EAT) proposes to increase student-led food production and formalize community gardening by creating safe supported garden spaces at Tennyson High School. Funds requested in the Services category would support a portion of staff salaries, specifically for a Farmer position.

CALICO

APP. #2 YOUTH SERVICES

Amount Requested

\$20,000

Prior Year Allocation

\$14,525



CALICO aids children who were sexually and/or physically abused and neglected. The provider conducts forensic interviews and coordinated services, which include crisis intervention and follow-up services. The project proposes to serve 170 residents.

EAST BAY AGENCY FOR CHILDREN

APP. #3 YOUTH SERVICES

Amount Requested
\$18,500

Prior Year Allocation
\$15,355



East Bay Agency for Children provides clinical mental health services to uninsured elementary school children. Services include on-site assessments at schools or homes, short and long term therapy, social skills and anger management, rehabilitative counseling, and other services. The project proposes to serve 50 Hayward residents.

HORIZON SERVICES

APP. #4 YOUTH SERVICES

Amount Requested
\$50,000

Prior Year Allocation
\$20,750



Horizon Services offers counseling support for LGBTQ youth, reducing suicide, drug use, and sexual/physical abuse. Services also include group counseling, one on one crisis counseling, parent support groups, and other services. Project proposes to serve 150 residents.

SUNNY HILLS SERVICES: BAY AREA YOUTH CENTER

APP. #5 YOUTH SERVICES

Amount Requested

\$13,125

Prior Year Allocation

New Applicant



Our Space is a drop-in center for LGBTQ youth. Proposal is to serve 75 Hayward residents. Funding is specifically requested to support a portion of the Drop-In Center Coordinator salary, increasing the position to a .75FTE. This would increase the number of days the center is open and launch case management services.

TIBURCIO VASQUEZ HEALTH CENTER: KEEPIN' IT REAL

APP. #6 YOUTH SERVICES

Amount Requested
\$35,000

Prior Year Allocation
\$10,375



The Keepin' It Real program offers peer education and training around youth health issues. Key topics include teen violence, alcohol and drug abuse, pregnancy, and sexually transmitted infections. The proposal is to serve 870 residents.

Department of Library and Community Services
Applicants for City Funding
Fiscal Year 2013-2014

NEIGHBORHOODS, ARTS, AND EVENTS (GENERAL FUND)

BAY AREA BLUES SOCIETY: HAYWARD RUSSELL CITY BLUES FESTIVAL

Amount Requested
\$22,000

Prior Year Allocation
\$21,500



The proposed activity is the two day, Hayward Russell City Blues Festival held at Hayward City Hall Plaza. The festival celebrates America's music, blues and jazz, found in Russell City.

HAYWARD ARTS COUNCIL

Amount Requested

\$22,100

Prior Year Allocation

\$16,485



Provides five art galleries in Hayward:

1. Art IS Education month at Cinema Place Gallery
2. Art of the Blues at Russell City Blues Festival
3. John O'Lague Galleria's exhibits at City Hall
4. Chamber of Commerce gallery
5. Foothill Arts of the Bay Gallery

HAYWARD ARTS COUNCIL: HAYWARD BAND & ORCHESTRA FESTIVAL

Amount Requested
\$7,400

Prior Year Allocation
\$7,400



Partnering with Hayward Unified School District music teachers, the Hayward Band and Orchestra Festival assembles instrumental music students from six Hayward high schools and middle schools to play under conductors and music educators.

4CS OF ALAMEDA COUNTY: CHILDREN'S FAIRE

Amount Requested
\$3,000

Prior Year Allocation
New Application



Community Child Care Council (4Cs) of Alameda County is a non-profit family resource agency dedicated to strengthening children and families. The Children's Faire is designed to reach out to families with young children and provide them with information and resources that meet their needs in a fun atmosphere.

HAYWARD MUNICIPAL BAND

Amount Requested
\$18,509

Prior Year Allocation
\$14,695



Provides six free Sunday concerts in Memorial Park. Comprised of a 40 member musical group, performances include Classical, Popular, Big Band, Jazz, Rock, Musicals and Latin as well as music from the early 1700's to the present day.

HAYWARD ZUCCHINI FESTIVAL

Amount Requested
\$20,000

Prior Year Allocation
\$4,000



The Hayward Zucchini Festival includes live music, arts & crafts, a Kids' Town area with rides, games, face painting, prizes, and food - including Zucchini. The festival provides an additional source of income to local non-profit organizations

HOPE 4 THE HEART FOOD BANK

Amount Requested
\$4,000

Prior Year Allocation
New Application



Funds requested is for a new copier. The agency estimates to print approximately 20,000 copies a year for outreach to the community, providing notification of events taking place at Hope 4 the Heart

IMPERIAL STAR EMPIRE

Amount Requested
\$12,980

Prior Year Allocation
\$500

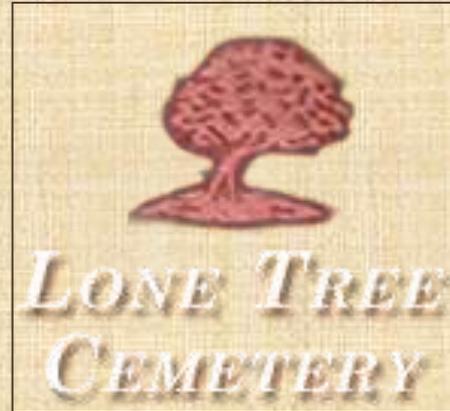


Funds are requested to support the program's total annual budget. The organization provides monthly and one year-end event for local community services.

LONE TREE CEMETERY ASSOCIATION: 111TH MEMORIAL DAY EVENT

Amount Requested
\$1,000

Prior Year Allocation
\$800



Annual Memorial Day Event that is a tribute to local veterans. Lone Tree Cemetery has hosted this event for over 100 years.

PACIFIC CHAMBER SYMPHONY: MUSIC IS FUN!

Amount Requested
\$6,000

Prior Year Allocation
\$4,705



The Music is Fun! program performs a variety of music to introduce and teach music fundamentals (i.e. rhythm, melody, acoustics and timbre, harmony, form, style, etc.) in assemblies for each public elementary school in Hayward.

SUN GALLERY: HAYWARD AREA FORUM OF THE ARTS

Amount Requested
\$37,450

Prior Year Allocation
\$27,450



The Sun Gallery offers a range of exhibits and education programs that brings art to the community. Art education activities for adults and children (school field trips and summer art camp) combine gallery exposure with hands-on experiences in the studio, lectures, workshops, and readings.

YOUTH ORCHESTRA OF SOUTHERN ALAMEDA COUNTY

Amount Requested
\$4,000

Prior Year Allocation
\$3,765



The Youth Orchestra of Southern Alameda County provides music education to supplement school music programs in Hayward and surrounding communities. The program hosts twenty-nine rehearsals and three concerts each year. Students learn classical orchestral repertoire, playing techniques and background information on composers and periods.

SUMMARY OF PUBLIC COMMENTS
2013/2014 Funding Process
INFRASTRUCTURE

Total of four comments: (3) Written Comments and (1) Verbal Comment.

Emergency Shelter Program (ESP)

1. Vera Ciammetti, Executive Director
 Written 1/16/13 – Attached #1

Ms. Ciammetti respects the City Staff and Community Services Commission (CSC) funding recommendations, however is in disagreement with how the rationale for recommendations was presented during the CSC decision-making process. Ms. Ciammetti has provided a written comment to clarify circumstances regarding the current (FY 2012/2013) ESP CDBG Infrastructure allocation.

2. Vera Ciammetti, Executive Director
 Verbal 1/16/13 – Unattached #2

Ms. Ciammetti provided a verbal comment at the CSC January 16, 2013 Regular Meeting, addressing the rationale presented during the CSC decision-making process. Ms. Ciammetti was particularly displeased with the statement “Agency was not prepared for interview...” and was also in disagreement with how the circumstances regarding the current (FY2012/2013) ESP CDBG Infrastructure allocation.

3. Lesa Hammond, President of the Board of Directors
 Written 12/19/12 – Attached #3

Ms. Hammond respects the City Staff and CSC funding recommendations, however is in disagreement with the how the rationale for recommendations was presented during the CSC decision-making process. Ms. Hammond has provided a written comment to clarify circumstances regarding the current (FY 2012-2013) ESP CDBG Infrastructure allocation, as well as to share the successes accomplished by the new Executive Director.

La Familia Counseling Services

4. John Steinfirst, Interim Executive Director
 Written 2/20/13 – Attached #4

Mr. Steinfirst has provided a written comment addressing the rationale used for funding recommendations during the CSC decision-making process. Specifically, the written comment addresses how the proposed the project would assist with current infrastructure issues and its cost effectiveness, and the use of past spending performance as part of the CSC decision-making process.



Emergency Shelter Program

(510) 581-5626 • Fax: (510) 581-5628

www.espcn.org

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JAN 16 2013

Library and Neighborhood Services

TO: Community Services Commissioners

FROM: Vera R. Ciammetti, Executive Director
Emergency Shelter Program

RE: Appeal of 2013/2014 CDBG Infrastructure decision

DATE: January 16, 2013

My name is Vera R. Ciammetti and I am the Executive Director of the Emergency Shelter Program (ESP). ESP has had a 40 year history with the city of Hayward. It is my understanding that ESP has enjoyed a strong relationship with the City and based on our prior funding. We feel it is important to maintain this important collaboration and do not want to do anything to jeopardize that relationship.

When we were advised that ESP did not receive infrastructure funding from the CDBG grant we were very disappointed. We understand that funding decisions are made for a variety of reasons and respect the decisions made. However, the documentation regarding the reasons for ESP not receiving funding is a part of public record and is in our opinion somewhat misrepresents the circumstances surrounding the application and the usage of CDBG Infrastructure funds for the 2012-2013 funding cycle.

Following the departure of the former Executive Director of ESP, the City of Hayward staff began questioning the usage of one of the buildings at the Huntwood property. The building was originally funded for infant care. In 2001 the infant care program was discontinued and a childcare program remained in place until 2010, at which time it was discontinued due to a loss of funding. When I was hired in February 2012, I was immediately informed by City staff that the building was not in compliance with the original usage agreement. The Board of ESP and I worked diligently for eight months to satisfy the City, presenting volumes of paperwork, revising usage based on recommendations by City staff members, and submitting the revised documentation only to be told that the exact revisions they requested were unacceptable. During this time, I was also informed that ESP could not apply for additional funding and

40 YEARS
1971-2012

Celebrating 40 years of service to women and children who are victims of domestic violence or homelessness

both infrastructure and direct service funds were being held until the matter was resolved and ESP was locked out of the online City Data Services site.

After a meeting with the City Manager on November 1, I checked to see if I could access the application on line. At that time, when I was able to access the site, I immediately submitted the Infrastructure application to the best of my ability (due Nov. 2).

On November 28, the 2012 – 2013 CBDG Services agreement was executed, thereby allowing ESP to bill for expenses already incurred during the year. In December, ESP finally received the funds for July through November, and December has been approved for payment. The stated reasons for not recommending ESP for funding per the FY 2013-2014 INFRASTRUCTURE DRAFT RECOMMENDATIONS CHART are "Application submitted did not have clear project costs. Agency was not prepared for interview with detailed project budget or prioritization of work requested. Agency was granted \$20,000 in FY 12-13 with a condition that the use issues be brought into compliance. While staff and the agency are working together, site issues have not been resolved. It is not yet know[n] how the existing allocation will be used." Stating that ESP was unprepared is a flawed depiction of the circumstances surrounding the submission of the application given that ESP was vigilantly working with the City to effectively resolve the usage issue.

I am concerned that this is placed in public record. It reflects negatively on the agency. I believe that I have improved the condition of the shelter and the morale of the staff. I have increased the shelter occupancy to 42 while reducing staffing and expenses throughout the agency.

I regret not being able to request more funding and have the complete estimate for you at the time I submitted our application. We were advised we were not permitted to submit a new application until we executed our current 2012 – 2013 contracts. The Infrastructure contract is still not executed, and we are not able to spend the funds until we propose a project to the City Staff which they approve.

My intention in presenting this verbal and subsequent written appeal is to clarify for the record the Emergency Shelter Program circumstances surrounding our submission of the CDBG Infrastructure Grant.

Thank you in advance for your understanding and on-going support of ESP.

From: Lesa Hammond <lesa.hammond@yahoo.com>
Date: December 19, 2012, 12:30:30 PM PST
To: Barbara Halliday <Barbara.Halliday@hayward-ca.gov>
Cc: Fran David <Fran.David@hayward-ca.gov>, Sean Reinhart <Sean.Reinhart@hayward-ca.gov>
Subject: Emergency Shelter Program - CDBG Grant Documentation
Reply-To: Lesa Hammond <lesa.hammond@yahoo.com>

Dear Councilwoman Halliday:

I am writing to solicit your assistance in a matter concerning the reputation of the Emergency Shelter Program and our new Executive Director, Vera Ciammetti. The Emergency Shelter Program (ESP) has had a forty year history with the city of Hayward. It is my understanding that ESP has enjoyed a strong relationship with the City and based on our prior funding I assume this is the case. We feel it is important to maintain this important collaboration and do not want to do anything to jeopardize that relationship. This is why I am writing you for advice.

When I learned that ESP did not receive infrastructure funding from the CDBG grant I was disappointed. When I saw that the programs selected for funding were primarily education, arts, and parks and recreation, I assumed those were the priorities for this coming year. I understand that funding decisions are made for a variety of reasons and respect the decisions made. However, when Vera Ciammetti, the Executive Director of the Emergency Shelter Program, showed me the documentation regarding the reasons for ESP not receiving funding, I was appalled and angry. This document is now a part of public record and is in my opinion a blatant misrepresentation of the circumstances surrounding the application and the usage of CDBG Infrastructure funds for the 2012-2013 funding cycle.

Following the departure of Ralph Johnson as Executive Director of ESP, the City of Hayward staff began questioning the usage of one of the buildings at the Huntwood property. The building was originally funded for infant care. In 2001 the infant care program was discontinued and a childcare program remained in place until 2010, at which time under the direction of Ralph Johnson the child care program was discontinued due to a loss of funding. When Ms. Ciammetti was hired, she was immediately informed by City staff that the building was not in compliance with the original usage agreement. Ms. Ciammetti worked diligently for eight months to satisfy the City, presenting volumes of paperwork, revising usage based on recommendations by City staff members, and submitting the revised documentation only to be told that the exact revisions they requested were unacceptable. During this time, Ms. Ciammetti was told that ESP could not apply for additional funding and both infrastructure and direct service funds were being held until the matter was resolved and ESP was locked out of the online City Data Services site.

After eight months of Ms. Ciammetti attempting to work directly with City staff, I contacted City Manager, Fran David. After I met with Ms. David on November 1; Ms. Ciammetti at my urging checked to see if she could access the application. At that time, when she was able to access

the site and immediately submitted the Infrastructure application to the best of her ability (due November 2).

On November 28, the 2012 – 2013 CBDG Services agreement was executed, thereby allowing ESP to bill for expenses already incurred during the year. Just last week, ESP received the funds for July and August. September - November have been approved for payment. The stated reasons for not recommending ESP for funding per the FY 2013-2014 INFRASTRUCTURE DRAFT RECOMMENDATIONS CHART are "Application submitted did not have clear project costs. Agency was not prepared for interview with detailed project budget or prioritization of work requested. Agency was granted \$20,000 in FY 12-13 with a condition that the use issues be brought into compliance. While staff and the agency are working together, site issues have not been resolved. It is not yet know[n] how the existing allocation will be used." Stating that ESP was unprepared is a flawed depiction of the circumstances surrounding the submission of the application. The unresolved usage of the property, in my opinion, is wholly due to the continued lack of clarity by the City regarding what was required to effectively resolve the usage issue.

I am concerned that this misrepresentation is placed in public record. It reflects negatively on the agency and sullies the reputation of our new Executive Director. For the record, Ms. Ciammetti has done more for the visibility of ESP in the eight months she has been with the agency than I saw in my nine years as a resident of Hayward, and she has significantly improved the condition of the shelter and the morale of the staff above anything I experienced in my four years as a member of the Board. She has been thorough and followed through on every request made of her by the Board, and by the City. I will not attempt to attribute any motivation to the distortion of circumstances stated in the document, but request your help in presenting ESP's position for the record.

What do you feel is the most effective means a public record rebuttal of the documented reasons for not funding ESP. As I stated at the beginning of this letter, ESP has enjoyed a long and satisfying relationship with the City of Hayward and we believe it is important to the clients and the agency that this relationship remain strong.

Thank you for any assistance or advice you can provide regarding this matter.

Sincerely,

Lesa Hammond, PhD.
President, Emergency Shelter Program
510-677-5258

LA FAMILIA Counseling Service

Family Preservation Services

26081 Mocine Avenue • Hayward, CA 94544

1521 "B" Street • Hayward, CA 94541

Phone: (510) 300-3145 • FAX (510) 887-0663

Shauna Nischik
Administrative Analyst I
Community Services Division
City of Hayward CA

RECEIVED

FEB 20 2013

Library and
Neighborhood Services

Dear Shauna,

Subject: La Familia CDBG 2013-2014 Special Appeal

La Familia Counseling Service is writing to appeal the decision made against our 2013-2014 CDBG Infrastructure proposal submitted in November 2012. In December 2012 the ARC committee declined to fund the proposal based on the following recommendations:

1. Question as to whether proposed overhang will address weather damage issues.
2. Cost effectiveness of the proposal is unclear as line items are not priced out and alternates are included.
3. Funded services were abruptly suspended by agency in FY 11-12, resulting in returned funds and a lapse in service delivery.

I & II: Will Overhang Address Weather Damage Issue and Be Cost Effective?

Yes.

At the interview on November 17, 2012, we were queried if other options other than an overhang were considered. We did indeed get other opinions and options from 3 licensed contractors. See below a description of those options. You will see that our final choice made construction and economic sense.

La Familia Counseling Service consulted three licensed contractors to recommend alternative options for preventing water damage to the east wall of the conference room. After assessment, they all recommended three options namely; Stem Wall, French Drain or an Overhang.

LA FAMILIA Counseling Service

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2608 i Mocine Avenue • Hayward, CA 94544

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Stem Wall: This option requires replacing doors along the east wall to open inwards and replacing the door frames with a 2-3 inches weather protection bottom frame to prevent water from entering through the door way. The renovation would also mandate making some cosmetic alterations to the outside of the wall to accommodate the stem wall. This alternative to address the water damage will cost \$42,000 to \$46,000 just to put in the stem wall. The cost for the stem wall does not cover the cost to address damages to floor and replace the carpet in the conference room.

French Drain: A French drain works on the principle of gravity. This would be installed slightly sloped down from North to South along the East wall. The rain water coming down the East wall and from the surface of the patio goes into the drain and is directed away. Another draining system of clay pipe or poly ethylene will be put in place to direct the water from the French drain to the Sewer Water Drain. This option requires breaking and removing 54 feet of concrete on our patio, digging and removing at least 12 inches of soil to build and install a trench drain that will be part of the draining system. This option costs \$42,000 to \$46,000.

Overhang:

This option is the most cost effective of all the three options. In addition, it satisfied and remedies to prevent water structure damage, as per below.

The overhang will prevent water damage to the structure, reduce exposure from the elements and reduce related costs such as repairs to the bottom East wall and costs associated to replacing damaged floor of our conference room. In addition the supplemental benefits of an overhang will enable our programs to utilize the patio space year round to facilitate our integration activities. This option costs \$36,000 and priced out in the line items of the attached Quotes.

It is important to break down the specific costs: \$24,000 to build the overhang, \$7000 to repair the floor damage, and \$5000 to repair the east wall from water damage. (Note the attachments with costs.)

LA FAMILIA Counseling Service

Family Preservation Services

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1521 "B" Street • Hayward, CA 94541

Phone: (510) 300-3145 • FAX (510) 887-0663

III. Funded services were abruptly suspended by agency in FY 11-12, resulting in returned funds and a lapse in service delivery.

We are somewhat baffled by this "rationale," as printed in the FY 2013-2014 "Infrastructure Draft Recommendation Chart. Notes: Rationale for Recommendations." Is there any intent to use this rationale as a reason to deny our proposal? It is listed as a rationale, and I respectfully submit that this is unfair and, excuse the phrase, irrational. La Familia unfortunately had to suspend its services temporarily until we were able to renew the programs at our Fuller Site. Additionally, this event was in the past, and services are in the present and poised for the future.

Summary

We are requesting \$36,000 funding to build the overhang and perform some structural repairs to the east wall over the conference room and also repair the water damage to the floor. La Familia's Fuller site is a hub of the Hayward Community. This center serves over 1,100 consumers per month. This funding will enable La Familia to continue providing essential services in the community in an enabling environment irrespective of the weather condition. This additional funding from the City of Hayward will secure the infrastructure of the facility into the foreseeable future.

La Familia Counseling Service appreciates the opportunity to appeal your decision to fund our Fuller facility through the CDBG Infrastructure grant. Enclosed is the original proposal and related quotes as submitted in November 2012. Please feel free to contact me if you have any questions or need more information

Sincerely,



John F. Steinfirst, LCSW
Interim Executive Director

510 773 9485 (Mobile)

Attachments omitted as Public Comments are not an opportunity to present information on the proposal, only to comment on the Draft Funding Recommendations

SUMMARY OF PUBLIC COMMENTS
Fiscal Year 2013/2014
SERVICES

Total of eighteen comments: (15) Written Comments and three (3) Verbal Comments.

Bay Area Youth Center: Our Space

1. Stephanie Perron, Director of LGBTQ Community Center
Written 2/19/13 – Attached #1

Ms. Perron has provided a written comment to clarify the Our Space program model and services.

Davis Street Family Resource Center

2. Karla Goodbody, Director of Health & Family Support Services
Verbal 2/20/13 – Unattached #2

Ms. Goodbody provided a verbal comment at the CSC February 20, 2013 Regular Meeting, requesting that the CSC reconsider the funding recommendations and recommend an allocation to David Street. Specifically, Ms. Goodbody provided clarification of how City funding would support Hayward residents. Ms. Goodbody also shared an email written by a Davis Street client requesting services.

St. Rose Hospital Foundation: FACES for the Future

FACES for the Future Staff Members

3. Tomás Magaña, Program Director and Jasmine Nakagawa, Program Coordinator
Written 2/15/13 – Attached #3

Mr. Magaña and Ms. Nakagawa has provided a written comment to clarify the need for City funding to sustain services, highlight recent success with program visibility and outcomes.

4. Tomás Magaña, Program Director
Verbal 2/20/13 – Unattached #4

Mr. Magaña provided a verbal comment at the CSC February 20, 2013 Regular Meeting, clarifying the need for City funding to sustain services and highlight recent success with program visibility.

5. Jasmine Nakagawa, Program Coordinator (Submitted as follow-up to email from Mr. Cobb)
Written 1/21/13 – Attached #5

Ms. Nakagawa has provided a written comment to clarify the need for City funding, specifically noting that current fiscal year services were sustained through a CalGRIP grant unavailable to the program in FY 2013-2014.

6. Jasmine Nakagawa, Program Coordinator
Verbal 2/20/13 – Unattached #6

Ms. Nakagawa provided a verbal comment at the CSC February 20, 2013 Regular Meeting, highlighting the increased community support and new partnerships established by the program.

St. Rose Hospital department representatives provided written comments to speak to their positive experiences in hosting a FACES for the Future youth.

St. Rose Hospital Staff Members:

7. Linda Aug, Medical/Surgical Nursing Supervisor
Written 2/13/13 – Attached #7
8. Kapinga Brown, Manager of Quality Improvement
Written 1/25/13 – Attached #8
9. Michael Cobb, Foundation Executive Director
Written 1/21/13 – Attached #9
10. Nancy Glenn, Patient Access Supervisor
Written 1/28/13 – Attached #10
11. Richard Hardwig, Chairman of the Board of Directors
Written 1/31/13 – Attached #11
12. Roya Monshizadeh, Manager of Family Birthing Center
Written 1/25/13 – Attached #12
13. Lex Reddy, President and CEO
Written 1/30/13 – Attached #13
14. Tara Uriz, Manager of Rehabilitation Services
Written 1/28/13 – Attached #14

Community members provided written comments in support of the FACES program.

Community Members:

15. Jesús Armas
Written 2/11/13 – Attached #15
16. Natalie Dufek Brooksher, Bay Valley Medical Group, Director of Clinical Services
Written 1/28/13 – Attached #16
17. Janett Hernández Leon, Tennyson High School, Puente Program Counselor
Written 1/28/13 – Attached #17
18. Pamela Russo, Former Executive Director of St. Rose Hospital Foundation
Written 2/14/13 – Attached #18



February 19, 2013

RECEIVED

FEB 20 2013

Library and
Neighborhood Services

22245 Main Street, Suite 200
Hayward, CA 94541
p. 510.727.9401
f. 510.727.9405
www.baycyouth.org

To the Community Services Commissioners:

Thank you for reviewing the funding application for Bay Area Youth Center's community center for LGBTQ youth, Our Space, to provide case management services to LGBTQ youth in our community. I am not writing to appeal your decision, but to offer some clarification regarding our program as one of the reasons noted for denial of funds was duplicative services. We are incredibly proud that the city of Hayward is home to several providers who support LGBTQ youth as this is a population that is historically underserved, and believe that each community provider brings separate and distinct services to the work with LGBTQ youth.

Our Space operates a robust drop-in center for LGBTQ youth ages 14 – 24 and facilitates programming for LGBTQ youth three days per week. While these services may not be unique to Hayward, it is our service philosophy that sets us apart from other organizations. Our program services are relationship-based and holistic, prioritizing intergenerational community building, empowerment strategies, and mind, body and soul wellness. At its core Our Space honors the experiences, strengths and needs of LGBTQ youth who are often marginalized within the LGBTQ community – "systems involved" youth impacted by poverty, homelessness, and the foster care and juvenile justice systems. These are youth who often present with high mental health and case management needs but struggle to access area support services due to lack of insurance, inability to pay, distrust of providers and/or lack of LGBTQ competent and affirming providers.

At Our Space we consistently serve youth in need of more comprehensive support services who are eager to receive that support from Our Space because they have built trusting relationships with our service providers. Our current funding restrictions prevent us from providing these intensive support services to youth without Medi-Cal, which is why we sought funding from the city of Hayward. It is our understanding that these LGBTQ youth are not receiving needed support services with other area providers and are therefore being inadequately served by our community.

We appreciate this opportunity to further explain the Our Space services and program model, and welcome questions and feedback.

Respectfully,

Stephanie Perron, ASW
Director of LGBTQ Community Center

St. Rose

HOSPITAL
FOUNDATION

FACES FOR THE FUTURE



BUILDING AND BRIDGING
NEW HORIZONS IN HEALTH CARE

February 15, 2013

City of Hayward
Community Services Division
777 B Street
Hayward, CA 94541

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FEB 20 2013
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Dear Community Services Commissioners,

Thank you for your support of the FACES for the Future Program at St. Rose Hospital (FACES) in previous years, and for providing us this opportunity to appeal your draft decision to not fund FACES in the 2013-14 grant cycle.

The FY 2013-14 Draft Services Funding Recommendations document stated the following rationale for denying our request: "Agency indicated that services would continue without City funding." I am writing because it appears that this conclusion is the result of a misunderstanding. City funding is absolutely critical to the sustenance of FACES program services in the upcoming year.

First, we think that it is important for the Commission to note that FACES underwent a full programmatic and budgetary review in 2012, resulting in a 41% decrease of the overall program budget. This was a necessary reduction given the limitations of funding that the program was facing. At the same time, however, we were able to improve our services, leverage important new partnerships, and increase by 82% the number of at-risk high school students that are served. More students are enrolled in our program now than ever before. Not only does this mean that FACES is operating more efficiently than we have in previous years, but it also means that the amount requested from the City is now a bigger percentage of the Program's total budget.

Secondly, it is also important to understand that FACES was only able to sustain services during FY 2012-13 without City support because of a one-time grant of \$30,000 through the State's CalGRIP program. Because CalGRIP funding will not be available to FACES in 2013-14, we are asking the City of Hayward to support that deficit and provide the critical funding necessary to meet our budgetary needs.

In order to operate effectively and address limited funding resources, FACES has successfully leveraged in-kind support from St. Rose Hospital, Eden Area Regional Occupational Program, the FACES for the Future Coalition at the Public Health

27200 Calaroga Avenue
Hayward, CA 94545-4383

Phone 510.264.4007
Fax 510.887.7421
foundation@srhca.org



Institute, and La Familia Counseling Services, while concurrently utilizing restricted funds that have been received from other grant-making organizations. We currently have restricted funding for the following critical elements of the program:

- 1) College tours, presentations and field trips (\$2000, Hayward Rotary Club);
- 2) Academic support, workshop materials and fees, Student Blue Coats, Parent Nights, Graduation (State Street Foundation, \$10,000)

As you can see, while these funds support many of the services that the FACES program provides to students, they do not provide for the program's largest costs: 1) the coordination and management of all academic, psychosocial, wellness, and career support; and 2) the design and instruction of weekly workshops that address these needs for students and their families. Lack of City funding would compromise the very elements of the FACES model that enable the Program to serve the City's most vulnerable and potentially expensive high school students.

We are at a critical time of our program's development and growth. The FACES Program at St. Rose Hospital was highlighted on a segment of NBC News with Brian Williams in January 2013. This coverage provided the program with national recognition which we plan to use for larger fundraising efforts. We have successfully transitioned through significant changes at St. Rose Hospital, and the hospital's new administration is fully supportive of the program. We expect to leverage funds provided through the City of Hayward to solicit funds from private and corporate donors. Through effective streamlining of services and improved program management, the program has demonstrated significant growth within a very short period of time, and we cannot afford to lose the momentum that has been generated through these efforts.

FACES has a proven track record of improving Hayward students' school attendance, GPAs, high school completion rate, and college-going rate. Now, with program components and partnerships that are stronger than ever before, FACES is poised to be even more effective than in years past. Please continue to support us in this effort.

Sincerely,

Tomás A. Magaña, MD, MA, FAAP
Program Director
FACES for the Future at St. Rose Hospital

Jasmine Nakagawa
Program Coordinator
FACES for the Future at St. Rose Hospital

Services Comment #5

From: Jasmine Nakagawa [mailto:jnakagawa@srhca.org]
Sent: Monday, January 21, 2013 2:00 PM
To: Sean Reinhart
Cc: Michael Cobb
Subject: RE: Faces of the Future Funding

Hello, Sean,

I'd like to add to the email that Mike sent you this morning.

During the interview, my Program Manager, Brooke Briggance, and I were asked how we were able to sustain the FACES for the Future program at St. Rose Hospital this year despite lack of funding from the City. In retrospect, I think that lack of clarity in our response to that question may have been what led the commission to believe that funding from the City was not necessary to our survival in 2013-14.

As Mike wrote in his email, we were only able to continue offering services to youth during 2012-13 because we received a two-year reimbursement grant through CalGRIP in 2011, ALL of which we conserved for 2012 operations. We are still awaiting reimbursement for that grant. Furthermore, we will not receive CalGRIP funds in 2013-14.

FACES for the Future has served the high school students of Hayward since 2007. This year, our partnerships with the Hayward USD, Hayward colleges and other Hayward service providers are stronger than ever. We have a stable home for our program at St. Rose Hospital. I think we are poised to be more effective than ever before in serving the needs of high school students in our community. In order to continue our efforts, we need the City funds for which we applied.

Please let me know if you have any additional questions or if you need more information from us.

Best,
Jasmine

From: Michael Cobb
Sent: Monday, January 21, 2013 9:05 AM
To: Sean Reinhart
Cc: Jasmine Nakagawa
Subject: Faces of the Future Funding

Good Morning Sean

I hope your weekend was great.

I received a copy of the 2013-2014 Funding Recommendations and I had a couple of questions and concerns regarding the Faces of the Future Program here at St. Rose Hospital. First, Faces is listed under General Services for Low-Income Residents – shouldn't it fall under Youth Services? Also, under Rationales it has been written that "Agency indicated that services would likely continue without City funding". I was not at the interview but I have asked our Program Coordinator Jasmine Nakagawa who was if this was the message she intended to share – and it was not. City Funding is vital to the health and future of this Program. Chances for its survival are grim if Faces does not receive this support. This year Faces did not receive any financial support from the City due to missing the application date (by the former director) and did stay alive by support from a Cal Grip Grant. Without your help this program will not survive.

Is there anything we can do at this point? Is there an appeal process? Thank you very much for your help!

Best Regards,

Michael Cobb
Foundation Executive Director
St. Rose Hospital

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Neighborhood Services

27200 Calaroga Avenue
Hayward, CA 94545-4332

510.264.1000
www.StRoseHospital.org

February 13, 2013

City of Hayward
Community Services Division
777 B Street
Hayward, CA 94541

Dear City of Hayward Community Services Commission:

Please reconsider funding the **FACES for the Future Program** at St. Rose Hospital during this grant cycle.

I currently have five **FACES** student interns shadowing the RNs and CNAs in my department at St. Rose Hospital. Our department chooses to host **FACES** students because we believe that it is our responsibility as the biggest department at St. Rose Hospital to provide learning and growth opportunities for students in the Hayward community.

Not all students are successful in a purely academic environment. The students that participate in **FACES** internships here do not always have the highest GPAs, and many of them lack support at home. However, through firsthand experience, **FACES** students learn how to achieve their goals and see why it is so important for them to do well in school. The **FACES** program, and their work in our department, can be a life-changing experience for them and for their families.

I believe that the City of Hayward also has a responsibility to care for its youth and to provide—through programs like **FACES**—tangible opportunities for educational success and career stability.

Sincerely,



Linda Aug, RN
Medical/Surgical Nursing Supervisor
St. Rose Hospital

Services Comment #8

January 25, 2013

City of Hayward
Community Services Division
777 B Street
Hayward, CA 94541

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St. Rose
HOSPITAL

27200 Calaroga Avenue
Hayward, CA 94543-4422

510.264.4000
www.strosen.org

Dear City of Hayward Community Services Commission:

I am writing to ask you to reconsider the inclusion of the FACES for the Future program as one of the recipients of a 2013-14 City of Hayward grant.

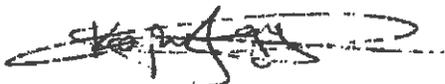
The Quality Improvement and Risk Management Department at St. Rose Hospital has supported the FACES program since its inception at the hospital in 2007. Over the years, many FACES students have come through our department as interns. Through their internships in the hospital and with the support that the FACES program provides for them in academics and overall wellness, these students have the opportunity to pursue education and career options that really make sense for them and their lives. Through the program, we know we are making a powerful positive difference.

This year, we have seen many improvements in the FACES program here at St. Rose. We have over 30 students doing internship rotations here in the hospital this year—more than ever before. Not only does the program seem better organized than in previous years, but students are receiving better training before entering internship, and each student gets more individualized attention with their school work and wellness.

We have also seen the FACES program taking on more community involvement projects here at the hospital. During the holiday season, the FACES students decorated the departments, and facilitated a successful St. Rose Hospital toy drive in partnership with the Hayward branch of the Salvation Army.

The FACES Program is now more impactful and successful than ever before. To see this program lose its City funding at this point would be a great disappointment.

Sincerely,



Kapinga Brown
Manager, Quality Improvement
St. Rose Hospital

Services Comment #9

From: Michael Cobb
Sent: Monday, January 21, 2013 9:05 AM
To: Sean Reinhart
Cc: Jasmine Nakagawa
Subject: Faces of the Future Funding

Good Morning Sean

I hope your weekend was great.

I received a copy of the 2013-2014 Funding Recommendations and I had a couple of questions and concerns regarding the Faces of the Future Program here at St. Rose Hospital. First, Faces is listed under General Services for Low-Income Residents – shouldn't it fall under Youth Services? Also, under Rationales it has been written that "Agency indicated that services would likely continue without City funding". I was not at the interview but I have asked our Program Coordinator Jasmine Nakagawa who was if this was the message she intended to share – and it was not. City Funding is vital to the health and future of this Program. Chances for its survival are grim if Faces does not receive this support. This year Faces did not receive any financial support from the City due to missing the application date (by the former director) and did stay alive by support from a Cal Grip Grant. Without your help this program will not survive.

Is there anything we can do at this point? Is there an appeal process? Thank you very much for your help!

Best Regards,

Michael Cobb
Foundation Executive Director
St. Rose Hospital



January 28, 2013

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FEB 20 2013

Library and
Neighborhood Services

27200 Colma College Avenue
Menlo Park, CA 94025-1724

St. Rose Hospital
www.strose.org

City of Hayward
Community Services Division
777 B Street
Hayward, CA 94541

Dear City of Hayward Community Services Commission:

I was disappointed to hear that the **FACES for the Future** program at St. Rose Hospital will not receive City funds in 2013-14. I am writing in support of the **FACES Program** and with the hope that you will reconsider.

Since **FACES** began at St. Rose Hospital in 2007, many students have interned in the **Admitting and Women's Imaging Departments**. My staff and I have seen tremendous growth in teenagers who, before joining the Program, had no path to a better future for themselves.

Recently, **Jasmine Nakagawa**, the new Program Coordinator of **FACES**, sent me a journal entry from one of her current students, **Maria**. An excerpt from that entry reads, "My internship supervisor helps me to understand the work being done, and every day I learn something new. Because of **FACES** and my supervisor, I can see where I really want to go in life." These are the daily reminders that through **FACES**, we are truly impacting the youth of Hayward as well as Hayward's future healthcare workforce.

Please reconsider your decision and fund **FACES for the Future** next year. The community and residents of Hayward cannot afford to lose a program that enacts such deep and sustainable change.

Sincerely,

Nancy Glenn
Patient Access Supervisor
St. Rose Hospital

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Library and
Neighborhood Services

January 31, 2013

City of Hayward
Community Services Division
777 B Street
Hayward, California 94541

To City of Hayward Community Services Commission:

As Chairman of the St. Rose Hospital Foundation I was saddened to learn that our grant request for the FACES for the Future was denied this year.

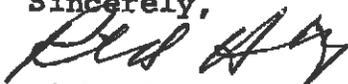
Our mission at the Foundation is to raise much needed money for St. Rose Hospital. Everyone acknowledges that for the past several years St. Rose Hospital has struggled financially. But they also agree that the closure of St. Rose Hospital would be devastating to our community. Unfortunately when the need is the greatest, many of our supporters and donors have decided to "sit on the sidelines" and wait to see how this all turns out which has put an even greater financial strain on the hospital. I am pleased to report that I believe the hospital has turned the corner towards fiscal recovery.

The FACES for the Future program is very valuable to the City of Hayward as we take under-performing and under-supported students and tutor and mentor them in academics as well as the medical fields. We give them opportunities to envision themselves in productive careers in the health professions. We provide them with not only a pathway to a high school diploma but also to college and career. As a business owner in Hayward whose business is relocating and advising other business owners here, I can tell you that one of the chief concerns is the performance of the students in Hayward.

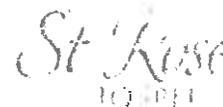
The program has tremendous momentum now. Its success got it exposure on the national NBC Nightly News with Brian Williams this month; it has a new dynamic program coordinator in Jasmine Nakagawa; a record number of students enrolled this year - 31 and the track record of success.

Therefore it is my wish and request that you reconsider and approve the grant for the FACES for the Future - St. Rose Hospital. It would be a shame to lose this valuable program for the students and the community because of a lack of funding.

Sincerely,


Richard Hardwig

January 25, 2013



City of Hayward
Community Services Division
777 B Street
Hayward, CA 94541

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Hayward, CA
94541
www.srhca.org

To City of Hayward Community Services Commission:

I urge you to reconsider your decision not to fund the **FACES for the Future Program** at St. Rose Hospital in 2013-14.

As a **FACES** internship placement supervisor in the Family Birthing Center at St. Rose Hospital since 2007, I have seen firsthand the tremendous positive impact that the **FACES** program has on Hayward student participants, their families, and the Hayward community.

We are facing a healthcare workforce shortage here in Hayward and throughout Alameda County. As a community hospital, St. Rose serves a very diverse population of patients from Hayward. It is imperative that the next generation of healthcare providers in Hayward have experience working with patients like ours. By hosting internships through the **FACES** program, the Family Birthing Center is doing its part not only to help students in need, but to develop a culturally-responsive healthcare workforce for the future.

The City of Hayward should continue its support of the **FACES for the Future** program at St. Rose Hospital. To discontinue funding at this critical time, after supporting the development of the program in previous years, would be a mistake.

Sincerely,

Roya Monshizadeh
Manager, Family Birthing Center
St. Rose Hospital
(510) 264-4255
rmonshizadeh@srhca.org

Services Comment #13

January 30, 2013

City of Hayward
Community Services Division
777 B Street
Hayward, CA 94541

Dear City of Hayward Community Services Commission:

I am writing this letter in support of the FACES for the Future Program at St. Rose Hospital.

The FACES for the Future program has operated under the St. Rose Hospital Foundation since 2007. I know that the City of Hayward has generously provided funding in 4 out of the 5 years, helping to propel this program to its current level of success. This year, the program has grown to serve its greatest number of students. FACES students receive not only job-shadowing experience in almost every department of the hospital, but also tutoring, college preparation, and wellness services that help them to achieve sustainable success.

In the short time that I have been at St. Rose, I have come to truly appreciate the FACES program and its importance to at-risk youth in the Hayward community. When I see the FACES students in the halls, their presence is a daily affirmation of St. Rose Hospital's commitment to Hayward and its residents.

St. Rose Hospital is proud to host the FACES for the Future program in Hayward. We look forward to continuing to invest in the future of Hayward's healthcare landscape through this program. However, that will not be possible without the City's support.

I urge you to reconsider your decision and fund FACES for the Future this year.

Sincerely,



Lex Reddy
President and CEO

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HOSPITAL

FEB 19 2013

Library and
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27200 Calaroga Avenue
Hayward, CA 94545-4704

510.264.4000
www.stroserg.org

January 28, 2013

Services Comment #14



St. Rose
HOSPITAL

City of Hayward
Community Services Division
777 B Street
Hayward, CA 94541

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FEB 20 2013

Library and
Neighborhood Services

27200 Calaveras Avenue
Hayward, CA 94545-4383

510.261.4000
www.St.Rose.Hospital.org

Dear City of Hayward Community Services Commission:

Please reconsider funding the **FACES for the Future Program** at St. Rose Hospital in 2013-14 grant cycle.

I am the Manager of the Rehabilitation Services department at St. Rose Hospital, a department that hosts **FACES** interns throughout the year. The reason that we participate in this program is because we can see the difference that firsthand experience and mentorship helps students to succeed.

We recently had a **FACES** student named Alma in our department. With her father unable to work because of an injury, Alma and her family were living in poverty. As the eldest child, Alma was under tremendous pressure to help care for her siblings and provide for her family. All of the distractions in her life outside of school were causing Alma to lose focus in school, and she was falling two classes. The mentorship and experience she received in Physical Therapy helped her to see the relevance between her education and career success. I heard that she has now brought her GPA up to 2.7 and plans to attend college to become a Physical Therapist.

The **FACES** program here at St. Rose is stronger now than ever before. In previous years, the program was not meeting enrollment numbers and communication regarding students was sometimes difficult. Now, the program is more robust than ever--students are better-trained, staff is more engaged, and the partnership between **FACES** and my department is stronger. To discontinue your support when the program is at its best does not make sense.

It is in the best interest of Hayward students, families, and communities that the **FACES for the Future** program continue to grow.

Sincerely,

Tara Uriz, MPT
Manager, Rehabilitation Services
St. Rose Hospital

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FEB 19 2013

Library and
Neighborhood Services

February 11, 2013

Elizabeth Samayoa, Chair
Community Services Commission
777 B Street
Hayward, CA 94541

Dear Chair Samayoa and Commissioners:

In 2007, while Hayward City Manager, I learned of a new program proposed by St Rose. Modeled after a program then in effect in Oakland (Children's Hospital), St Rose proposed to create an opportunity for Hayward students to learn about and become interested in pursuing a career in the health care field. Known as Faces for the Future (FACES), it was a critically important initiative in 2007 and remains critically important today.

FACES is committed to improving the lives of our young people by offering them a meaningful way to further their education and to identify career opportunities. In concert with Eden ROP, FACES tutors and mentors Hayward students in their school work and makes them aware of their potential to secure gainful and meaningful employment in the medical field.

As a former member of the Hayward School Board, I am aware of the many challenges our students face in the classroom. I am impressed by the fact FACES provides students with a pathway to attain not only a high school diploma but also a college degree and, later, to establish a future in the health care profession. This kind of opportunity is something that should be strongly supported.

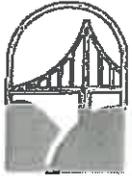
I am informed that FACES enjoys tremendous momentum and success, evidence of which was recently showcased on the national stage via a news feature in the NBC Nightly News with Brian Williams. Today, the program is benefiting from its dynamic program coordinator (Jasmine Nakagawa) and is reporting a record number of participants with its enrollment of 31 students.

It is vitally important that as a community we do all that we can to offer young people the opportunity to succeed. Funding FACES at the requested level will send an important message to community that the City values education, and is genuinely committed to the betterment of our youth. Please support this important program.

Sincerely,


Jesús Armas

CC: Sean Reinhart, Director of Library & Community Service



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MEDICAL GROUP, INC.

*Serving Alameda and
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FEB 19 2013

Library and
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January 28, 2013

City of Hayward
Community Services Division
777 B Street
Hayward, CA 94541

- Castro Valley
- Danville
- Dublin
- Fremont
- Hayward
- Newark
- Pleasanton
- San Leandro
- San Lorenzo
- San Ramon
- Union City

Dear City of Hayward Community Services Commission:

I am writing in support of the FACES for the Future program at St. Rose Hospital. Please reconsider funding this wonderful program in 2013-14.

As a member of the Hayward community and as a healthcare professional, I routinely meet young people who have big dreams but think that those dreams are beyond their reach. They fear their limitations—responsibilities at home, poverty, poor grades, peer pressure, and other difficult experiences—and those limitations keep them from even trying. The reason that my departments at Bay Valley Medical Group partner with FACES for the Future is that we believe that together we can inspire students to overcome their obstacles and pursue their career goals. Not every successful healthcare professional follows the same path to career, and in sharing our personal experiences with students, as well as giving them a firsthand look at our day-to-day work lives, we show them what is possible.

This year, Bay Valley Medical Group has increased its commitment to the FACES program by taking on a higher number of interns than we ever have before. We receive more communication about student progress and greater support from the program staff in achieving our shared goal of training future health professionals. The FACES students are enthusiastic, inquisitive, and prepared to learn.

If the City of Hayward chooses not to continue its support of the FACES for the Future program, the Hayward community will lose a life-changing resource for its young people.

Sincerely,

Natalie Dufek Brooksher, RN
Director, Clinical Services
Bay Valley Medical Group, Inc.

Tennyson High School

27035 Whitman Street • Hayward, CA 94544 • (510) 293-8591 • Fax (510) 582-0964

RECEIVED

FEB 19 2013

Library and
Neighborhood Services

January 28, 2013

City of Hayward
Community Services Division
777 B Street
Hayward, CA 94541

Dear City of Hayward Community Services Commission:

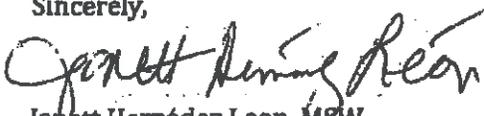
Please continue funding the **FACES for the Future** program at St. Rose Hospital.

As a counselor at Tennyson High School in Hayward, I know that this program makes a difference in the lives of our most vulnerable Hayward students. **FACES for the Future** is the only internship program here in Hayward that accepts students based on their resilience in the face of challenge—not on GPA or academic achievement. For my students who are failing in the traditional classroom or facing extremely difficult circumstances outside of school, **FACES** can provide life-changing services and opportunities that, as a public school, we do not have the resources to give. **FACES** supports me and my students by giving them opportunities to learn hands-on, counseling resources free of charge, and academic tutoring that improves their performance here at school.

A great example of this is one of my current students, Mayra. Mayra had failed some classes in the past and was in danger of not earning the necessary credits to graduate in time. In addition to failing in school, Mayra was making risky choices in her life outside of school, and experiencing depression. The **FACES** program has renewed her motivation. She is currently seeing a counselor through **FACES** to work through some of those issues, as well as receiving two hours of one-on-one tutoring per week to ensure on-time graduation. She wants to become a phlebotomist and continue her education, and with the support of **FACES**, I know she will be successful.

FACES for the Future has become a critical part of a support team for many of our students. The program better enables me to provide the kind of wraparound support that every student really needs.

Sincerely,



Janett Hernández Leon, MSW
Puente Program Counselor & Last Names D-G
Tennyson High School

Services Comment #18

From: prusso7626@comcast.net [mailto:prusso7626@comcast.net]
Sent: Thursday, February 14, 2013 9:45 PM
To: Shauna Darwin
Subject: FACES for the Future

Dear Ms. Darwin and members of the Community Services Commission:

In 2007, the City of Hayward provided the initial seed money to begin FACES for the Future. This program, with the support of St. Rose Hospital, has been one of the most successful youth mentoring programs in our community.

FACES for the Future has made a tremendous difference in the lives of hundreds of at-risk youth and allowed them to re-shape their lives by focus, proper direction and mentorship. Health professionals from St. Rose have guided and instructed the students in medical care but also provide themselves as role models to these young people. The students additionally receive counseling and support, as their home lives are typically broken or abusive. With this approach, the students have thrived and taken their training and skills to further their education.

Each of the FACES for the Future students has sought higher education. Many of these students have utilized our Hayward colleges to further their education and are now employed in the health care arena in our community. Several graduates are working at St. Rose Hospital.

I have seen first-hand how this program has fostered dramatic change in teens and enhanced their lives. It is my hope that the City of Hayward re-consider the benefits of FACES and fund this vital and innovative program. St. Rose Hospital provides a portal for learning and youth mentoring for our community and the results have been rewarding and reflect positively in Hayward.

Respectfully,

Pamela Russo, RN

Former Executive Director, St. Rose Hospital Foundation

SUMMARY OF PUBLIC COMMENTS
2013/2014 Funding Process
NEIGHBORHOODS, ARTS, EVENTS

Total of four comments: (3) Written Comments and (1) Verbal Comment.

Imperial Star Empire

1. John Marques, Treasurer
Written 3/19/13 – Attached #1

John Marques provided a written comment to request reconsideration of a funding recommendation for Imperial Star Empire. The written comment addresses the concern over the number of Hayward residents that attend the fundraising event, and also provides an overview of what services would be supported with grants administered by Imperial Star.

2. Michael (Bart) Bartholomew, President of the Board of Directors
Written 3/19/13 – Attached #2

Michael Bartholomew provided a written comment to request reconsideration of a funding recommendation for Imperial Star Empire. The written comment addresses the concern over the number of Hayward residents that attend the Imperial Star annual fundraising event.

Hayward Municipal Band

3. Lolita Morelli, Manager
Written 3/11/13 – Attached #3

Lolita Morelli provided a written comment giving an overview of the number concerts that can be hosted with the current recommended funding amount.

4. Lolita Morelli, Manager
Verbal 3/20/13

Lolita Morelli provided a verbal comment, reading the written comment referenced as Attachment #3, which gives an overview of the number concerts that can be hosted with the current recommended funding amount.

NAE Public Comment #1

From: Aahotrod1@aol.com
Sent: Tuesday, March 19, 2013 1:09 PM
To: Shauna Nischik
Subject: grant dissision letter imperial star empire letter for appeal

TO: Community Services Commission

I AM WRITING THIS LETTER IN RESPONSE TO A CONCERN OF THE NON FUNDING OF THE GRANT REQUEST FOR THE IMPERIAL STAR EMPIRE. THE REASON'S FOR THE NON FUNDING I FIND TO BE UNCLEAR AS TO WHY IT IS BASED PARTICALLY ON THE ATTENDANCE OF HAYWARD RESIDENCE AS TO IF YOU ARE LIVING IN HAYWARD AND ATTEND OUR EVENT THEN THERE WOULD BE IN REALITY NO TAX MONEY GOING TO THE CITY AS YOU WOULD NOT BE USING HOTELS, YOU WOULD BE IN YOUR HOME, YOU WOULD NOT BE USING THE RESTRAUNTS AS YOU WOULD BE EATING AT HOME, YOU WOULD NOT BE SHOPPING FOR ITEMS YOU MAY HAVE FORGOTTON TO BRING SO THERE WOULD BE NO MONEY'S TO THE SHOPS. THE IMPERIAL STAR EMPIRE AS BEEN A NON-PROFIT FOR NOW THE LAST 34 YRS. AS STATED FOR THOSE 34 YRS WE HAVE BEEN TRING TO RASIE FUNDS FOR THE LESS FORTUNATE, TIMES HAVE CHANGED IN THESE YRS AS TO THE ACONAME IS NOT BEING GOOD AND WHY WE ARE ASKED "WHY WE ARE REQUESTING A GRANT NOW AND HAVE NOT IN THE PAST" THE INFORMATION THAT MONEY WAS AVAILABLE WAS NOT KNOWN IN THE PAST UNTIL NOW SO IF THE MONEYS THAT ARE NOT THERE TO ASK FOR IS WHY WE HAVE ASKED, TO BASE THE NON FUNDING ON THE YRS THAT WE HAVE BEEN IN EXCISTENCE IS NOT FAIR WE ARE TRYING TO CONTINUE HELPING THOSE IN NEED AND WE DO THIS IN PART WITH OUR ANNUAL EVENT ANY HELP THAT WE CAN GET WITH THE EXPENSE OF THIS EVENT HELPS US KEEP DOING THE WORK THAT WE DO, IT HAS GOTTON TO THE POINT THAT IT IS HARDER AND HARDER TO DO THIS AS WE DID IN THE PAST AND WITH GRANT FUNDING OF SOME KIND WILL HELP THIS ORGANIZATION KEEP DOING THE WORK THAT WE DO WITH OUT THIS WE CAN NOT HELP THOSE AS WE HAVE, YES WE WILL CONTINUE TO DO THE WORK AND FUND RASING BUT IT WILL NOT BE TO THE LEVEL THAT IT SHOULD, SO PLEASE RE VISIT THE DECISION OF NON FUNDING, IF IT WAS BASED ON THE AMOUNT THAT WAS ASK FOR THAN HELP US WITH WHAT CAN BE GIVEN TO HELP WITH OUR EVENT. THIS EVENT IS HELD ANUALLY AND PEOPLE FROM ALL OVER THE STATE AND SOME OUT OF STATE THAT WOULD BE STAYING IN THE HOTELS, RESTRUNATS, SHOPS SPENDING THEIR MONEY AND THE TAX'S WOULD BE GOING TO THE CITY.

THE ORGANIZATIONS THAT WE HAVE HELPED ARE FASCO WITH MONEY TO GO FOR HOUSING, FOOD, ETC. FOR THE HOMELESS, THE LIGHTHOUSE COMMUNITY CENTER, TRI CITY WITH FUNDS FOR HIV TESTING, HOUSING ETC.

IT IS IMPORTANT TO THEM AND OUR COMMUNITY THAT THE IMPERIAL STAR EMPIRE CONTINUE TO DO THIS AS IT HAS BEEN A PART OF HAYWARD AND ALAMEDA CO. FOR ALL THESE YRS. THIS MONEY IS NEEDED, THIS ORGANIZATION IS PART OF HAYWARD HISTORY AND TO IGNORE ITS NEEDS NOW WITH TIME IT MAY NOT BE ABLE TO DO WHAT IT HAS. SO IN CLOSING PLEASE RECONCIDER THE FUNDING REQUEST.

JOHN MARQUES TREASURER FOR THE IMPERIAL STAR EMPIRE

NAE Public Comment #2

From: Jessica Avalon [avalonjessica@yahoo.com]
Sent: Tuesday, March 19, 2013 11:46 AM
To: Shauna Nischik
Subject: Pubic Comments regarding funding for the imperial star empire

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Q2:

Hello City Comissioners,

I would like to ask you for your reconsideration regarding funding for the Imperial Star Empire. In recent years raising the funds needed to hold our annual event have become more difficult to raise the proper amount to have a successful event in order to give out the monies raised to charity.

This year we were encouraged by the Commission to ask for our annual budget.instead of just asking for just the hall deposit or fees for our event. Having our annual budget provided by the city would be a great impact on our yearly expenses. last year we applied and received \$500.00 to assist us in the hall deposit.What if the Commission would consider granting us the amount needed to host the event that would be a great benefit for us and our local Charities.

I would like to address the statement that you were unclear as to how many Hayward residents actually attend our event.Our Group has about on the average 45-70 local residents that attend. Guests coming in for our events spend money to stay in hotels and shop local businesses such as restaurants and stores in our surrounding downtown this benefits our local revenue and cgeerates city taxes from not only our quarterly but our annual events each year with guests coming in to attend them. Having serveral hundred out of towners spending time in our city brings an overall increase to our Commerce and puts the attention to people to continue to return to our city in the future.

Thank you for your time,

Michael (Bart) Bartholomew
President of I.S.E. Governing Board of Directors for the 34th Reign
The Lavender Dragonfly,The Hope of the Stars
The Sapphire & Diamond
Absolute D. Empress XXVIII
Jessica Avalon

It's our Mission to provide services to the less fortunate and to maintain harmonious ties with our Community.

NAE Public Comment #3

From: lmorelli8130@sbcglobal.net
Sent: Monday, March 11, 2013 12:50 PM
To: Shauna Nischik; Shauna Nischik
Subject: CDC Hayward Municipal Band

Community Services Commission

We received your recommendation for funding for the 2013 Hayward Municipal Band Summer Concert Season. We appreciate the earlier notification this year.

Our request was for \$18,509 and the suggested funding from the CSC was \$14,695. This amount will make 5 two hour concerts possible starting on June 16, 2013 at 2:30 pm each Sunday through July 14th. Playing five concerts will enable the 40 musicians to be paid the same amount as last year, \$65.00 per concert plus \$1.00 per concert for 10 section leaders. This will amount to \$13,050. HARD has said they will add the concerts on the Tony Morelli Bandstand in Memorial Park to their liability insurance coverage for \$252 which will equal \$13,202.

In 2012 the Manager personally contributed \$905 to pay the musicians for the last concert plus \$172 for insurance required by the City of Hayward for one concert. \$14,695 minus \$13,202 cost of concerts, minus \$905 for last concert and \$172 for insurance to reimburse manager leaves \$416 which will be kept in reserve for repair to City owned percussion instruments, flags etc.

Hopefully the economic situation will improve in 2014 and the sixth concert can be restored plus some leader pay for the conductor and the manager which has been non existent for many years.

I hope that a decision can be reached very soon as musicians are contacting me as to the stability of our season. Their loyalty to the Hayward Municipal Band precludes their committing to other musical engagements until they know about our situation.

I will attend the March 20th meeting.

Sincerely yours,
Lolita Morelli, Manager
Hayward Municipal Band



CITY OF
HAYWARD
HEART OF THE BAY

**4TH YEAR
ACTION PLAN
FY 2013-2014**

**ALAMEDA COUNTY HOME
CONSORTIUM**

MARCH 26, 2013

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- Attachment 1 Citizen Participation Outreach Table
- Attachment 2 Anticipated Resources
- Attachment 3 Project Summary Table
- Attachment 4 CDBG Low-Income Target Areas Map



Fourth Program Year Action Plan Narrative Responses

EXECUTIVE SUMMARY

Introduction

The City of Hayward (COH) addresses housing and community development needs through the implementation of a variety of programs and projects supported by federal, state, and local resources. The FY 13-14 Action Plan presents the specific programs and projects that implement the goals and objectives of the City's FY 2010 – 14 Five Year Consolidated Plan and is the City's application for Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD). The Consolidated Plan is a comprehensive review of the City's housing and community development characteristics and needs, an inventory of resources available to meet those needs, a five-year strategy for the use of those resources, and a one-year Action Plan (updated annually) that presents the specific activities which implement the strategy. This Action Plan is the fourth of this Consolidated Plan (federal Program Year 2014) which covers the period of July 1, 2013 through June 30, 2014.

Federal resources through HUD available in FY 2013-2014 include the CDBG Entitlement Grant of \$1,239,289 and projected revolving loan Program Income of \$350,000 totaling \$1,589,829. These funds will be used to support the following types of activities that will benefit people and households who are of low and moderate incomes: new housing (not construction costs), neighborhood facilities and improvements, housing rehabilitation, public services related to housing and homeless needs, and economic development activities.

Specific CDBG-funded activities are proposed to address the following priorities and objectives in FY 13-14. Proposed outcomes and performance measures are reflected in the Project Tables attached as Appendix 1.

NOTE: In preparing this document it was estimated the City's FY 13-14 allocation would be \$1,239,289. City Council authorized proportionate adjustments to FY 13-14 individual project budgets in the event the amount of the City's allocation is adjusted. The City will not regard such changes to project budgets as Substantial Amendments to the Action Plan

LEAD & RESPONSIBLE AGENCIES

Agency Role	Name	Department/Agency
Lead Agency	HAYWARD, CA	Department Library and Community Services

CONSULTATION

Introduction

In December 2006, the Hayward City Council adopted the Alameda Countywide Homeless and Special Needs Housing Plan, also known as the EveryOne Home Plan. This is a long-term special needs housing plan which seeks to address the housing-related needs of persons with serious mental illness, those living with HIV/AIDS, and those who are homeless. The EveryOne Home Plan reflects an increased recognition among health care and services agencies throughout Alameda County that affordable housing is crucial to the achievement of public and mental health program outcomes. Without stable, decent, and affordable housing efforts to promote public and mental health among low income populations in the County are compromised. In January 2008, EveryOne Home became a community based organization and the official Alameda County-wide Continuum of Care, with governmental entities collectively funding operations and serving on its strategic Leadership Board. The City of Hayward is represented on the EveryOne Home’s “Notice of Funding Availability” and “Performance Outcomes” committees.

Summary of the jurisdiction’s activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies

Alameda County has a history of collaborative efforts focused at the consumer or provider level; the EveryOne Home Plan also looks at coordination at the systems level. The creation of this integrated, regional response offers a number of measureable, outcome-oriented alternatives, including:

1. Increased efficiency and effectiveness of local and regional housing and supportive service programs through sharing of information, planning, clients, resources, and responsibility across the multiple systems that must work together to address common issues.
2. More coordination of government and philanthropic funding. National research has demonstrated that an integrated approach to long-term homelessness can significantly reduce overall expenditures. An example of the collaborative efforts undergone in Alameda County was the Homelessness Prevention and Rapid Re-Housing Program (HPRP) county-wide collaborative.
3. Increased local capacity to attract competitive grants from federal, state and philanthropic sources that can augment existing housing and service systems and support the replication of emerging promising practice models.
4. Increased public interest and support for creative solutions to homelessness, excitement about and involvement in regional efforts, and willingness to support the creation of a new local or regional revenue stream.

For more detailed information please refer to the Alameda County EveryOne Home Plan at www.everyonehome.org.

Describe coordination with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The City of Hayward is not an entitlement ESG grantee, however the City's Citizen Participation Plan (CPP) was updated to include potential utilization of ESG grant funds, should the opportunity arise for the City to receive such funds. The City of Hayward is also not a current sub-recipient of State ESG funds; however a few Hayward local service providers that are also funded as City of Hayward CDBG sub-recipients are. The City of Hayward works in collaboration with the CoC 502 to determine the need for local funds, with the CoC rating and ranking all ESG applications from Hayward and other jurisdictions within Alameda County. The City of Hayward serves on the Performance Management Committee, developing procedures for the operation and administration of HMIS. The City of Hayward consults with the Alameda County Continuum of Care (CoC) 502 to determine how to allocate ESG funds, develop performance standards and evaluate the outcomes of projects and activities funded with ESG. The City of Hayward utilizes the Alameda County Priority Home Partnership ESG Policies and Procedures Manual, which covers policies and procedures for all ESG recipients and sub-recipients operating programs in Alameda County, which are all contained within the CoC 502. The manual was developed collaboratively by the CoC and all current entitlement and State ESG recipients.

Describe consultation with all Continuum(s) of Care that serves the State in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS.

The City of Hayward is not an ESG entitlement jurisdiction, and therefore works solely with the local CoC 502 to determine how to allocate ESG funds. The CoC 502 participates in quarterly Regional Steering Committee meetings, which includes eleven Bay Area counties, convened by HomeBase. The committee has had ongoing discussions on how to coordinate regional problem solving and direction setting.

PARTICIPATION

Citizen Participation Plan Overview

The City of Hayward's Citizen Participation Plan (CPP) seeks to involve all City residents including low and moderate-income persons, persons living in blighted areas, members of minority groups, members of non-English speaking groups, residents of areas where a significant amount of federally-funded activity is proposed or ongoing, the elderly, people with disabilities, the business community, and civic groups interested in any of the programs funded directly or indirectly by HUD. The CPP describes HUD-funded programs in Hayward and citizen participation opportunities related to the CDBG, HOME, ESG, and other HUD-funded programs, as well as Annual Performance Reports, other citizen participation issues, and managing the Citizen Participation Plan.

Citizen Participation Goals

The goals of the City of Hayward's citizen participation process include:

- Providing residents with adequate and timely information about the range of activities that may be undertaken through HUD-funded programs, the kinds of activities previously funded in the community, the level of funding available to carry out these activities, and an estimate of the amount of funds that will benefit low and moderate income persons;
- Providing an appropriate means to ensure the involvement of low and moderate income residents most likely to be affected by HUD-funded programs, and to provide reasonable efforts to ensure continuity of involvement of residents or resident organizations throughout all stages of the program;
- Providing residents with an adequate opportunity to articulate needs, express preferences about proposed activities, assist in the selection of priorities, and the development of the plans, applications and reports; and
- Providing residents with the opportunity to assess and submit comments on all aspects of the HUD-funded programs and their performance.

The Community Services Commission

The City of Hayward's Community Services Commission (CSC) is the primary conduit for resident participation in all phases of the CDBG program and other programs funded by HUD, directly or indirectly. The CSC advises and makes recommendations to the City Council on HUD-funded programs including the identification of housing and community development needs, setting priorities, making recommendations regarding the annual allocation of CDBG and other funds originating from HUD, and amending, as necessary, Annual Action Plans. CSC members must be Hayward residents and are appointed by the City Council for four-year terms. The CSC includes low and moderate income residents, representatives from non-English speaking groups, minority groups, and target neighborhoods.

Public Comments

Citizens may submit comments, complaints, suggestions, or questions by letter, facsimile, telephone, by email, or in person regarding any aspect of any HUD-funded program, including the CDBG program, by call (510) 583-4250, or by faxing (510) 583-3650, by logging onto the City's website (www.hayward-ca.gov) and clicking "Access Hayward," or by emailing CDBGinfo@hayward-ca.gov. Written comments should be sent to the following address. All written complaints will be answered in writing within 15 working days.

City of Hayward
Department of Library and Community Services
777 B Street
Hayward CA 94541

Citizen Participation Outreach

See Attachment 1 for Citizen Participation Outreach Table.

EXPECTED RESOURCES

Anticipated Resources

See Attachment 2 for Table of Anticipated Resources

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied.

CDBG funds will be used to provide "gap" financing for public services, public facilities and affordable housing projects. CDBG funds leveraging other public and private funds to increase needed services to Hayward residents or maintain and/or construct affordable housing units.

ANNUAL GOALS AND OBJECTIVES

Goals Summary Information

Goal	Category	Geographic Area	Needs Addressed	Funding
Accessibility Improvements	Non-Housing Community Development	CT 4375 & CT4377 Harder-Tennyson	Community Development	
	Start Year: 2013	End Year: 2014	Outcome: Availability/accessibility	Objective: Create suitable living environments
	Narrative:			
	Goal Outcome Indicator		Quantity	UoM
	Other		100	Other
Small and Microenterprise Business Assistance	Other		Economic Development	
	Start Year: 2013	End Year: 2014	Outcome: Availability/accessibility	Objective: Create economic opportunities
	Narrative:			
	Goal Outcome Indicator		Quantity	UoM
Public Improvements	Non-Housing Community Development	CT 4355 Burbank CT 4375 & CT4377 Harder-Tennyson CT 4366.01 Jackson Triangle CT 4379 Mission-Garin CT 4369 & CT 4362 Longwood-Winton Grove CT 4354 Downtown CT 4355 North Hayward CT 4367 Santa Clara	Community Development	
	Start Year: 2013	End Year: 2014	Outcome: Sustainability	Objective: Create suitable living environments
	Narrative:			
	Goal Outcome Indicator		Quantity	UoM
Public Services	Homeless Non-Homeless Special Needs			
	Start Year: 2013	End Year: 2014	Outcome: Availability/accessibility	Objective: Create suitable living environments

PROJECT SUMMARY

Project Summary Information

See Attachment 3 for Project Summary Table

PROJECTS

Introduction

The City of Hayward proposes to fund 15 CDBG projects this program year. There are four community facilities and improvements projects: two of which focus on handicap accessibility; one on low/moderate income area anti-graffiti/beautification projects; and one regarding the acquisition of the Matt Jimenez Community Center serving youth living in a low/moderate income target area. There are two economic development projects: one microenterprise project that assists childcare workers to become licensed childcare home-businesses; and funds for the expansion or retention of small business loans that provide jobs for lower income Hayward residents. In addition, there are nine public service programs funded to provide housing-related social services to Hayward residents.

#	Project Name
1	AC Office of Education --Tennyson High School Accessibility Improvements for Education Farm
2	HARD Weekes Park Community Center Accessibility Improvements
3	4-Cs of Alameda County Microenterprise Development
4	Small Business Revolving Loan Program
5	Acquisition of Matt Jimenez Community Center
6	Mural Art Program
7	Abode Services: AC Impact
8	Centro Legal de la Raza
9	ECHO: Fair Housing
10	ECHO: Landlord-Tenant Program
11	Emergency Shelter Program (ESP)
12	Family Emergency Shelter Coalition (FESCO)
13	Family Violence Law Center
14	South Hayward Parrish: Community Action Network (CAN)
15	Women on the Way

GEOGRAPHIC DISTRIBUTION

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Most CDBG-funded activities are located within the municipal boundaries of the City of Hayward and are intended to serve a specific low and moderate income clientele regardless of where they reside within the City. Facilities funded with CDBG funds may serve a specific low and moderate income neighborhood, known as a “CDBG Target Area.” Target Areas are listed below. Agencies located outside the City of Hayward’s boundaries, that serve low-income Hayward residents, are also eligible to apply for and receive an allocation of City of Hayward CDBG funds. The City funds a mix of projects -- some are target area serving and some are citywide -- in order to meet the community development and housing-related needs of low and moderate income residents.

AFFORDABLE HOUSING

Introduction

The City of Hayward is a participant in the Alameda County HOME Consortium. In past years, the County has allocated HOME funds to Hayward using a formula that takes into consideration the number of low income households and pre-1978 housing units. If Hayward's allocation is approximately \$240,000 as estimated, the City would probably have to accrue allocations to be able to fund a project due to the lack of redevelopment funds previously used to develop new rental housing. The City is currently in talks with the State about keeping \$6 million in Redevelopment funds that it had set aside for the South Hayward BART housing project. The one year goals do not reflect the affordable housing units discussed below because funding for all of these projects is uncertain.

One Year Goals for the Number of Households to be Supported	
Homeless	91
Non-Homeless	0
Special-Needs	0
Total	91

One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	7
The Production of New Units	0
Rehab of Existing Units	0
Acquisition of Existing Units	0
Total	7

One Year Goals for Affordable Housing by Support Type

Discussion

Projects the City might fund or continue to fund, depending upon the availability of HOME or Redevelopment Low-Mod Housing Funds are:

- Project Independence (PI): Tenant Based Rental Assistance for emancipated youth, a program implemented by Abode Services. PI serves emancipated minors in Alameda County – youth 18 to 24 years of age who are too old for the foster care system. In addition to affordable housing, PI provides emancipated minors and their dependents (if applicable) with comprehensive supportive services. This program is ongoing.
- Sequoia Court Project: a Habitat from Humanity proposal to develop a site currently owned by the City's Housing Authority with ten (10) homeownership units affordable to low-income families. The committed sources of funding for this project include an award of State CalHOME funds to Habitat in the amount of \$600,000; an allocation to the City of State BEGIN funds in the amount of \$460,000, and a contribution from Habitat for Humanity of at least \$1 million. The total development costs are estimated at about \$4.2 million. Current budget estimates show a funding gap of between \$600 - 900,000. The development timeline on this project depends on

the resolution of the State’s determination regarding whether the City has to return \$6 million of former low-mod funds as a result of the State Department of Finance’s Housing Due Diligence Review (DDR). Although the City is somewhat confident that it will prevail, if that is not the case then, all existing and future funds will have to be re-allocated or allocated to the South Hayward BART affordable housing project. The description included in the HOME funding application for the South Hayward BART project follows:

- **South Hayward BART affordable housing project:** Affordable housing developer Eden Housing (the Sponsor) is partnering with a market-rate developer to develop a vacant, former auto body shop and a satellite BART parking lot into a mixed-income housing development that includes nearly 350 units of housing. The Sponsor will develop 150 units of affordable housing for families and seniors (plus one manager’s unit) and the market-rate developer will construct 195 market rate rental units. Once it is complete, this development will be a catalyst in the South Hayward community, creating a vibrant, high quality living environment for residents adjacent to the BART station and offering neighborhood amenities that currently do not exist. This project is part of the City’s Mission Boulevard South Hayward BART Specific Plan, a comprehensive plan designed to encourage redevelopment in the corridor and transform it into a vibrant, mixed-use, and pedestrian- and transit-oriented center. The affordable housing project will include 86 affordable units for families and 65 affordable units for seniors. All the units will be affordable to very low-income households. It is planned that some units will be affordable to extremely low-income households. The affordable housing project will be built independently from the market-rate development. Ten of the family affordable apartments will be designated as HOME-assisted units. They will be “floating” HOME units.

PUBLIC HOUSING

Introduction

The Alameda County Public Housing Authority operates the Section 8 Housing Voucher Program on behalf of the City of Hayward.

Actions planned during the next year to address the needs to public housing

There are no public housing units within the City limits.

HOMELESS AND OTHER SPECIAL NEEDS ACTIVITIES

Introduction

In 2004, 2007, and again in 2009, EveryOne Home (formerly the Homeless Continuum of Care Council) sponsored an extensive count and survey of people utilizing shelter and support services in Alameda County; this survey was called The Alameda Countywide Shelter and Services Survey: County Report (ACSSS). This December 2009 update to the survey found that, using the community definition of homeless, there were 5,304 homeless adults in Alameda County, accompanied by 2,079 children. Using the stricter HUD definition of homeless, 3,347 adults in Alameda County were homeless, accompanied by 994 children. People become homeless and then housed again throughout the year, therefore by its nature, the number of people who are homeless throughout the year is greater than the number at a given point in time. The survey has been conducted again this January 2013, however results have not yet been published.

Approximately 14.5% of the county's homeless population is located in the Hayward area (i.e., mid-County). Hayward's local homeless population, approximately 1,071 people, is distinctive in that 54% are families with children (in Alameda County overall, homeless families comprise 23% of the homeless population). There are fewer than 100 people who meet the definition of chronically homeless. Thus, the preponderance of homeless services in the mid-county area was designed around and accommodated the needs of families (although not exclusively so). Most of the homeless shelters that serve families, for example, may be found in mid-county. More detail about the findings of this survey can be found at: www.everyonehome.org.

The following objectives address the regional nature of homelessness by helping to maintain the quality of current shelters and through strategic cooperation with other jurisdictions. These objectives also describe the City's goals and actions for continuing support of programs and facilities that provide both emergency and transitional housing for homeless families.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs:

Objective 1: The City will allocate funds to programs that provide outreach, case management, and support services to homeless people, including those who meet the definition of chronically homeless.

Applicant	Project	Allocation	Performance Outcomes
South Hayward Parish: Community Action Network	Engage and transition chronically homeless people into permanent housing, shelters, case management and support services through outreach	\$10,000	100 individuals engaged in support services 30 individuals engaged in intensive case management 10 placement into permanent housing

Addressing the emergency shelter and transitional housing needs of homeless persons.

Objective 2: The City will allocate funds to support emergency shelters, supportive and transitional housing facilities.

Applicant	Project	Allocation	Performance Outcomes
Emergency Shelter Program	Emergency shelter and support services for homeless women and children who are victims of domestic violence	\$35,000	350 individuals provided with shelter 30% placement into permanent housing
Family Emergency Shelter Coalition	Emergency shelter and support services for homeless families	\$35,500	170 individuals provided with shelter 30% placement into permanent housing
Women on the Way	Shelter, substance abuse rehabilitation, and other support services for homeless women struggling with substance abuse	\$20,000	12 individuals provided with shelter 30% placement into permanent housing

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again:

Objective 3: The City will work with interagency and inter-jurisdictional organizations to seek funds to allocate to services aimed at ending and preventing homelessness and chronic homelessness. The City will allocate funds to programs that support the transition of individuals and families into permanent housing, including rapid rehousing and homelessness prevention activities.

Applicant	Project	Allocation	Performance Outcomes
Abode Services	Rapid rehousing program for chronically homeless individuals	\$16,240	9 individuals provided with permanent housing subsidies

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

Objective 4: Maintain and expand activities designed to prevent those who are currently housed from becoming homeless.

Applicant	Project	Allocation	Performance Outcomes
Centro Legal de la Raza	Legal services and tenant rights education to residents facing eviction and habitability issues	\$16,240	100 individuals provided with legal services
Eden Council for Hope and Opportunity: Fair Housing	Fair Housing education, counseling and investigation services	\$24,500	47 individuals provided with education and/or investigative services
Eden Council for Hope and Opportunity: Landlord Tenant	Landlord and Tenant rights education and mediation services	\$24,750	1,225 individuals provided with education and/or investigative services
Family Violence Law Center	Legal and support services to victims of domestic violence	\$47,260	150 individuals provided with education and/or investigative services

Discussion

The City of Hayward will build on inter-jurisdictional cooperation to implement EveryOne Home: Alameda County's Special Needs Housing Plan. Since its publication in 2006 the Plan has been adopted by the Alameda County Board of Supervisors and all 14 cities, and endorsed by numerous community organizations. Implementation of the EveryOne Home Plan is being spearheaded by a community-based organization of the same name. It is guided by a Leadership Board comprised of jurisdictional appointed members and key community constituencies such as consumers, cities, nonprofits, businesses, and faith-based organizations. EveryOne Home envisions a system of housing and services in Alameda County that, by 2020, ensures all extremely low-income residents have a safe, supportive and permanent place to call home with services available to help them stay housed and improve the quality of their lives. EveryOne Home partners are working on five core strategies:

1. Prevent homelessness and other housing crises.
2. Increase housing opportunities for homeless and extremely low-income households.
3. Deliver flexible services to support stability and independence.
4. Measure success and report outcomes.
5. Develop long-term leadership and build political will.

EveryOne Homes work for FY13-14 includes:

- Continuing to coordinate the implementation of county-wide approaches to rapid rehousing and homelessness prevention, including use of Emergency Solutions Grant funds, along with resources from TANF, Foster Care and Probation and private sources to the degree that they are available. The intention is to build on the best practices of the Priority Home Partnership, Alameda County's Homeless Prevention and Rapid Re-housing program funded by ARRA, and making adjustments from the lessons learned and the reduction in resources post stimulus.
- Continuing to work to expand housing opportunities. The jurisdictional committee will work to ensure that each community is contributing to the creation of permanent housing that is affordable and accessible to the EveryOne Home target populations. Collaboration will continue with local housing authorities to increase vouchers available to the population as well.
- Expanding the number of developments using the practices and the number of local funders encouraging developers to utilize them.
- In support of the performance outcomes initiative EveryOne Home will collaborate with the HMIS team to produce the third annual Outcomes Progress Report in the spring of 2013 reporting on performance for the 2012 calendar year. In addition, EveryOne Home has developed two technical assistance academies for provider agencies. The two-day EveryOne Home housed Academy will continue to help agencies develop changes in their operating policies and procedures that will enable them to permanently house people more quickly and perform better on the HEARTH Act outcomes as well as our local county-wide outcomes.
- Conduct two-system-wide evaluation and planning processes for moving towards a more centralized coordinated intake for homeless/housing services and for the maximizing the benefits of our transitional housing programs.

Continuing to keep the community informed through newsletters, meetings and website, of the collective efforts to prevent and end homelessness and the progress made on achieving the goals.

BARRIERS TO AFFORDABLE HOUSING

Introduction

Many factors can inhibit the development of affordable housing in Hayward including the high cost of financing affordable housing projects, and difficulty in developing community support. The City of Hayward will actively seek to address these barriers through monitoring the following:

- Cost of Land and Development Fees
- City Ordinances
- The Development Approval Permit Process
- Design Standards

Discussion

City findings regarding barriers to affordable housing:

Cost of Land and Development Fees: Hayward's development fees are in the middle to lower-middle range when compared with other cities in Alameda County and are not considered to be an impediment to the development of affordable housing. Land prices have increased in Hayward during the last several years. However, these prices are lower than land costs in cities to the east and south and comparable to cities to the north and are not an impediment to the development of affordable housing.

City Ordinances: The City has adopted and is implementing two laws intended to increase affordable housing: 1) The Inclusionary Housing Ordinance (IHO) which became effective January 1, 2004 and requires for-profit developers to provide 15% of units to be affordable to owner-occupants at or below 120% AMI, or to renters (divided equally) at or below 50% AMI and 6% AMI. With City Council approval, developers may provide units off-site or pay in-lieu fees; and 2) the Density Bonus Ordinance which provides a Density Bonus to developers in exchange for the development of affordable or senior housing units.

The Development Approval Permit Process: The City of Hayward continues to streamline the development approval process. The time to process permits has been reduced by at least 40% for most major permit types. In addition, the City utilizes a computer-based development tracking system that makes information available to customers on the Internet. The City offers pre-application and code assistance meetings to respond to developer questions about the permit process prior to application submittal. By answering these questions early in the development process, development applications are processed quicker and with fewer requests from the City for revisions. The permit process is not a barrier to the development of affordable housing.

Design Standards: The City requires that all new and rehabilitated housing developments, whether market-rate or affordable, meet design standards and have an appropriate number of parking spaces. These design standards also seek to ensure the health and safety of occupants. These standards are not a barrier to the development of affordable housing. In actuality, requiring affordable housing developments to meet the design standards helps community acceptance of these projects since they often appear the same, if not better, than many market-rate developments.

PROGRAM SPECIFIC REQUIREMENTS

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220.(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed
 2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan
 3. The amount of surplus funds from urban renewal settlements
 4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.
 5. The amount of income from float-funded activities
- Total Program Income

Other CDBG Requirements

1. The amount of urgent need activities

ATTACHMENTS

Attachment 1 Citizen Participation Outreach Table

Attachment 2 Anticipated Resources

Attachment 3 Project Summary Table

Attachment 4 CDBG Low-Income Target Areas Map

ATTACHMENT 1

Citizen Participation Outreach

Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
Public Meeting	Non-targeted/broad community	9/9/2012 Funding Forum and Application Technical Assistance Workshop: Total of 58 attendees	N/A	N/A	http://www.hayward-ca.gov/CITY-GOVERNMENT/BOARDS-COMMISSIONS-COMMITTEES/COMMUNITY-SERVICES-COMMISSION/2012/BCC-CSC091912.pdf
Public Meeting	Non-targeted/broad community	10/17/2012 Community Services Commission Regular Public Meeting 5 guests	No comments received.	N/A	http://www.hayward-ca.gov/CITY-GOVERNMENT/BOARDS-COMMISSIONS-COMMITTEES/COMMUNITY-SERVICES-COMMISSION/2012/BCC-CSC101712.pdf
Public Meeting	Non-targeted/broad community	11/28/2012 Community Services Commission Regular Public Meeting 11 guests	No comments received.	N/A	http://www.hayward-ca.gov/CITY-GOVERNMENT/BOARDS-COMMISSIONS-COMMITTEES/COMMUNITY-SERVICES-COMMISSION/2012/BCC-CSC112812.pdf
Public Meeting	Non-targeted/broad community	12/19/2012 Community Services Commission Regular Public Meeting 6 guests	No comments received.	N/A	http://www.hayward-ca.gov/CITY-GOVERNMENT/BOARDS-COMMISSIONS-COMMITTEES/COMMUNITY-SERVICES-COMMISSION/2012/BCC-CSC121912full.pdf
Public Meeting	Non-targeted/broad community	2/20/2013 Community Services Commission Regular Public Meeting 20 guests	Three verbal and sixteen written comments received in response to the Community Services Commission Draft Funding Recommendations.	One written comment not accepted as it was the submission of additional program information intended to be part of the competitive application process. The deadline for submission of application materials had already passed.	http://www.hayward-ca.gov/CITY-GOVERNMENT/BOARDS-COMMISSIONS-COMMITTEES/COMMUNITY-SERVICES-COMMISSION/2013/BCC-CSC022013.pdf
Public Meeting	Non-targeted/broad	3/20/2013 Community Services Commission Regular Public Meeting	N/A	N/A	

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Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
	community				
Public Meeting	Non-targeted/broad community	4/2/2013 City Council work session on Federal Funding Recommendations	N/A	N/A	
Public Meeting	Non-targeted/broad community	4/16/2013 City Council Public Hearing on its federal Allocations	N/A	N/A	
Newspaper Ad	Non-English Speaking - Specify other language: Spanish Non-targeted/broad community	30-Day Public Notice of Federal Funding Availability	N/A	N/A	http://www.hayward-ca.gov/CITY-GOVERNMENT/DEPARTMENTS/LIBRARY-&-COMMUNITY-SERVICES/DOCUMENTS/2012/FY13-14_Fund_Notice_NOFA.pdf
Newspaper Ad	Non-English Speaking - Specify other language: Spanish Non-targeted/broad community	3/2/2013 30 Day Public Hearing Notice of City Council's intent to make funding allocations, to be included in and which constitutes the substantive portion of the subsequent year's Annual Action Plan.	N/A	N/A	

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ATTACHMENT 2

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Reminder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	1,239,289	350,000	0	1,589,289	0	

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ATTACHMENT 3 Project Summary Table

No.	Project	Goals Supported	Geographic Areas	Needs Addressed	Funding
1	AC Office of Education --Tennyson High School Accessibility Improvements for Education Farm	Accessibility Improvements	CT 4375 & CT4377 Harder-Tennyson - Local Target area	Non-Homeless Special Needs Community Development	CDBG: \$18,000
	Description	This projects provides access so that differently-abled youth and adults can participate in the educational farm project at Tennyson High School. .			
	Planned Activities	Construction of a wheel chair ramp at Tennyson High School so that differently-abled youth and adults will be able to access the Education Farm located onsite			
2	HARD Weekes Park Community Center Accessibility Improvements	Accessibility Improvements	CT 4375 & CT4377 Harder-Tennyson - Local Target area	Community Development Non-Homeless Special Needs	CDBG: \$54,000
	Description	The Weekes Park Community Center kitchen needs ADA accessibility upgrades so that the center can be fully utilized by differently-able Hayward residents.			
	Planned Activities	Construct accessibility improvements to kitchen in Weekes Park. Construct wheelchair ramp from kitchen to park.			
3	4-Cs of Alameda County Microenterprise Development	Small and Microenterprise Business Assistance		Economic Development	CDBG: \$2,700
	Description	4-Cs provides funds for childcare for children from low income households. This project focuses on assisting lower income Hayward residents to learn and meet state licensing requirements to become family childcare providers.			

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	Planned Activities	Training and technical assistance include topics such as how to apply for licensing, complete inspections, business practices (record-keeping, contracts, insurance, taxes and marketing), as well as disaster preparedness.			
4	Small Business Revolving Loan Program	Small and Microenterprise Business Assistance		Economic Development	CDBG: \$63,000
	Description	This program provides loans to business to expand their operations in Hayward by hiring low and moderate income individuals.			
	Planned Activities	CDBG funds must be used to create or retain jobs for low-income individuals. Eligibility requirements are that businesses must have been in operation for at least two years and also have sound credit.			
5	Acquisition of Matt Jimenez Community Center	Public Facilities	CT 4375 & CT4377 Harder-Tennyson - Local Target area	Non-Homeless Special Needs Community Development	CDBG: \$133,330
	Description	This center provides recreational and other after-school and summer activities in a safe environment.			
	Planned Activities	In FY2005-2006, the City obtained a twelve year loan to acquire this Center; the amount shown here is the annual loan payment. The City is currently considering whether to pay off the remainder of the loan in order to have more CDBG available to allocate in future years. The Hayward Area Recreation District (HARD) is responsible for recreational activities and other after-school programs serving low/mod target area youth at the Center .			
6	Mural Art Program	Public Improvements	CT 4355 Burbank - Local Target area CT 4366.01 Jackson Triangle - Local Target area CT 4375 & CT4377 Harder-Tennyson - Local Target area CT 4379 Mission-Garin - Local Target area CT 4369 & CT 4362 Longwood-Winton	Community Development	CDBG: \$45,000

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			Grove - Local Target area CT 4354 Downtown - Local Target area CT 4355 North Hayward - Local Target area CT 4367 Santa Clara - Local Target area		
	Description	The Mural Art Program requests funds to install murals and mosaics in some of the most graffiti-prone and vandalized areas in Hayward. Installation of murals helps to reduce graffiti and beautifies low income areas.			
	Planned Activities	With the permission of property owners, murals are installed on public schools, in playgrounds, and on local businesses.			
	Abode Services: AC Impact	Public Services		Homeless Needs	CDBG: \$16,240
7	Description	AC Impact is a permanent supportive housing program targeting chronically homeless individuals who have a history of interaction with law enforcement and other emergency systems.			
	Planned Activities	The program provides 50 homeless individuals -- seven of whom are Hayward residents -- with permanent rental subsidies and supportive services. Funding is requested for a portion of the Program Coordinator salary.			
	Centro Legal de la Raza	Public Services		Homelessness Prevention	CDBG: \$24,750
8	Description	Centro Legal de la Raza provides free, direct legal services and tenants' rights education to low-income Hayward residents facing eviction and habitability issues.			
	Planned Activities	Centro's attorneys offer assessment and consultations, legal advice, and brief services. Proposal is to increase services from previous years in response to the increase in demand, with 100 unduplicated residents served. Funding requested would support general operating expenses.			
9	ECHO: Fair Housing	Public Services		Homelessness Prevention	CDBG: \$24,500

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	Description	Eden Council for Hope & Opportunity (ECHO) provides Fair Housing counseling and investigation activities.			
	Planned Activities	Proposal is to serve 47 unduplicated Hayward residents, providing training, the investigating discrimination inquiries and complaints, conducting fair housing audits, distributing informational materials, etc. Funding requested would support general operating expenses			
10	ECHO: Landlord-Tenant Program	Public Services		Homelessness Prevention	CDBG: \$24,750
	Description	Eden Council for Hope & Opportunity (ECHO) works with landlords and tenants on housing rights and responsibilities.			
	Planned Activities	Proposal is to provide over one thousand clients with information on options and resolutions in housing disputes. Proposed activities also include one on one mediation. Funding requested would support general operating expenses.			
11	Emergency Shelter Program (ESP)	Public Services		Homeless Needs	CDBG: \$35,000
	Description	Emergency Shelter Program has a forty-two bed capacity to provide shelter and support services to low-income women and children who are victims of domestic violence.			
	Planned Activities	Funding requested would support maintenance personnel, facilities operation, utilities, transportation, and administrative costs.			
12	Family Emergency Shelter Coalition (FESCO)	Public Services		Homeless Needs	CDBG: \$35,500
	Description	Family Emergency Shelter Coalition provides shelter and support services to approximately 60 homeless families, including children, each year.			
	Planned Activities	Services include intake, stabilization, a family needs assessment, and case management. Funds are being requested for partial support for the Les Marquis House emergency shelter.			
13	Family Violence Law Center	Public Services		Homelessness	CDBG:

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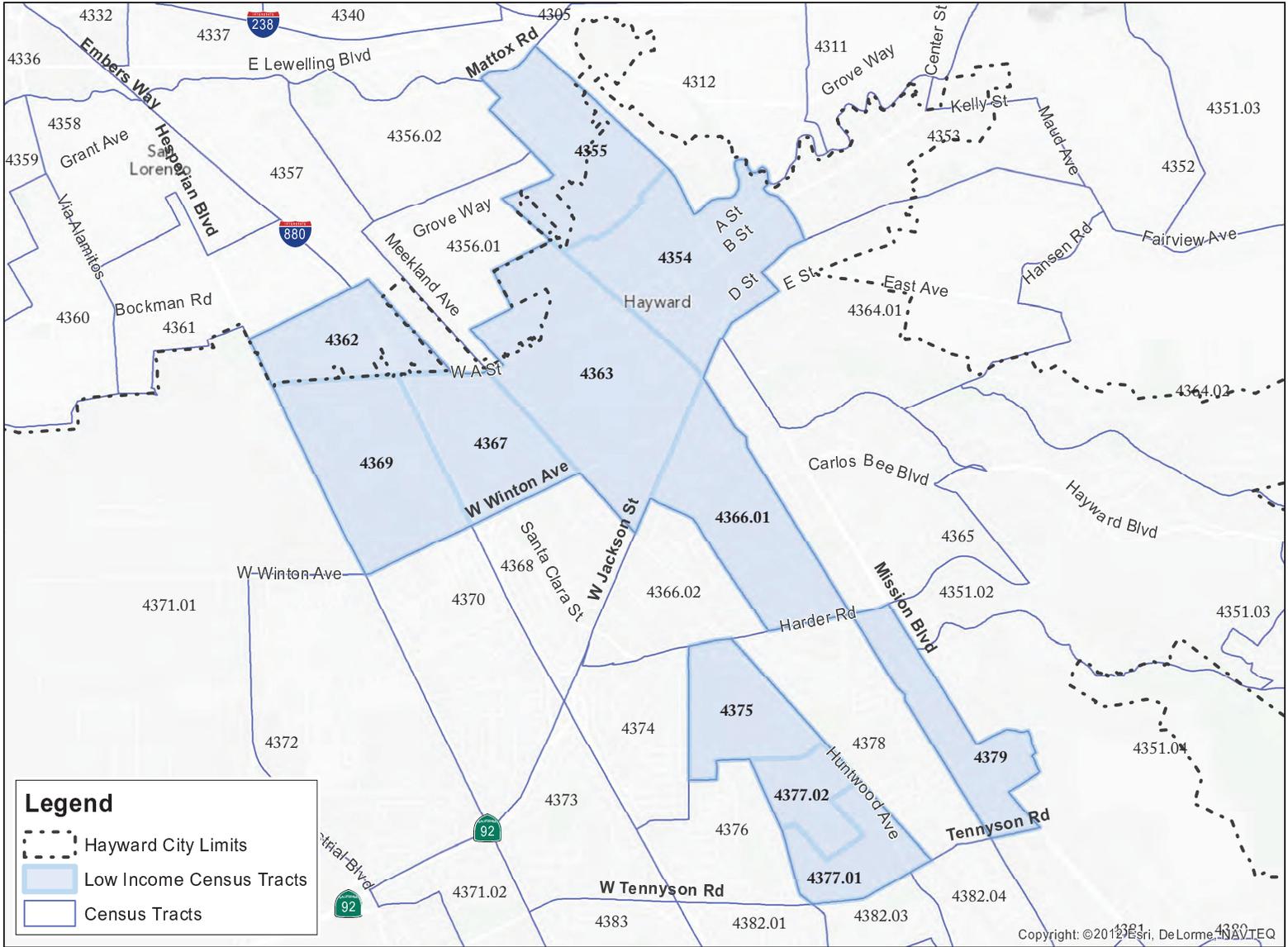
OMB Control No: 2506-0117 (exp. 07/31/2015)

			Prevention	\$47,260
	Description	Family Violence Law Center (FVLC) serves survivors of domestic violence in Alameda County, including emergency overnight shelter and serving as a liaison with police and the criminal justice system.		
	Planned Activities	The FVLC helps families to leave domestic violence situations without becoming homeless or experiencing further injury. Proposal is to serve 150 unduplicated Hayward residents, and is for general operating expenses.		
	South Hayward Parrish: Community Action Network (CAN)	Public Services	Homeless Needs	CDBG: \$10,000
14	Description	The Hayward Community Action Network provides outreach, coordination, and case management to homeless individuals who live in Hayward.		
	Planned Activities	The program is proposing to serve 100 homeless persons in Hayward, with intensive case management to thirty individuals and housing placements for ten of those individuals. Funding requested is for general operating expenses.		
	Women on the Way	Public Services	Homeless Needs	CDBG: \$20,000
15	Description	WOTW is a ten-bed shelter that provides shelter and drug treatment to homeless women to help them transition to more stable housing.		
	Planned Activities	Each woman develops an individual treatment plan, setting goals in each major life area, and meets with her counselor frequently to review progress. Proposal is to assist 12 unduplicated Hayward women. Funding requested would specifically support general operating expenses		

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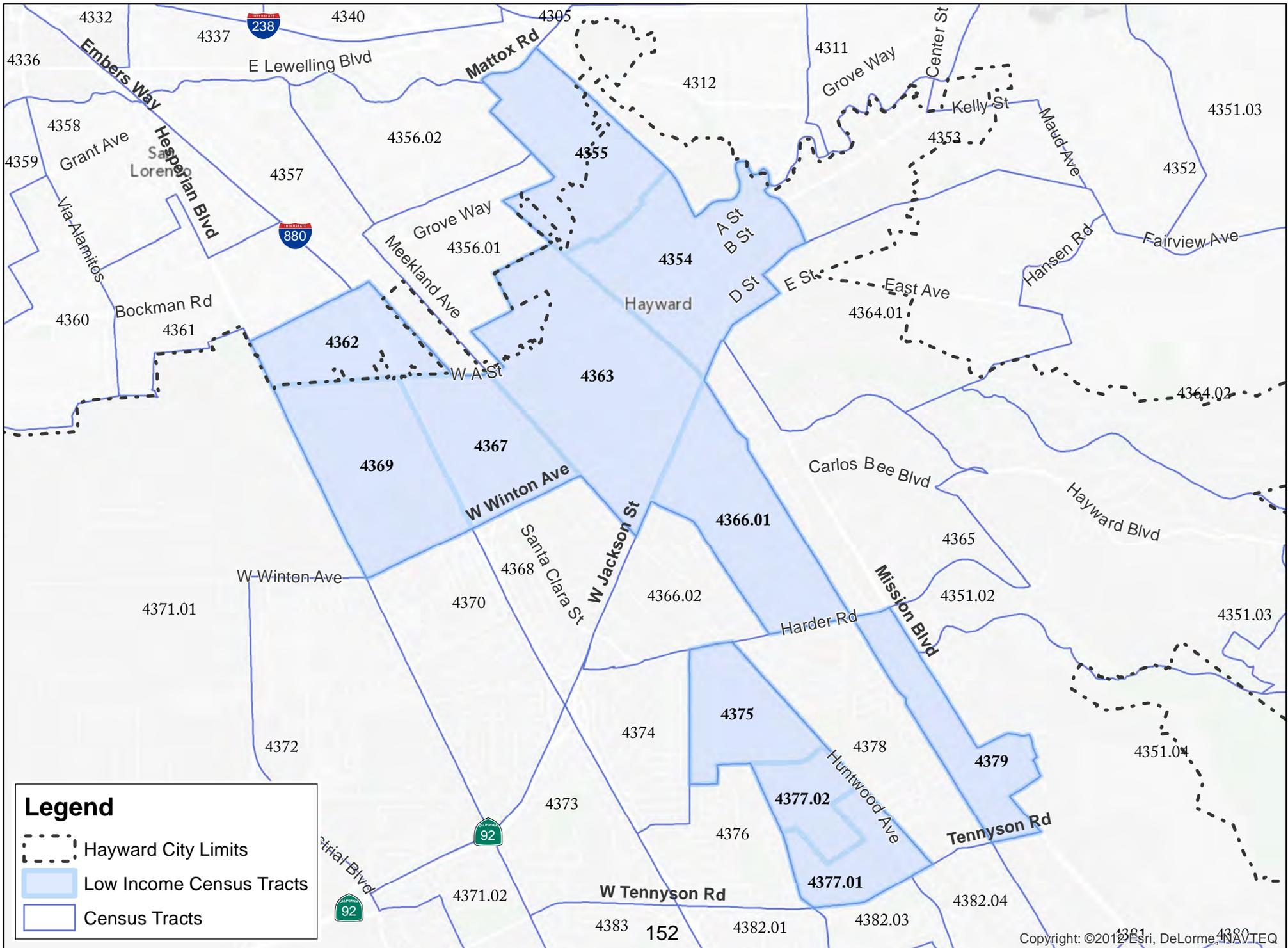
OMB Control No: 2506-0117 (exp. 07/31/2015)

Hayward HUD Low-Income Census Tracts



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Hayward HUD Low-Income Census Tracts



Legend

- Hayward City Limits
- Low Income Census Tracts
- Census Tracts



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 19, 2013, 7:00 p.m.**

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

ROLL CALL

Present: COUNCIL MEMBERS Zermeño, Jones, Halliday, Peixoto, Salinas,
Mendall
MAYOR Sweeney
Absent: None

CLOSED SESSION ANNOUNCEMENT

Mayor Sweeney announced that Council met regarding five items: City Clerk's performance evaluation pursuant to Government Code 54957; labor negotiations pursuant to Government Code 54957.6, concerning all groups; pending litigation pursuant to Government Code 54956.9, regarding McKay, et al v. City of Hayward, et al., U.S.D.C. CV12-1613 NC; and anticipated litigation pursuant to Government Code 54956.9, regarding two cases. There was no reportable action.

PROCLAMATION

Mayor Sweeney read a Proclamation declaring the month of March 2013 as American Red Cross Month in the City of Hayward encouraging all residents to support the organization, and its noble humanitarian mission. Ms. Stacy Williams, Ready Neighborhoods Manager External Relations, accepted the proclamation on behalf of the American Red Cross.

PUBLIC COMMENTS

Ms. Jim Drake, Franklin Avenue resident, expressed the downtown one-way loop was an improvement for commuters, but inconvenient for Hayward residents and was concerned about the street maintenance costs. Mr. Drake also voiced a concern about the City's deficit spending.

Mr. Charlie Peters, with Clean Air Performance Professionals, submitted informational materials for the record regarding fuel costs and requested that Council send a letter in support of the California Air Resources Board's efforts to improve compliance with the California Partial Zero-emissions (PZEV) standards.

Ms. Satinder Grewal, Castro Valley resident, spoke on behalf of The Art of Living Foundation and noted that the Foundation was initiating a campaign for a "Stress-Free Violence-Free Community." Ms. Grewal invited the Council to attend the launch of the campaign on March 24, 2013, at the San Jose Convention Center.

Ms. Tara Edel, Castro Valley resident, reiterated the invitation to the campaign launch for a “Stress-Free Violence-Free Community” on March 24, 2013.

Mr. Ben Henderson, A Street resident, announced the sixth Hayward Executive Airport Open House event on May 11, 2013, hosted by the Bay Area Black Pilots Association, and invited all to attend the event.

Acting City Manager McAdoo noted the overall implementation of the downtown one-way loop had been reasonably smooth. Director of Public Works Fakhrai concurred that the implementation of the one-way loop, which started on March 15, 2013, was satisfactory and most of the traffic signal system updates had been completed. Mr. Fakhrai added that concerns from the public about pedestrian crossing were acknowledged and noted that staff had added more directional signs in transition areas to assist drivers.

Consent items 4, 5, 6, and 7 were removed for discussion and separate vote.

CONSENT

1. Approval of Minutes of the Special Joint City Council/Redevelopment Successor Agency Meeting on February 26, 2013

It was moved by Council/RSA Member Peixoto, seconded by Council/RSA Member Mendall, and unanimously carried, to approve the minutes of the Special Joint City Council/Redevelopment Successor Agency Meeting of February 26, 2013.

2. Resignation of Al Parso from the Council Economic Development Committee and the General Plan Update Task Force

Staff report submitted by City Clerk Lens, dated March 19, 2013, was filed.

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

Resolution 13-024, “Resolution Accepting the Written Resignation of Al Parso from the Council Economic Development Committee and the General Plan Update Task Force”

3. Resignation of Doug Ligibel from the Keep Hayward Clean and Green Task Force

Staff report submitted by City Clerk Lens, dated March 19, 2013, was filed.

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



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF HAYWARD
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Tuesday, March 19, 2013, 7:00 p.m.**

Resolution 13-025, “Resolution Accepting the Written Resignation of Doug Ligibel from the Keep Hayward Clean and Green Task Force”

4. Citywide Light Emitting Diode (LED) Streetlight Conversion Project - Award of Contract

Staff report submitted by Transportation Manger Frascinella and Assistant City Engineer Owusu dated March 19, 2013, was filed.

Council Member Mendall emphasized the energy savings that would be realized as a result of the conversion of high pressure sodium streetlights to LED. Council Member Mendall offered a motion per staff recommendation and Council Members Halliday and Zermeño seconded the motion.

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

Resolution 13-026, “Resolution Awarding the Design and Construction Contract to Tanko Lighting for the Citywide LED Retrofit Project, Project No. 5139”

5. Adoption of Complete Streets Policy

Staff report submitted by Transportation Manger Frascinella, dated March 19, 2013, was filed.

Council Member Halliday emphasized that the adoption of the Complete Streets Policy would enable the City to be eligible for funding through the Alameda County Transportation Commission. Ms. Halliday hoped that some of the funding would be used to make the downtown area and other City areas pedestrian-friendly. Ms. Halliday offered a motion per staff recommendation and Council Member Zermeño seconded the item.

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

Resolution 13-027, “Resolution of the City of Hayward Adopting a Complete Streets Policy”

6. Hayward Executive Airport Administration Building: Certification of Negative Declaration, Approval of Plans and Specifications; and Call for Bids; and Authorization for the City Manager to Execute an Amendment to the Professional Services Agreement with WLC Architects, Inc.

Staff report submitted by Assistant City Engineer Owusu, dated March 19, 2013, was filed.

Mayor Sweeney allowed for public comments on the item.

Mr. Jim Drake, Franklin Avenue resident, asked about the bidding process, the hourly rate, and the cost to the City for the Hayward Executive Airport Administration Building Project. Director of Public Works Fakhrai clarified that the staff was asking Council to approve the plans and specifications and call for bids.

Council Member Halliday highlighted that the report involved a proposal for the Hayward Executive Airport Administration Building and noted that staff did a great job responding to questions about environmental aspects concerning an assumed alteration of Sulphur Creek. Council Member Halliday offered a motion per staff recommendation and Council Member Zermeño seconded the item.

Council Member Zermeño indicated the airport was a jewel and the proposed Hayward Executive Airport Administration Building would further enhance Hayward.

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

Resolution 13-028, “Resolution Certifying that the Initial Study and Negative Declaration for the Hayward Executive Airport Administration Building Project Have Been Completed in Compliance with the California Environmental Quality Act”

Resolution 13-029, “Resolution Approving Plans and Specifications for the Hayward Executive Airport Administration Building Project – Project No. 6815, and Call for Bids”

Resolution 13-030, “Resolution Authorizing an Increase in Additional Professional Services with WLC Architects, Inc. for the Hayward Executive Airport Administration Building, Project No. 6815”

7. Approve the City Manager’s Action to Execute a Contract Amendment with Metropolitan Planning Group to Provide Temporary Planning Services through End of March of 2013

Staff report submitted by Development Services Director Rizk, dated March 19, 2013, was filed.

Mr. Jim Drake, Franklin Avenue resident, referred to an article in the San Francisco Chronicle “HUD crime unit investigating bids, contracts,” and urged the City to maintain a three-bid process.

Council Member Halliday offered a motion per staff recommendation and Council Member Mendall seconded the motion.



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Tuesday, March 19, 2013, 7:00 p.m.**

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

Resolution 13-031, "Resolution Approving the City Manager's Action to Execute a Contract Amendment with Metropolitan Planning Group to Provide Temporary Planning Services Through the End of March of 2013"

LEGISLATIVE BUSINESS

8. Economic Development Strategic Plan Adoption

Staff report submitted by Management Fellow Thomas, Economic Development Project Team Leader Robustelli, Assistant City Manager McAdoo, and Director of Finance Vesely, dated March 19, 2013, was filed.

Human Resources Director Robustelli and Assistance City Manager McAdoo provided a synopsis of the report.

Mayor Sweeney suggested the staffing model for the Economic Development Strategic Plan need to be contingent upon actual funds received.

In response to Council Member Mendall's questions, Acting City Manager McAdoo confirmed the \$350,000 was a solid revenue projection and every budget year would allow for adjustments.

Council Member Peixoto commented that the Performance Measure IS6.3 of achieving an average district wide Academic Performance Index (API) scores of 900 or above was an aggressive goal.

Council Member Zermeño supported the Plan as it connected education, being business-friendly, retaining businesses, tracking businesses that close and learning from the issues encountered. Mr. Zermeño noted that adding ethnicity to the permit and/or business license application could be an achievable task.

Council Member Halliday appreciated the changes to the Plan, but remained doubtful about the effectiveness of Work Task FPM.2. Ms. Halliday was glad to see the revised analysis of revenue projections and supported utilizing the funds for economic development. Ms. Halliday acknowledged staffs' efforts to draft a comprehensive document that comprised different ideas and suggestions.

Council Member Jones acknowledged staffs' work on the Economic Development Strategic Plan. Mr. Jones noted that the Plan did not describe the Council's commitment to the document and

stressed the importance for staff to communicate the Council's support for the Plan in all marketing efforts.

There being no public comments, Mayor Sweeney opened and closed the public hearing at 8:04 p.m.

Council Member Mendall appreciated that the majority of his suggestions were incorporated into the Plan. Mr. Mendall supported the Plan and acknowledged the contributions by staff and the Council Economic Development Committee. Mr. Mendall offered a motion per staff recommendation and Council Members Salinas and Zermeño seconded the motion.

Council Member Salinas echoed Council Member Jones' comment and suggested the inclusion of a statement page that articulated Council's support and commitment for the Economic Strategic Plan.

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

Resolution 13-032, "Resolution Finding the Economic Development Strategic Plan Exempt from CEQA Review, Approving the Plan and Appropriating Funding for Implementation of the Plan"

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Council Member Zermeño noted for the record that he favored crosswalks citywide, especially in downtown. Mr. Zermeño announced the Hayward Clean and Green Task Force Clean- Up event scheduled for March 23, 2013, at the corner of B Street and Vermont Street.

Council Member Halliday announced the Christ Community Church was hosting another South Gate Community meeting on April 3, 2013, to discuss the glare on homes caused by traffic at the 92/I-880 Interchange. Ms. Halliday noted that Caltrans' representatives would be attending the meeting.

Council Member Salinas relayed a safety concern to staff about individuals jaywalking from Chabot College to restaurants on the other side of Hesperian Boulevard, and requested that staff contact Chabot College and add enforcement by police. Mr. Salinas also announced the annual Cesar Chavez Teach-In event scheduled for March 28, 2013, at City Hall.

ADJOURNMENT

Mayor Sweeney adjourned the meeting at 8:10 p.m.

APPROVED:

Michael Sweeney Mayor, City of Hayward

ATTEST:

Miriam Lens City Clerk, City of Hayward



DATE: April 2, 2013

TO: Mayor and City Council

FROM: Director of Public Works – Engineering & Transportation

SUBJECT: New Sidewalks FY14 – Huntwood Avenue, D Street and Industrial Boulevard:
Approval of Plans and Specifications and Call for Bids

RECOMMENDATION

That Council adopts the attached resolution approving the plans and specifications for the New Sidewalks FY14 - Huntwood Avenue, D Street, and Industrial Boulevard project and calls for bids to be received on April 30, 2013.

BACKGROUND

These streets were selected to fill in the gaps of missing sidewalks and further the City's goal of providing safe and continuous pedestrian access to schools and shopping areas. The new sidewalks are in the vicinity of Cesar Chavez and Markham Elementary Schools, and Heald College. In addition, the City has received requests from the neighborhood for sidewalk improvements in these locations. A location map that graphically depicts the limits of work is attached (see Attachment II).

DISCUSSION

This project will construct curb, gutter, and sidewalk on approximately 560 feet of D Street from Panda Way to the City limit and construct sidewalk on 320 feet of Industrial Boulevard north of Cryer Street and 72 feet on Huntwood Avenue between Leidig Court and Tennyson Road. The proposed improvements will add a total of 952 linear feet (.18 miles) of new sidewalk to the City's inventory which totals 460 miles.

On D Street, right-of-entry permits from property owners must be acquired to grant the City's contractor permission to enter the property to install driveway and frontage conforms. Staff has sent letters to all of the affected property owners. All necessary right-of-entry authorizations will be secured prior to the award of contract.

The project is categorically exempt under Sections 15301 (b) and (c) of the California Environmental Quality Act Guidelines for the operation, repair, maintenance, or minor alteration of existing facilities.

FISCAL IMPACT

The estimated project cost is as follows:

Construction Contract	\$300,000
Design and Administration	50,000
Inspection, Testing and Construction Administration	50,000
Total	\$400,000

The approved FY 2013 Capital Improvement Program includes \$400,000 in the Measure B Tax Fund for the New Sidewalks - Huntwood Avenue, D Street, and Industrial Boulevard project.

PUBLIC CONTACT

As discussed above, staff has been in contact with all affected property owners. After the project is awarded, staff will send notification letters to all affected residents regarding the project schedule.

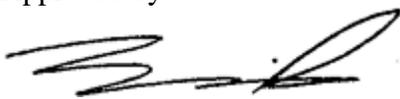
SCHEDULE

Open Bids	April 30, 2013
Award Contract	May 28, 2013
Begin Work	July 1, 2013
Complete Work	August 27, 2013

Prepared by: Yaw Owusu, Assistant City Engineer

Recommended by: Morad Fakhrai, Director of Public Works – Engineering and Transportation

Approved by:



Fran David, City Manager

Attachments:

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

HAYWARD CITY COUNCIL

RESOLUTION NO. 13-_____

Introduced by Council Member _____

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE NEW SIDEWALKS FY14 – HUNTWOOD AVENUE, D STREET, AND INDUSTRIAL BOULEVARD PROJECT, PROJECT NO. 5154, AND CALL FOR BIDS

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

WHEREAS, those certain plans and specifications for the New Sidewalks FY14 – Huntwood Avenue, D Street and Industrial Boulevard project, Project No. 5154, on file in the office of the City Clerk, are hereby adopted as the plans and specifications for the project;

WHEREAS, the City Clerk is hereby directed to cause a notice calling for bids for the required work and material to be made in the form and manner provided by law;

WHEREAS, sealed bids therefor will be received by the City Clerk’s office at City Hall, 777 B Street, 4th Floor, Hayward, California 94541, up to the hour of 2:00 p.m. on Tuesday, April 30, 2013, and immediately thereafter publicly opened and declared by the City Clerk in the Public Works Conference Room, 4D, located on the 4th Floor of City Hall, Hayward, California;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council will consider a report on the bids at a regular meeting following the aforesaid opening and declaration of same.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the project is categorically exempt under section 15301(c) of the California Environmental Quality Act Guidelines for the operation, repair, maintenance, or minor alteration of existing facilities.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2013

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

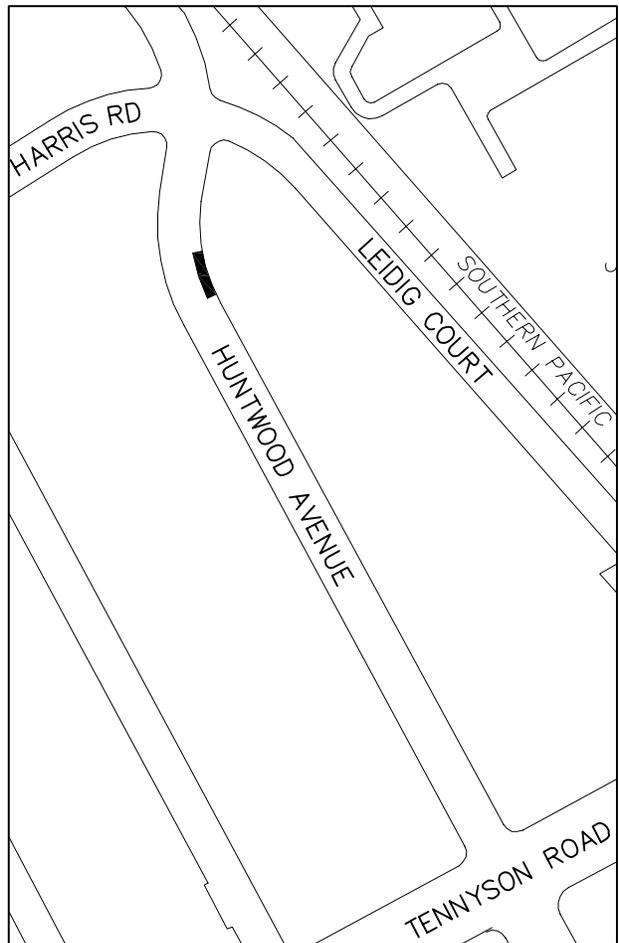
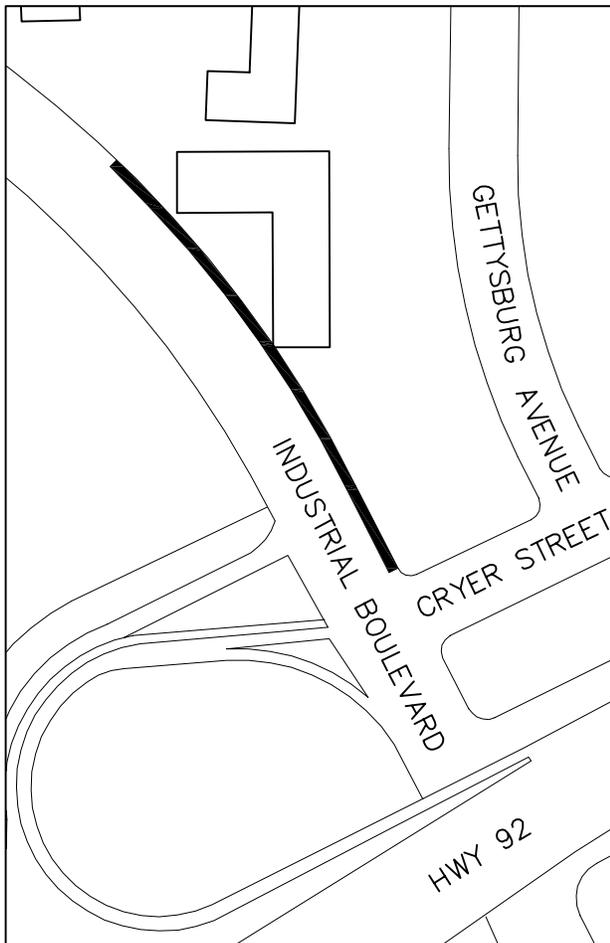
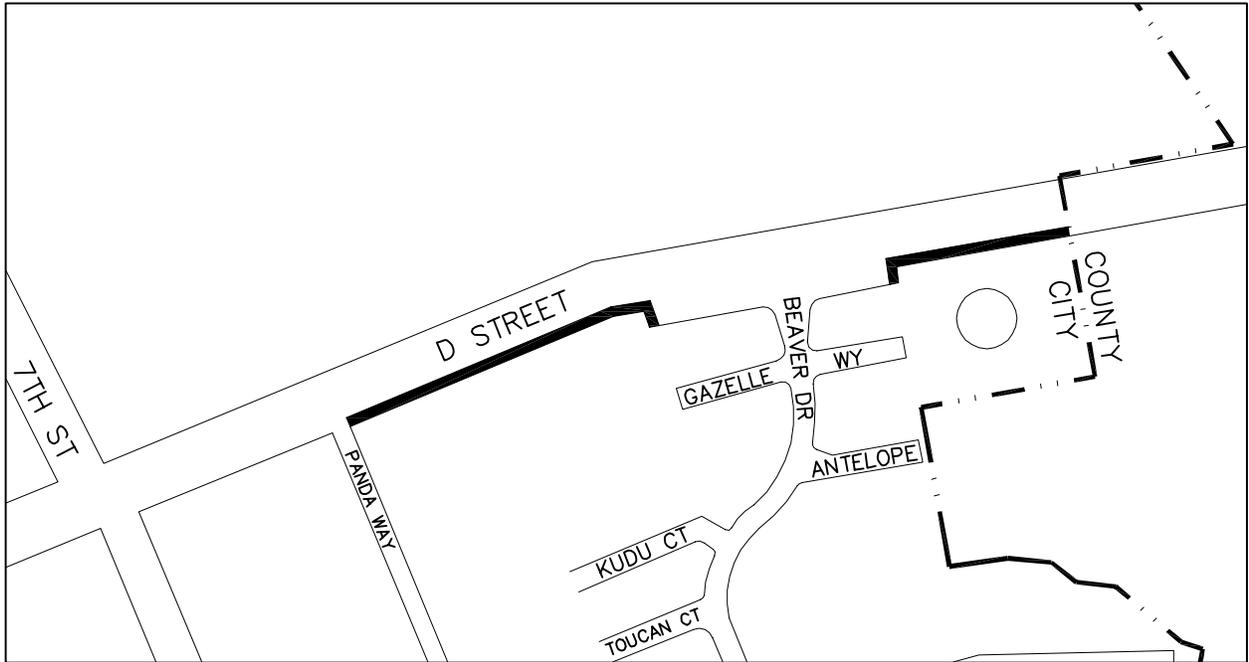
ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



**NEW SIDEWALKS FY14
LOCATION MAP**

DATE: April 2, 2013
TO: Mayor and City Council
FROM: Director of Public Works – Engineering & Transportation
SUBJECT: Approval of the Adjusted Urban Area Boundary Map for the City of Hayward

RECOMMENDATION

That Council adopts the attached resolution (Attachment I) that approves the adjusted urban area boundary map for the City, to include the Stonebrae development, Palomares Road and Chicoine Avenue.

BACKGROUND

After the Census Bureau conducts its decennial census of the nation, the agency delineates urban areas, which are explicitly defined by the Census Bureau according to specific population, density and related criteria. This provides various federal, state, and local agencies the ability to analyze changes in the distribution and characteristics of urban and rural populations. It should be noted that urban or rural boundaries do not necessarily equate to the limits of a city. Instead, a city may be composed of both rural and urban boundaries, the sum of which total the city's limits.

The Census determines what is an urban area based on population density. Areas having a population of 50,000 or more are classified as an urban area. Therefore, the Census has determined that the City of Hayward is to be classified as an urban area.

DISCUSSION

After the Census determines and delineates the urban areas and their boundaries, all metropolitan planning organizations, working in conjunction with their respective departments of transportation, make adjustments to the boundary. Reasons for adjusting urban area boundaries for transportation planning purposes often relate to a need for consistency or geographic continuity. In addition, many Federal transportation programs and policies rely upon a clear and well-documented distinction between urban and rural areas in order to better define which funding sources can be pursued by local jurisdictions.

On January 31, the Metropolitan Transportation Commission (MTC) notified the City that Caltrans had drafted a new boundary map for Alameda County. City staff was then provided with an opportunity to review the findings to determine if the map accurately reflects the true

urban boundary for the City. After review of the proposed map, staff noted that the map does not include the Stonebrae development, which is located off Hayward Boulevard and in the hills above Cal State East Bay University. Additionally the map needs to be amended to include Palomares Road and Chicoine Avenue. As a result, City staff is requesting that the map be modified to include this portion of the hillside development in the urban boundary; a revised map is included as an overlay in Attachment II.

FISCAL & ECONOMIC IMPACT

Due to the adjustment of the boundary, there may be opportunities to garner future federal funding for capital projects in the newly created portions of the urban boundary.

PUBLIC CONTACT

As this process is more procedural in nature and does not in any way impact the new or existing developments that are to be included in the revised map, no public meetings are warranted or required.

Prepared by: Don Frascinella, Transportation Manager

Recommended by: Morad Fakhrai, Director of Public Works – Engineering & Transportation

Approved by:



Fran David, City Manager

Attachments:

Attachment I: Resolution

Attachment II: Revised Map (with overlay for 2010 and area to be added)

HAYWARD CITY COUNCIL

RESOLUTION NO. 13-_____

Introduced by Council Member _____

A RESOLUTION REGARDING THE ADJUSTMENT OF 2010 CENSUS DESIGNATED URBAN BOUNDARIES FOR THE CITY OF HAYWARD FOR TRANSPORTATION PURPOSES

WHEREAS, Section 101(a) of Title 23 U.S. Code allows for the State and local officials, in cooperation with each other, to adjust the Census designated urban area boundaries, subject to approval by the Secretary of Transportation; and

WHEREAS, the California Department of Transportation, on behalf of the Federal Highway Administration, requested the City of Hayward to recommend adjustment, if necessary, the 2010 Census Designated Urban Boundaries; and

WHEREAS, the map presented to the City from Caltrans excluded the Stonebrae development, Palomares Road and Chicoine Avenue; and

WHEREAS, inclusion of the areas may make them eligible for Federal transportation funding.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the adjusted urban area to include the Stonebrae development, Palomares Road and Chicoine Avenue, as shown in Attachment II for the City of Hayward and authorizes submittal to the California Department of Transportation on or before April 15, 2013.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2013

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

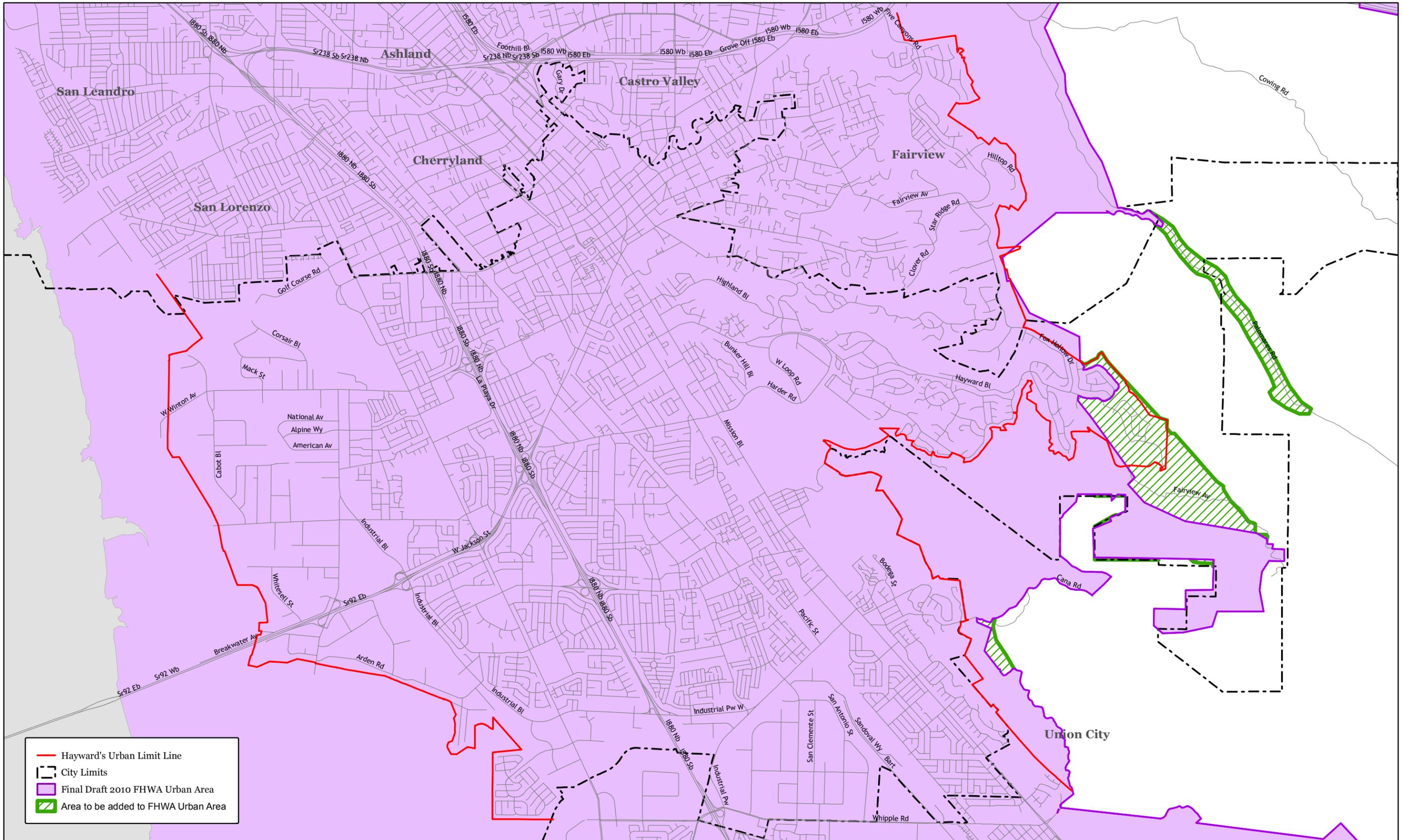
ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

Proposed FHWA Urban Area Boundary Adjustments



DATE: April 2, 2013

TO: Mayor and City Council

FROM: Director of Development Services
City Attorney

SUBJECT: Adoption of Interim Urgency Ordinance Extending a Temporary Moratorium on the Development, Establishment, and Operation of Computer Gaming and Internet Access Businesses in Hayward, to Become Effective Immediately

RECOMMENDATION

That the City Council adopts the attached interim urgency ordinance (Attachment I) extending the temporary moratorium on the development, establishment, and operation of Computer Gaming and Internet Access Businesses in the City of Hayward, to become effective immediately.

SUMMARY

Staff is recommending that the City Council extend the moratorium on on the development, establishment, and operation of Computer Gaming and Internet Access Businesses in the City of Hayward at the April 2, 2013 City Council meeting. The extension would allow staff additional time to conduct research that would identify the potential negative impacts and positive benefits to the City regarding the establishment of such uses, especially those that include Internet gambling.

BACKGROUND

On February 19, 2013, the City Council adopted Ordinance No. 13-03, an urgency ordinance establishing a temporary 45-day moratorium on the development, establishment, and operation of Computer Gaming and Internet Access Businesses in the City of Hayward. The temporary moratorium will expire on April 5, 2013 unless the City Council adopts an ordinance extending the moratorium at a noticed public hearing pursuant to Government Code section 65858 et. seq. The City Council can extend the moratorium for a period up to ten months and fifteen days at a noticed public hearing. Prior to the expiration of that period, the City Council may approve a final extension of up to one additional year at a noticed public hearing.

In December 2012, the California Bureau of Gambling Control issued a Law Enforcement Advisory indicating that sweepstakes games offered at Computer Gaming and Internet Access Businesses constitute illegal gambling under State law (Attachment II). These businesses utilize

a “sweepstakes” game allegedly to promote sale of computer /Internet access to their customers. Based on the amount of computer time purchased, customers are provided a certain number of credits to play games on the computers. These games hold out the possibility of winning cash prizes. Frequently, the games have the appearance of Las Vegas-style games of chance, such as slot machines, thus creating a casino-like atmosphere.

Computer Gaming and Internet Access Businesses are not specifically listed as an allowable use or defined in the City’s Zoning Ordinance. The Zoning Ordinance is an exclusionary ordinance that states “[w]hen a use is not specifically listed in the sections devoted to ‘Uses Permitted,’ it shall be assumed that such uses are prohibited unless it is determined by the Planning Director or on appeal to the Planning Commission that the use is similar to and not more objectionable or intensive than the uses listed.” The Planning Manager, as the Planning Director’s designee, has approved business licenses for three Internet establishments in Hayward since June of last year. None of those business license applications indicated the operator’s intent to conduct sweepstakes or gambling activity, and City staff only became aware of gambling activity in January 2013.

At the time of the February 19, 2013 Council meeting, staff was aware of three establishments within the City that meet the definition of a Computer Gaming and Internet Access Business.¹ Information from the business licenses for the three establishments is provided below.

Business Name and Address	Business License Issued Date	Description of Use
Worldnet Business Center LLC 22620 Vermont St.	6-26-12	“Computer terminal rental, Internet access, copies, prints, fax”
Net Connection Hayward LLC 778 B Street	11-26-2012	“Internet service/business center”
I Biz LLC 22466 Maple Ct.	1-10-13	“Providing Internet service, fax, office and business related”

The Planning Director authorized approval of the business licenses for these establishments from a land use perspective based on the information provided by the applicants with the assumption that the nature and activity associated with these uses was similar to copying or reproduction facilities and mailing or facsimile services. . The information provided by the applicants did not include that gambling was a component of the businesses.

¹ “Computer Gaming and Internet Access Business” shall mean an establishment that provides one or more computers or other electronic devices for access to the World Wide Web, Internet, e-mail, video games or computer software programs that operate alone or are networked (via LAN, WAN, wireless access, or otherwise) or that function as a client/server program, and which seeks compensation or reimbursement, in any form, from users. “Computer Gaming and Internet Access Business” shall also be synonymous with a personal computer ("PC") cafe, Internet cafe, cyber cafe, sweepstakes gaming facilities, business center, Internet sales business and Internet center with Internet sweepstakes-type games, but does not include a Public Use or Internet Learning Center as defined herein.

Subsequent to the business licenses being issued, the City received complaints regarding disruptive conduct near the businesses and potential gambling activity within the businesses. Detectives from the Hayward Police Department confirmed that the businesses were utilizing sweepstakes games allegedly to promote sale of computer /Internet access to their customers.

The City Attorney's Office mailed cease and desist demand letters to the three businesses listed above on February 8, 2013. The letters were issued based on the fact that computers that offer the sweepstakes generally described above are considered illegal slot machines and illegal gambling devices and are prohibited by California Penal Code sections 330a, 330b and 330.1. The sweepstakes game is also considered an illegal lottery in violation of California Penal Code section 319. Locations where these sweepstakes occur are considered a public nuisance subject to court ordered injunction and abatement.

The Vermont Street location closed shortly after issuance of the cease and desist letters. The realty company representing the property owner acknowledged receiving the cease and desist letter and informed the City Attorney's Office that the tenants vacated the property pursuant to a thirty-day notice to quit issued by the property owner on January 9, 2013.

The City Attorney's Office received contact from legal counsel representing the businesses located at B Street and Maple Court/Foothill Blvd. Both locations remained open initially. On February 22, 2013, officers from the Hayward Police Department inspected the B Street and Maple Court/Foothill Blvd. locations to determine compliance with the cease and desist letters. An employee of the B Street location was arrested for an outstanding bench warrant during the inspection. Additionally, City staff has noted that the Maple Court/Foothill Blvd. location did not post any identifying signs indicating the name of the business or type of services offered within the location, did not post business hours, and concealed the interior of the business location from public view.

A subsequent round of cease and desist letters were issued to the two remaining businesses on March 8, 2013. In addition to referencing state gambling laws, the subsequent cease and desist letters referenced the City Council's adoption of the 45-day moratorium and required prompt compliance (Attachment III). On March 11, 2013 the City Attorney's Office received written correspondence from legal counsel for the B Street location indicating that the business would be closed on that date and would remain closed for an undetermined period of time. On March 13, 2013 Hayward Police Department staff confirmed that the Maple Court/Foothill Blvd. location was also closed. Representatives of the building owners where the B Street and Maple Court/Foothill Blvd. businesses are located have indicated a willingness to support the City in its efforts.

Moratoriums on Internet and computer gaming establishments have also been established in other jurisdictions, such as Antioch, Oakley, and Pittsburg. Other jurisdictions, such as Antioch, Brentwood, and Dublin, have adopted ordinances to address such uses. In addition, the City of Sacramento executed search warrants in March and April 2012 for Computer Gaming and Internet Access Businesses, which were acting as fronts for illegal gambling activities.

On February 28, 2013, law enforcement in Santa Rosa and Rohnert Park served search warrants on four Internet cafes and seized computers and cash from the establishments. The Sonoma County District Attorney's Office is reviewing the investigation.

On March 7, 2013, the Sacramento Police Department raided an Internet café called "Copy Planet" and seized computers and records.

On March 13, 2013, federal agents served search warrants on forty-nine Internet cafes in Florida and arrested numerous high-ranking members of the non-profit veterans group running the establishments. The raid was part of a federal gambling, mail fraud, and money laundering investigation. The Internet cafes were described by the veterans group as "fundraising centers" but authorities allege that the cafes were operating illegal slot machines in violation of state gambling laws.

The California Attorney General, in conjunction with local law enforcement in Stockton and San Diego, has conducted similar operations to close such businesses in California. The Attorney General's Office and the Kern County District Attorney's Office are also currently involved in litigation seeking to obtain permanent injunctions against businesses in San Diego and Kern County, respectively.

DISCUSSION

Computer Gaming and Internet Access Businesses that utilize a "sweepstakes" game purport to sell their customers time on computers that are connected to the Internet. Based on the amount of computer time purchased, customers are provided a certain number of credits to play games on the computers. These games hold out the possibility of winning cash prizes. Frequently, the games have the appearance of Las Vegas-style games of chance, such as slot machines, thus creating a casino-like atmosphere. The operators of these establishments assert that although the games appear to be gambling games, which are highly restricted and regulated under state law, they are actually "sweepstakes" provided as a means of promoting the businesses of renting computer time in compliance with state law requirements relating to the operation of sweepstakes. It appears that the resemblance of the games to casino-style games, and the possibility of winning cash prizes by playing them, is a driving factor for the customers that patronize these Computer Gaming and Internet Access Businesses.

The Business and Professions Code defines "sweepstakes" as "any procedure for the distribution of anything of value by lot or by chance that is not unlawful under other provisions of law including, but not limited to, the provisions of section 320 of the Penal Code." (Bus. and Prof. Code § 17539.5(a)(12)). Penal Code section 320 relates to commercial lotteries, which are illegal under State law. State law also prohibits commercially operated banked or percentage games and "gambling machines," and highly restricts and regulates other gambling operations.

Under State law, a lottery comprises three elements: a prize, payment of consideration to be eligible to win the prize, and distribution of the prize by chance. Though the definition of "sweepstakes" is not particularly illuminating, case law and other legal sources establish that a sweepstakes is essentially a lottery in which no purchase or payment is required to play the

game. There are a number of provisions in the Business and Professions Code that regulate the conduct of sweepstakes, including a requirement that an entry submitted without a purchase or payment will be treated the same as an entry submitted with payment. Sweepstakes operators must also comply with certain noticing and advertisement requirements, including the publication of the odds of winning the sweepstakes.

Operators of these Internet access businesses argue that they comply with these requirements; however, the number of entries given to a paying customer will typically greatly outnumber the number of entries that will be given to a non-paying participant in the game. Courts in jurisdictions outside California have concluded that sweepstakes similar to the ones offered by the businesses in Hayward are a form of gambling and have upheld both criminal convictions and civil injunctions in cases involving such businesses.

The provisions of the Hayward Municipal Code that may regulate the development, establishment, and operation of computer gaming and internet access businesses in the City are inadequate and need further review, study and revision. Pursuant to Government Code section 65858, the City may establish a moratorium prohibiting any uses that may be in conflict with a contemplated general plan, specific plan or zoning proposal that the legislative body, planning commission or the planning department is considering in order to protect and preserve the public safety, health and welfare.

On February 9, 2013, the City Council adopted Ordinance No. 13-03, establishing a 45-day moratorium pursuant to Government Code Section 65858 on the development, establishment and operation of computer gaming and internet access businesses within the City of Hayward. The temporary moratorium became effective immediately. The 45- day moratorium will expire on April 5, 2013, unless extended by the City Council.

Staff has begun to analyze the potential impacts of such new uses in the City to determine if modifications to the Zoning Ordinance regulations or other sections of the City's Municipal Code would be appropriate. Additionally, staff has begun to review ordinances enacted by other California jurisdictions that regulate the development, establishment and operation of computer gaming and Internet access businesses. Specifically, staff is reviewing ordinances from the cities of Antioch, Brentwood, and Dublin. Staff will review other ordinances and regulations as they become aware of them.

The cities of Antioch and Brentwood enacted ordinances on March 13, 2012 and November 13, 2012, respectively, permitting operation of a computer gaming and Internet access business upon issuance of a license by the city's development director pursuant to an application process. The ordinances impose regulations such as limiting access by minors, limiting hours of operation, prohibiting sale or consumption of cigarettes or alcohol on the premises, imposing security requirements at the discretion of the police chief, prohibiting window coverings that obscure the interior of the business from the public right-of-way, and prohibiting use of the computers for gambling.

The City of Dublin enacted an urgency ordinance on October 16, 2012 , which makes it unlawful and a public nuisance to establish, manage or otherwise engage in the business of operating an “Internet sweepstakes café.”

Staff requires additional time in order to conduct a thorough analysis upon which a recommendation can be made to the City Council regarding this issue. Pursuant to Government Code section 65858, the City Council may extend the moratorium for a period of ten months and fifteen days upon a four-fifths vote at a noticed public hearing. Government Code section 65090 requires notice of the public hearing to be published in at least one newspaper of general circulation within the jurisdiction of the local agency which is conducting the proceeding at least ten days prior to the hearing. The notice of the public hearing will be published by the Daily Review on Friday, March 22, 2013.

Additionally, Government Code section 65858(d) requires a written report to be issued describing the measures taken to alleviate the condition that led to the adoption of the ordinance within ten days of the expiration of the ordinance. This staff report shall serve as the written report required by the Government Code. Beginning at noon on March 22, 2013, a copy of the report describing the measures taken to alleviate the conditions which led to the adoption of the moratorium ordinance may be reviewed at the City of Hayward City Clerk’s Office, 777 B Street, the Main City Library, 835 C Street, the Weekes Branch, 27300 Patrick Avenue, Hayward, or on the City’s website at <http://www.hayward-ca.gov/NEWS/2013/>

Pursuant to Government Code section 65858(c), the legislative body shall not adopt or extend an interim ordinance unless the ordinance contains legislative findings that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional subdivisions, use permits, variances, building permits, or any other applicable entitlement for use which is required in order to comply with a zoning ordinance would result in that threat to public health, safety, or welfare. The attached Ordinance contains such findings.

Environmental Review - Adoption of the interim urgency Ordinance is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section 21065, based on the finding that this Ordinance is not a “project” within the meaning of section 15378 of the State CEQA Guidelines, because it has no potential for resulting in physical change in the environment, directly or ultimately. Additionally, adoption of the ordinance is exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA sections 15061(b)(3) and 15306.

ECONOMIC AND FISCAL IMPACTS

An interim moratorium of limited duration, although potentially negatively impacting some properties in the short-term where such uses are proposed or contemplated, would have potential benefits to the community in the long term. It would ensure that adequate analysis is conducted by staff and presented to the City Council that would identify the potential negative impacts and positive benefits to the City regarding the establishment of such uses, especially those that include Internet gambling. Such analysis will assist the City Council members in determining whether amendments to the Zoning Ordinance or other Municipal Code sections are appropriate. It is

roughly estimated that staff will need to spend a total of approximately 135 hours over a period of three to six months, with an estimated cost to the General Fund of approximately \$20,000, to fully research and analyze the impacts and benefits associated with such uses.

NEXT STEPS

Should the City Council adopt the Ordinance extending the moratorium by the required four-fifths vote (minimum six votes needed), the moratorium will be extended for ten months and fifteen days (until February 18, 2014). During that time, staff will continue its analysis of potential impacts related to the development, establishment and operation of computer gaming and internet access businesses. A written report shall be prepared within ten days of the expiration of the extension which will either: request one final extension of the moratorium for an additional year in order to complete the analysis; or will provide the Council with an analysis and recommendations regarding whether any changes to the City's Zoning Ordinance or Municipal Code are warranted as well as language for any proposed amendments to the Zoning Ordinance or Municipal Code.

Prepared and Recommended by: David Rizk, AICP, Director of Development Services
Michael Lawson, City Attorney

Approved by:



Fran David, City Manager

Attachments:

- Attachment I: Interim Urgency Ordinance
- Attachment II: Bureau of Gambling Control Advisory
- Attachment III: Sample Template of Cease and Desist Letter #2

ORDINANCE NO. _____

AN URGENCY MEASURE ADOPTING AN ORDINANCE
 PURSUANT TO GOVERNMENT CODE SECTION 65858,
 EXTENDING A MORATORIUM ON THE DEVELOPMENT,
 ESTABLISHMENT AND OPERATION OF COMPUTER GAMING
 AND INTERNET ACCESS BUSINESSES WITHIN THE CITY OF
 HAYWARD FOR TEN MONTHS AND FIFTEEN DAYS, EXPIRING
 NOT LATER THAN FEBRUARY 18, 2014

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

Section 1. This Ordinance is adopted pursuant to the provisions set forth in Government Code Section 65858 and pursuant to other applicable law.

Section 2. Findings. The City Council hereby finds as follows:

- A. Pursuant to Article XI, Section 5 of the California Constitution and the City Charter, the City of Hayward may make and enforce all regulations and ordinances in respect to municipal affairs.
- B. The stated purpose of the Hayward Zoning Ordinance is to promote the public health, safety, general welfare, and preserve and enhance the aesthetic quality of the City by providing regulations to ensure an appropriate mix of land uses in an orderly manner. The Zoning Ordinance further states that the City desires to achieve a pattern and distribution of land uses that generally retain and enhance established residential neighborhoods, commercial and industrial districts, regional-serving uses, and recreational amenities; allow for the infill and reuse of areas at their prevailing scale and character; accommodate expansion of development into vacant and under-utilized lands within environmental and infrastructure constraints; maintain and enhance significant environmental resources; provide a diversity of areas characterized by differing land use activity, scale and intensity; and establish Hayward as a unique and distinctive place in the heart of the San Francisco Bay Area, with a high quality of life in an attractive, secure environment for the City's residents and businesses.
- C. Computer Gaming and Internet Access Businesses within the City of Hayward present unique challenges for local government, as it is difficult to ascertain and regulate establishments that involve online gambling. In addition, gambling establishments require a significant commitment of police and public safety resources to deal with the secondary effects associated with gambling that are typically greater than other retail establishments.
- D. Gambling is prohibited in California by State law, other than in card club establishments and on Indian/tribal properties. The California Bureau of Gambling Control has determined that Computer Gaming and Internet Access Businesses that sell Internet time or phone cards in conjunction with a promotional sweepstakes are illegal online gambling operations.
- E. City staff received proposals in recent months related to three Internet cafes, which were not identified as establishments for online gambling and were issued business licenses in reliance on representations that the establishments were offering legitimate Internet, business, fax and copy services. City staff subsequently determined that these establishments have been engaged in online gambling in violation of state and local law, and staff anticipates additional requests for similar businesses in the future. Such

illegal gambling establishments provide potential for undesirable criminal activity, gambling addiction, and undesirable impacts on adjacent businesses and residential neighborhoods as a result of hours of operation and related activities. Computer Gaming and Internet Access Businesses often target students and minors within the local community, thereby potentially encouraging the participation of significant numbers of unsupervised minors. There is generally a charge for the use of the computer station and users often occupy a station for many consecutive hours. Several establishments that staff has identified in the City have offered a type of sweepstakes gaming that the State has determined to be illegal gambling. This “sweepstake gaming” provides the chance to win cash or prizes through the betting of purchased or won sweepstakes game entries. These games frequently have the appearance of casino-style games of chance, such as slot machines, and, to the extent that the legal validity of these “sweepstake” games is questionable under State law, the Zoning Ordinance and the City’s Municipal Code do not specifically regulate them.

- F. Computer Gaming and Internet Access Businesses are not specifically listed as allowed uses in any zoning district. Section 10-1.140 of the Hayward Zoning Ordinance states that “[w]hen a use is not specifically listed in the sections devoted to ‘Uses Permitted,’ it shall be assumed that such uses are prohibited unless it is determined by the Planning Director or on appeal to the Planning Commission that the use is similar to and not more objectionable or intensive than the uses listed.” Because there is the potential for undesirable effects of such uses on surrounding commercial establishments, residential areas, and on those who participate in such activities, additional time is needed to allow staff to analyze the potential impacts of such establishments in Hayward and determine what modifications to the Zoning Ordinance or other regulations would be appropriate.
- G. The City’s current Zoning Ordinance and Municipal Code also do not thoroughly address the impacts related to the location and manner of the development, establishment, and operation of Computer Gaming and Internet Access Businesses in relation to public health, safety, and welfare concerns, including, but not limited to, the impacts these businesses may have on parking, surrounding uses, and the community.
- H. Until such time as the City institutes land use controls over Computer Gaming and Internet Access Businesses, the community is at risk that these businesses could be initiated, modified or expanded, prior to the adoption of measures necessary for the protection of public health, safety and welfare. By way of examples of this risk, the three Internet cafes in the City that offered on-line gaming activities were sent a cease-and-desist letter from the City Attorney’s Office; however, two of the three establishments did not close until after the 45-day moratorium was adopted by the City Council on February 19, 2013, and a second cease-and-desist letter was issued. All three businesses are currently closed, but the City Attorney’s Office received written correspondence from legal counsel for Net Connection indicating that the business would remain closed only for an “undetermined” period of time. Additionally, prior to its closure, an employee of Net Connection was arrested for an outstanding bench warrant during a police inspection. With respect to I Biz on Foothill Boulevard, the establishment did not post any identifying signs indicating the name of the business or type of services offered within the location, did not post business hours, and concealed the interior of the business location from public view. These circumstances, and the experiences of other jurisdictions around the country more specifically described below, justify the extension of the moratorium and highlight the need for local regulation.
- I. The issuance or approval of any building, planning or other permit or license for Computer Gaming and Internet Access Businesses prior to the City’s completion of its review of the need for modifications to the Zoning Ordinance or other regulation would result in a current and immediate threat to the public health, safety and welfare, for the reasons set forth above.
- J. Other California cities have reported increased law enforcement activities at Computer Gaming and Internet Access Businesses as a result of crimes occurring at those businesses, such as burglary, robbery,

sale of illegal drugs and illegal lotteries. Some examples of recent law enforcement actions with respect to Computer Gaming and Internet Access Businesses include the following:

1. The City of Sacramento executed search warrants in March and April, 2012 for Computer Gaming and Internet Access Businesses that were acting as fronts for illegal gambling activities, and the Attorney General, in conjunction with local law enforcement in Stockton and San Diego, has conducted similar operations to close gambling parlors in such businesses.
 2. On February 28, 2013, law enforcement officials in Santa Rosa and Rohnert Park served search warrants on four Internet cafes and seized computers and cash from the establishments.
 3. On March 7, 2013, the Sacramento Police Department raided an internet café called “Copy Planet” and seized computers and records.
 4. On March 13, 2013, federal agents served search warrants on forty-nine Internet cafes in Florida and arrested numerous high ranking members of the non-profit veterans group running the establishments. The raid was part of a federal gambling, mail fraud and money laundering investigation. The internet cafes were described by the veterans group as “fundraising centers” but authorities allege that the cafes were operating illegal slot machines in violation of state gambling laws.
 5. The Attorney General’s Office and the Kern County District Attorney’s Office are also currently involved in litigation seeking to obtain permanent injunctions against businesses in San Diego and Kern County, respectively.
 6. In the past year, the cities of Pittsburg, Oakley and Antioch and the County of Alameda have adopted moratoriums on Computer Gaming and Internet Access Business to afford those agencies sufficient time to research and prepare appropriate legislation regulating these businesses.
 7. Courts in jurisdictions outside California have concluded that sweepstakes similar to the ones offered by the businesses in Hayward are a form of gambling and have upheld both criminal convictions and civil injunctions in cases involving such businesses.
- K. The City requires additional time to study the potential impact such facilities may have on the public health, safety and welfare and to prepare, evaluate and to adopt possible reasonable amendments to the City’s Municipal Code and Zoning Ordinance regarding Computer Gaming and Internet Access Businesses. Staff needs time to study whether to limit such businesses to certain zoning districts, and which zoning districts would be appropriate for such uses. Staff has begun to review ordinances enacted by other California jurisdictions that regulate the development, establishment and operation of computer gaming and Internet access businesses. Specifically, staff is reviewing ordinances from the cities of Antioch, Brentwood and Dublin. Staff will review other ordinances and regulations as they become aware of them. The cities of Antioch and Brentwood enacted ordinances permitting operation of a computer gaming and Internet access business upon issuance of a license by the city’s development director pursuant to an application process. The Antioch and Brentwood ordinances impose regulations such as limiting access by minors; limiting hours of operation; prohibiting sale or consumption of cigarettes or alcohol on the premises; imposing security requirements at the discretion of the police chief; prohibiting window coverings that obscure the interior of the business from the public right-of-way; and prohibiting use of the computers for gambling. The city of Dublin enacted an urgency ordinance that makes it unlawful and a public nuisance to establish, manage or otherwise engage in the

business of operating an “Internet sweepstakes café.”

- L. Pursuant to Government Code Section 65858, the City has the authority to adopt an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan or zoning proposal.
- M. For the reasons set forth above, this Ordinance is necessary to preserve the public health, safety and welfare and to avoid a current and immediate threat to the health, safety and welfare of the community.
- N. Adoption of the Urgency Ordinance is exempt from environmental review under the California Environmental Quality Act (CEQA), pursuant to Public Resources Code Section 21065, based on the finding that this Ordinance is not a “project” within the meaning of Section 15378 of the State CEQA Guidelines, because it has no potential for resulting in physical change in the environment, directly or ultimately. Additionally, adoption of the ordinance is exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Sections 15061(b)(3) and 15306.

Section 3. Moratorium Imposed.

Scope.

In accordance with the authority granted the City of Hayward under Article XI, Section 5 of the California Constitution, the City Charter and Government Code Section 65858, from and after the effective date of this Ordinance, no permit or any other applicable license or entitlement for use, including but not limited to, the issuance of a business license, business permit, building permit, use permit or zoning text amendment shall be approved or issued for the establishment or operation of Computer Gaming and Internet Access Businesses in the City of Hayward. Additionally, Computer Gaming and Internet Access Businesses are hereby expressly prohibited in all areas and zoning districts in the City.

Definitions.

1. For purposes of this Ordinance, “Computer Gaming and Internet Access Business” shall mean an establishment that provides one or more computers or other electronic devices for access to the World Wide Web, Internet, e-mail, video games or computer software programs that operate alone or are networked (via LAN, WAN, wireless access or otherwise) or that function as a client/server program, and which seeks compensation or reimbursement, in any form, from users. “Computer Gaming and Internet Access Business” shall also be synonymous with a personal computer (“PC”) cafe, Internet cafe, cyber cafe, sweepstakes gaming facilities, business center, Internet sales business and Internet center with Internet sweepstakes-type games, but does not include a Public Use or Internet Learning Center as defined herein.
2. For purposes of this Ordinance, “Public Use or Internet Learning Center” shall mean an establishment that provides computer access which is operated by the City of Hayward, a school district, a library, a college district, or a private institution of learning which provides classes in computer instruction, or a non-profit organization which does not receive compensation or reimbursement in any form other than school tuition.

Section 4. The establishment, maintenance or operation of a Computer Gaming and Internet Access Business as defined herein with the City limits of the City of Hayward is a public nuisance. Violations of this Ordinance may be enforced by any applicable law, including but not limited to injunctions, administrative citations or

criminal penalties.

Section 5. In accordance with Government Code Section 65858, this Ordinance shall be in full force and effect for a period of ten (10) months and fifteen (15) days, expiring no later than February 18, 2014, immediately from the date of its adoption by the City Council by at least six affirmative votes. This period may be extended by the City Council in accordance with the provisions of Government Code Section 65858.

Section 6. The Planning Director is hereby authorized to administer and interpret the provisions of this urgency Ordinance, including but not limited to, review of business license applications, specific use permit applications, variance requests, building permit applications, and other land use approvals, to determine whether the requested business license, use permit, variance, building permit or other land use approval is subject to the terms of this Ordinance.

Section 7. The Planning Director shall review and consider options for the regulation of Computer Gaming and Internet Access Businesses in the City and provide the City Council a written report describing the measures that the City has taken to address the conditions which led to the adoption of this interim Ordinance.

Section 8. Constitutionality. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 9. Publication. This interim, urgency Ordinance or a comprehensive summary thereof shall be published in newspaper of general circulation of the City within fifteen (15) days after its adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the _____ day of _____ 2013, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the _____ day of _____ 2013, by the following votes of members of said City Council.

AYES:

NOES:

ABSTAIN:

ABSENT:

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

	<h1>BUREAU OF GAMBLING CONTROL</h1>		<p>KAMALA D. HARRIS Attorney General</p> <hr/> <p>WAYNE J. QUINT JR. Bureau Chief</p>
	<p>NUMBER 11</p>	<p>LAW ENFORCEMENT ADVISORY</p>	<p>DECEMBER 5, 2012</p>

Internet Cafés

With increasing frequency, so-called “Internet cafés” that sell Internet time or phone cards in conjunction with a “promotional sweepstakes,” are operating throughout California. The “sweepstakes aspect” of the Internet cafés permits customers to play gambling-themed games on computers to win cash prizes. The Bureau of Gambling Control (Bureau) considers Internet cafés that offer these types of sweepstakes to be illegal gambling operations.

Method of Operation:

In general, Internet cafés are located in storefront strip malls, though they can also be standalone establishments. Numerous computer terminals or stations are located inside each Internet café. Customers generally purchase Internet time or phone time using a magnetic striped card provided by the Internet café. After making a purchase of Internet time or phone time, customers swipe the magnetic card through a card reader at a computer terminal or station inside the Internet café to play gambling-themed games. Along with the Internet time or phone time, customers receive sweepstakes “entries” or “credits” based upon the amount spent (e.g., 100 sweepstakes entries for \$1.00 of Internet time purchased). The sweepstakes entries are displayed on the computer screens as “credits.” The customer then has the option to select one of several gambling-themed games and makes bets with the credits. Customers who win prizes can cash in any winnings, or use the winnings to purchase additional internet time and sweepstakes entries. Cash prizes ranging from \$1.00 to as much as \$4,000 are paid out daily. Customers may be able to receive and play 100 credits per 24-hour period for free, but must purchase Internet time or phone card time to obtain additional sweepstakes credits to play the games once they have played the free credits.

In addition to the onsite computers, a server running the sweepstakes software will typically be present, although a remote location server might also be used. The software operates and controls the game play and pay outs at the computer terminals and maintains customer information. The software is most often provided by out-of-state companies and is designed with the intent of circumventing state gambling laws. It can reasonably be anticipated that this software will be continuously modified to avoid detection and analysis in an attempt to prevent prosecution.

Existing Law:

Computers that offer the sweepstakes generally described above are illegal “slot machine[s] or device[s]” prohibited by Penal Code section 330b, subdivision (d). (See also *People ex rel. Lockyer v. Pacific Gaming Technologies* (2000) 82 Cal.App.4th 699 [a vending machine dispensing pre-paid telephone cards with “a sweepstakes feature” and prizes determined by a pre-set computer program is an unlawful gambling device under Penal Code section 330b].) Penal Code section 330a, subdivision (a), describes as prohibited “any slot or card machine, contrivance, appliance or mechanical device” on “which money or other valuable thing is staked or hazarded.” (See also Pen. Code, § 330.1.) Business and Professions Code sections 17200, et seq., and 17500, et seq., provide for civil penalties and other remedies against these Internet café operations for unlawful business practices and false advertising. Penal Code section 335a states, “Any and all money seized in or in connection with such machine or device shall, immediately after such a machine or device has been so destroyed, be paid into the treasury of the city or county.” The operator may sue for recovery of the devices within 30 days after issuance of the notice of intended destruction under Penal Code section 335a.

Assistance:

The Bureau will assist California law enforcement agencies working toward prosecution or pursuing civil or administrative actions in connection with Internet café gambling operations. Assistance may encompass advice, Bureau personnel and equipment, search and arrest warrant examples, and other experienced assistance with enforcement operations. The local law enforcement agency will retain the lead role and be responsible for evidence retention, seizure of funds, and prosecution, or civil or administrative action against the establishment.

This advisory is for informational purposes only and is not intended to be legal advice.

For more information regarding this advisory, contact the California Department of Justice, Bureau of Gambling Control at (916)227-3584



March 18, 2013

[Business Owner Name/Address]
[Property Owner Name/Address]

VIA CERTIFIED MAIL AND PERSONAL DELIVERY

Re: Second ORDER to Cease and Desist

Dear [Business Owner Name/Property Owner Name]:

In a letter dated February 8, 2013 you were ordered to cease and desist operation of promotional sweepstakes which permits customers to play gambling-themed games on computers to win cash prizes at the business located at [Business Address]. Detectives from the Hayward Police Department have confirmed that the activity continues to occur at the location.

Operation of the sweepstakes located at [Business Address] Hayward, CA is a use that is not specifically permitted by the Hayward Zoning Ordinance. Pursuant to section 10-1.2710 of the Hayward Zoning Ordinance "[w]hen a use is not specifically listed in the sections devoted to "Uses Permitted," it shall be assumed that such uses are prohibited. Maintenance or operation of a prohibited use is a public nuisance pursuant to Hayward Municipal Code section 10-1.2850.d.

On February 19, 2013 the Hayward City Council adopted an interim urgency ordinance pursuant to Government Code Section 65858. The relevant provisions of the ordinance are as follows:

- (1) Imposition of a 45-day moratorium on the issuance of all City approvals, including business licenses, use permits, variances, sign permits, building permits and zoning text amendments for establishment or operation of Computer Gaming and Internet Access Businesses within the City of Hayward;
- (2) Defining "Computer Gaming and Internet Access Business" as an establishment that provides one or more computers or other electronic devices for access to the World Wide Web, Internet, e-mail, video games or computer software programs that operate alone or are networked (via LAN, WAN, wireless access, or otherwise) or that function as a client/server program, and which seeks compensation or reimbursement, in any form, from users. "Computer Gaming and Internet Access Business" shall also be synonymous with a personal computer ("PC") cafe, Internet cafe, cyber cafe, sweepstakes gaming facilities, business center, Internet sales business and Internet center with Internet sweepstakes-type games;

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Tel: 510/583-4450 • Fax: 510/583-3660 • TDD: 510/247-3340

- (3) Prohibiting maintenance and operation of any Computer Gaming and Internet Access Business in all areas and zoning districts in the City;
- (4) Declaring that maintenance and operation of any Computer Gaming and Internet Access Business within the City is a violation of the Zoning Ordinance and a public nuisance enforceable by administrative citations, criminal penalties, and civil injunction.

Operation of the sweepstakes located at **[Business Address]** falls within the definition of "Computer Gaming and Internet Access Business" and is not permitted pursuant to the moratorium. Operation of the sweepstakes is a public nuisance under local law and a violation of state gambling laws.

This is the SECOND NOTICE in which YOU ARE HEREBY ORDERED to immediately CEASE and DESIST operation of the sweepstakes at the location. If this office does not receive an affirmative response from you within 72 hours indicating that you have fully complied with this Order, the City will take any and all legal actions necessary to enforce your compliance with the law including, but not limited to, a civil action for injunctive relief and abatement of a public nuisance pursuant to Penal Code section 11225, Code of Civil Procedure section 731 and relevant provisions of the Hayward Municipal Code.

Upon finding that a public nuisance exists at the location the court may impose the following sanctions: an injunction against the person conducting or maintaining the nuisance; an injunction against the owner, lessee, or agent of the building or place, in or upon which the nuisance exists from directly or indirectly maintaining or permitting it; statutory civil penalties up to \$25,000 against any and all defendants; seizure and sale of all equipment used to aid, abet, or maintain the nuisance; and closure of the location for up to one year. Additionally, the City will petition the court for recovery of investigative costs, costs of suit and attorney's fees.

The City will also assist with any investigation and prosecution by federal and state authorities for any violations of federal or state law arising from the conduct at this location. If you have any questions regarding this matter, you may contact me by telephone at (510) 583-4450.

Very truly yours,

MICHAEL S. LAWSON, City Attorney