

# **CITY COUNCIL MEETING**

**MARCH 22, 2022**

**PRESENTATIONS**

**LEGISLATIVE BUSINESS**

**ITEM #9**

**LB 22-009**

**FIREWORKS BAN  
EDUCATION  
AND  
ENFORCEMENT**

# Fireworks Ban Education and Enforcement

City Council  
March 22, 2022





**Faye Maloney**  
Police Sergeant  
District Command



**Phil Nichols**  
Code Enforcement  
Manager



**Eric Vollmer**  
Deputy Fire Chief  
Special Operations

## Staff Taskforce

# Background: Existing Fireworks Education and Enforcement

- Increased HPD and Fire staffing during and around July 4<sup>th</sup>
- Targeted operations to seize fireworks
- Community outreach and education:
  - Social Media
  - Public services announcements
  - Electronic street signs
  - Concentrated outreach efforts in impacted neighborhoods

# Background: Primary Enforcement Challenges

- Crowds create unsafe conditions for Police Officers to issue citations
- Officers must witness a person actually lighting a firework to issue an individual/criminal citation
- Regionally, the supply and access to illegal fireworks is high, which is impacting cities throughout the Bay Area

## Background: Council Feedback at July Work Session

- Wanted more clarity on what happens with community complaints and calls
- Did not want to use criminal citations as the primary enforcement tool
- Instead, Council would rather see noncriminal citations like nuisance citations
- A majority of Council members did not support hosting a sanctioned area for safe and sane fireworks or hosting a City-sponsored fireworks display

# Approach to Recommended Changes

- Focus on key property owners in high-incidence areas
- Use existing enforcement processes to streamline without creating overlap
- Start with education and ramp up enforcement as we near July
- Allow for multiple ways for community members to provide feedback
- Create an inter-departmental task force that leads enforcement and monitors progress



# Proposed Enhanced Enforcement: Citations for Property Violations

1. An appointed officer of the City witnesses a fireworks violation on a private property
2. The appointed officer fills out a case report and sends it to the Code Enforcement Division
3. Code Enforcement issues a citation notice to the property owner
4. The fee is \$1,200 for the first citation, \$3,000 for the second citation, and \$5,000 for the third
5. The property owner can contest the citation through a hearing

# Community Complaints/ Referrals

Can file a **report through an online form** with Code Enforcement

- Cannot be anonymous and they may need to testify if the property owner contests the citation.

Can file an **anonymous complaint** through Access Hayward

- These complaints are sent to HPD's Crime Prevention Specialists, who will follow up with warning letters to the properties

Staff will proactively do **targeted enforcement operations** in areas with historically high amounts of fireworks.

# Communications Work Plan

## April

- Press release
- Social media posts
- Curtesy notices to all properties
- Include in water bill

## May

- Follow up letters to targeted addresses
- Post electronic signs
- Begin targeted enforcement

## June/July

- Continue targeted enforcement

# Ordinance Updates

## Chapter 4, Article 15

- Chapter 4 is on Public Welfare, Morals, and Conduct.
- Article 15 is the Social Nuisance Ordinance.
- Text changes specifically include fireworks as a noise nuisance and as a criminal activity that threatens the life, health, safety, or welfare of the residents of the property, neighbors, or the public

# Ordinance Updates

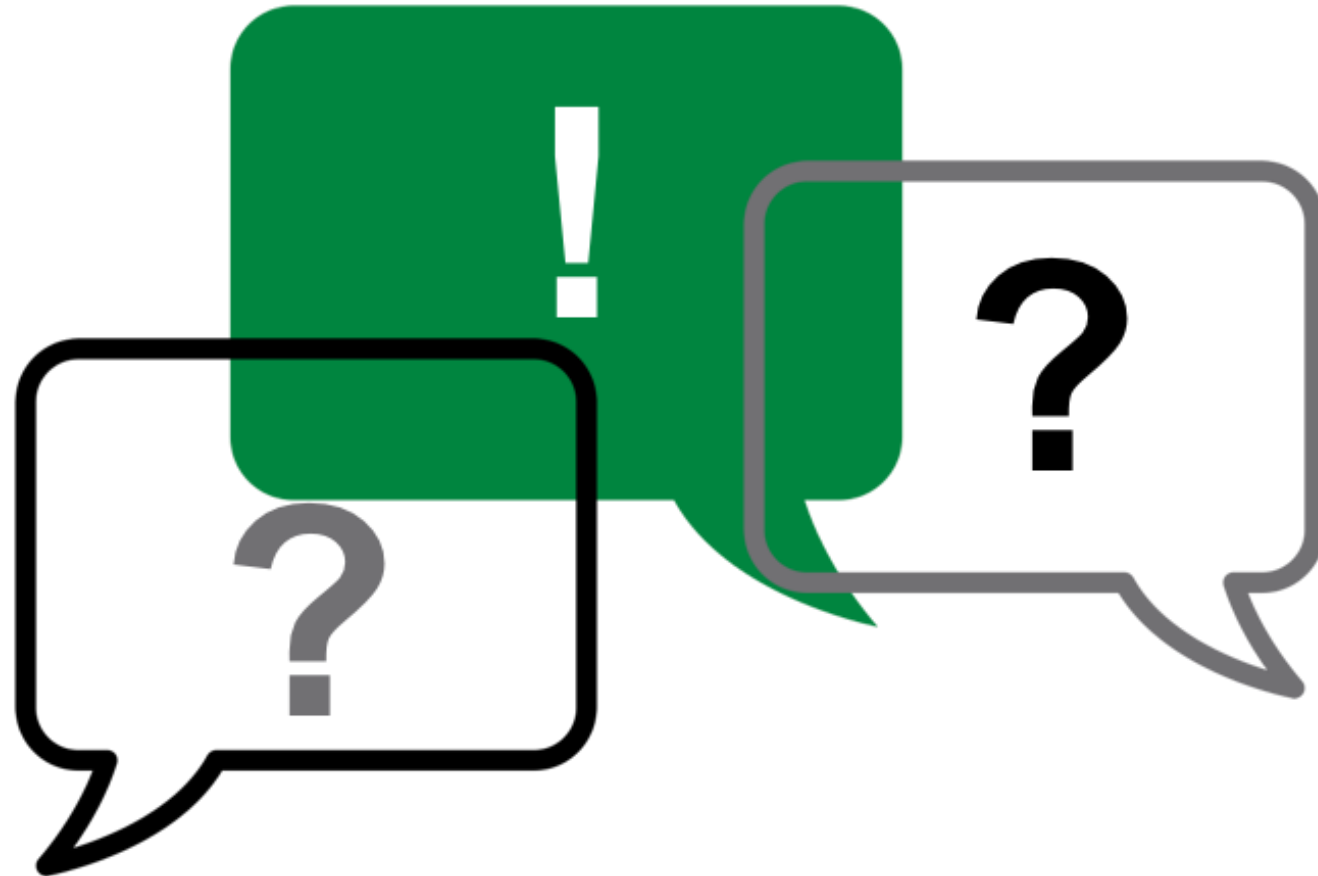
## Chapter 3, Article 3

- Chapter 3 is on Public Safety
- Article 3 is on Explosives, Firearms, and Fireworks
- Text changes explicitly holds property owners and social hosts accountable for fireworks on their property.
- Also holds them accountable for fireworks within 100 feet of a residence that is tied back to their property, such as a through a party they are hosting

## Next Steps

- Staff recommends that Council introduce the two ordinances tonight and provide feedback on the work plan
- If introduced, the ordinances will be brought back for adoption on April 5
- Ordinances effective 30 days after adoption

1. Council Questions
2. Public Comment
3. Council Discussion and Motion



# **LEGISLATIVE BUSINESS**

**ITEM #10**

**LB 22-008**

**GENERAL PLAN  
PROGRESS  
REPORT**



# Hayward 2040 General Plan

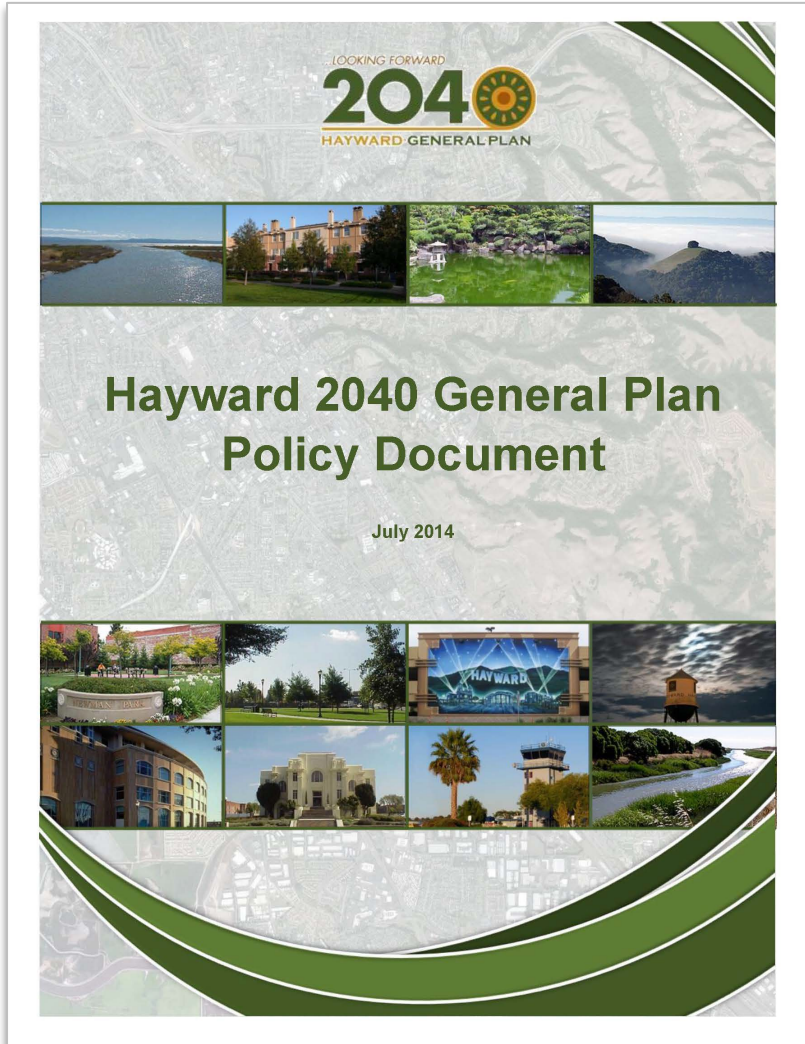
## Annual Progress Report

City Council  
March 22, 2022

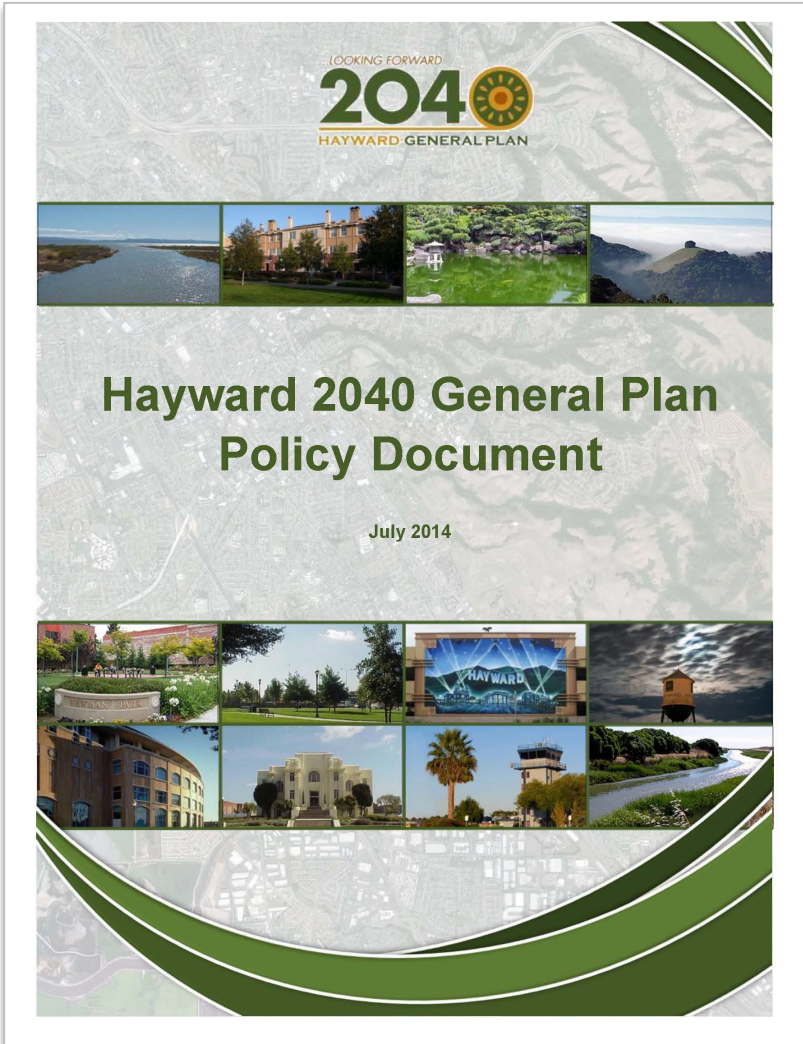


# Background

- California Government Code requires the City to annually review the General Plan to reflect progress on Plan implementation.
- An annual report should be prepared for review and approval by the Council and forwarded to the State Office of Planning and Research and the State Housing and Community Development office.
- This General Plan Annual Progress Report was prepared by the Development Services Department - Planning Division with input from various City Departments, including Public Works and Utilities, Fire, Police, Library Services, Maintenance Services, and the City Manager's Office.
- The report is intended to provide information on the measurable outcomes and actions associated with the implementation of all the General Plan elements.
- On February 24th, 2022, a progress report was presented as an informational item to the Planning Commission.



# Hayward 2040 General Plan



**The Hayward General Plan is a long-range comprehensive plan that controls and regulates land uses and development in the City through 2040. The General Plan was adopted in July of 2014.**

- Establishes a community-based vision for the future of Hayward.
- Composed of goals, policies, and implementation programs to achieve that vision.
- It involved a twenty-two month outreach and adoption process.
- The individual elements of this General Plan (Land Use, Mobility, Economic Development, Community Safety, Natural Resources, Hazards, Education, Community Health, Facilities/Services, and Housing) contain policies and programs that will guide future development in the City.

# General Plan Program Priorities

## Timelines of Program Implementation

<b><u>Short &amp; Near Term</u></b>	<b>107 Programs</b>	<b>2014-2019</b>
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59 Annual/Ongoing  
48 One Time

<b><u>Long Term</u></b>	<b>36 Programs</b>	<b>2020-2040</b>
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31 One Time  
5 Annual/Ongoing

# One Time Program VS. Annual/On-Going Program

## One Time Program

- Downtown Specific Plan
- Traffic Impact Fee
- Bicycle/Pedestrian Master Plan
- Complete Streets Assessment
- Crime Prevention Through Environmental Design Checklist
- Town-Gown Economic Partnership

## Annual/On-Going Program

- General Plan Annual Reporting
- Economic Development Strategic Plan Annual Report
- Grant Funding
- Capital Improvement Program (CIP)
- Town-Gown Economic Strategic Plan and Annual Report

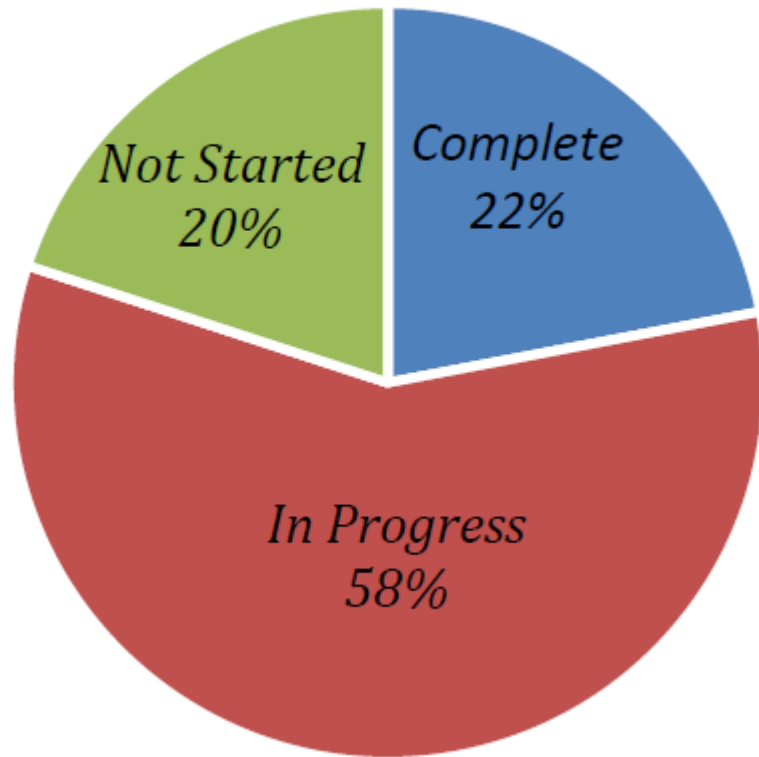
# Implementation Program Status

## Status of General Plan Implementation Programs

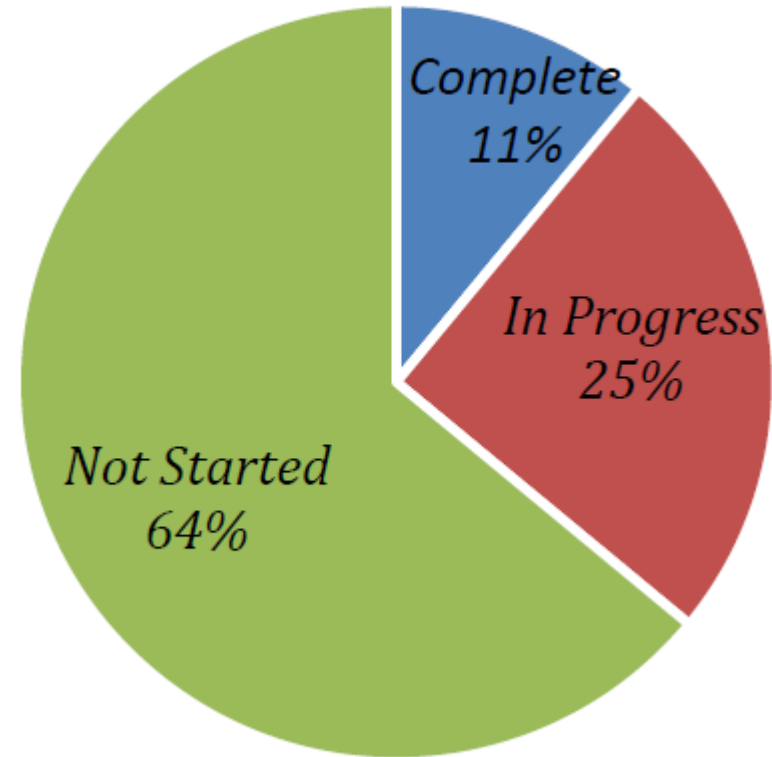
<i>Timeframe</i>	<i>Complete</i>		<i>In Progress</i>		<i>Not Started</i>		<i>Total</i>
	#	%	#	%	#	%	
2014 – 2019	19	40%	13	27%	16	33%	48
Ongoing/annual, initiated in 2014 - 2019	5	8%	49	83%	5	8%	59
<b><i>Subtotal 2014 – 2019</i></b>	<b>24</b>	<b>22%</b>	<b>62</b>	<b>58%</b>	<b>21</b>	<b>20%</b>	<b>107</b>
2020 – 2040	2	6%	7	23%	22	71%	31
Ongoing/annual, initiated in 2020 - 2040	2	40%	2	40%	1	20%	5
<b><i>Subtotal 2020 – 2040</i></b>	<b>4</b>	<b>11%</b>	<b>9</b>	<b>25%</b>	<b>23</b>	<b>64%</b>	<b>36</b>
<b>Total</b>	<b>28</b>	<b>20%</b>	<b>71</b>	<b>50%</b>	<b>44</b>	<b>31%</b>	<b>143</b>

# Implementation Program Status

2014-2019 Timeframe



2020-2040 Timeframe



# Completed Programs

Twenty four programs identified for the 2014-2019 timeframe have been completed, some of which include:

- LU-4, Downtown City Center Specific Plan
- LU-11, Industrial Technology and Innovation Corridor Plan
- M-1 & M-2, Multimodal LOS and Design Standards & Multimodal LOS Guidelines
- M-11, Pedestrian Master Plan
- M-21, Downtown Parking Management Plan
- ED-2 Branding and Marketing Program
- ED-3 Energy and Sustainability Businesses Program
- CS-3, Crime Prevention Through Environmental Design Checklist
- NR-4, Water Conservation Standards
- EDL-1 Education and Lifelong Learning Resource Center
- EDL-7, Library Facility Revenue Measure
- HQL-8, Park Dedication Requirements and In-Lieu Fees
- PFS-5, Construction and Demolition Debris Recycling Program



## HAYWARD DOWNTOWN SPECIFIC PLAN

City of Hayward, California  
Revised Public Hearing Draft | March 2019



# Programs In-Progress

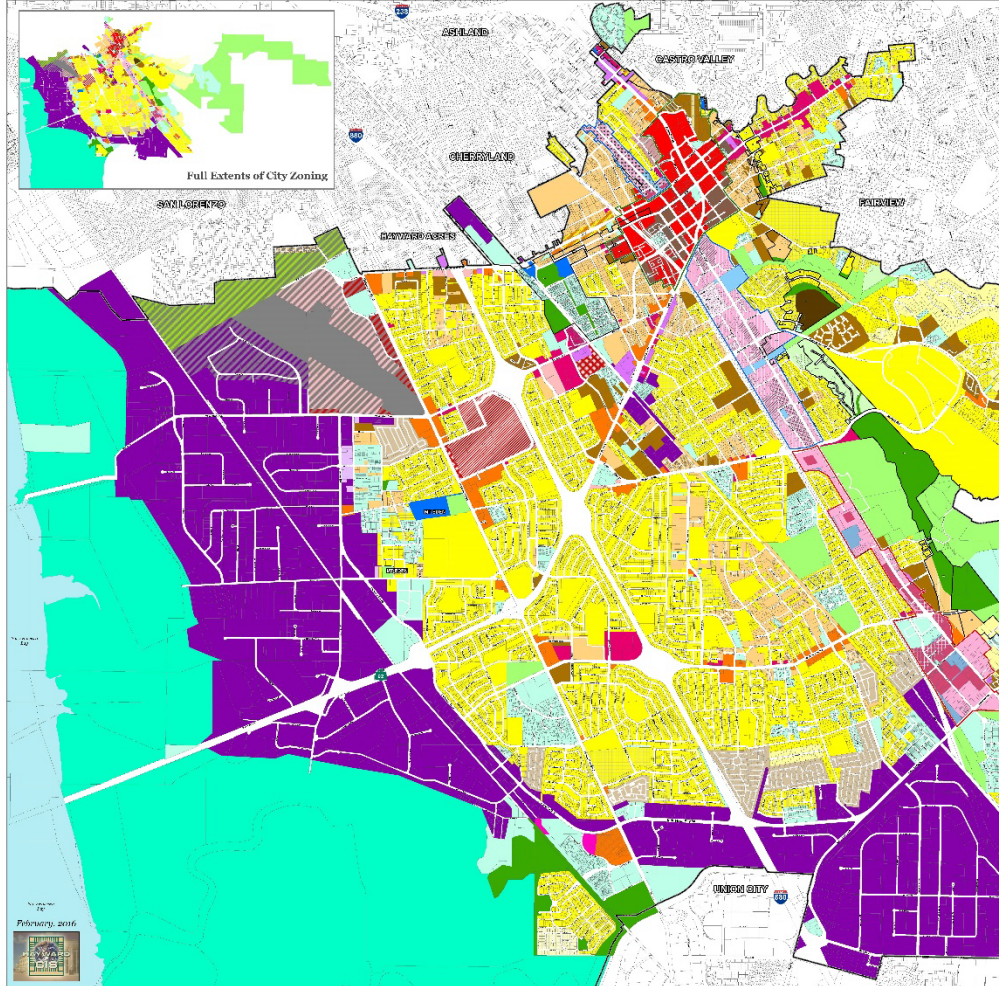


**Sixty-two programs identified for the 2014-2019 timeframe are currently in progress. Some of these include:**

- Homeless Services Partnership program
- Transportation Impact Fee program
- City's permitting and building permit processing software
- Fire Department Strategic Plan
- Improvement of traffic flow program

# Programs Not Yet Started

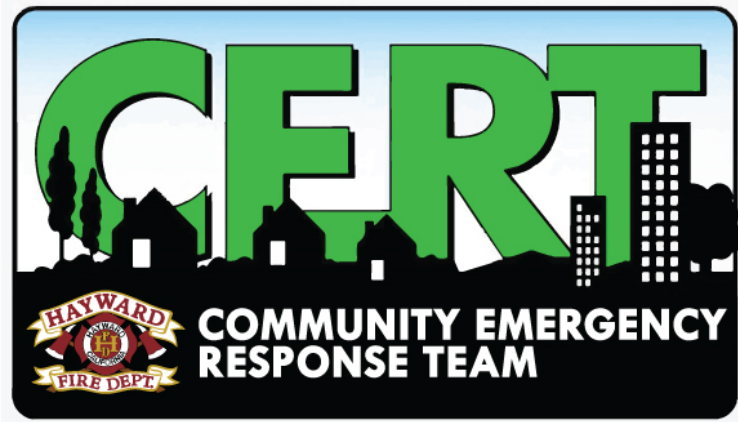
City of Hayward Zoning



Some programs identified for the 2014-2019 timeframe have not been initiated due to limited staff/fiscal resources and/or competing City priorities, including:

- Comprehensive updates to Zoning Ordinance, Subdivision Ordinance, Design Guidelines, and Off-Street Parking Regulations
- Comprehensive update to the Floodplain Management Ordinance
- Urban Forest Management Plan
- Public Use Telecommunications Systems and Services Plan
- Complete Neighborhood Strategy
- Updates to Grading Ordinance

# Reprioritized Programs



Several programs identified for the 2020-2040 timeframe have been initiated ahead of schedule.

- Complete Streets Study
- Neighborhood Traffic Calming Policy
- Community Emergency Response Team program
- Recycled water program
- Local Hazard Mitigation Plan
- Shoreline Master Plan
- Traffic Calming Measures



# Upcoming Priorities in 2022 & Beyond

Some of the programs identified as priorities and/or are currently in progress for 2022 include:

- General Plan Update – Housing Element
- Complete Neighborhood Strategy
- Historic Preservation Resource Center
- Transportation Impact Fees
- Economic Development Strategic Plan Annual Report
- Industrial Technology and Innovation Corridor Marketing Strategy
- Permit Processing Software
- Cultural Commission
- Homeless Services Partnership
- Climate Change Vulnerability Assessment Strategy and Annual Report
- Strategic Plan Annual Report – Police and Fire Departments

# Comments from the Planning Commission

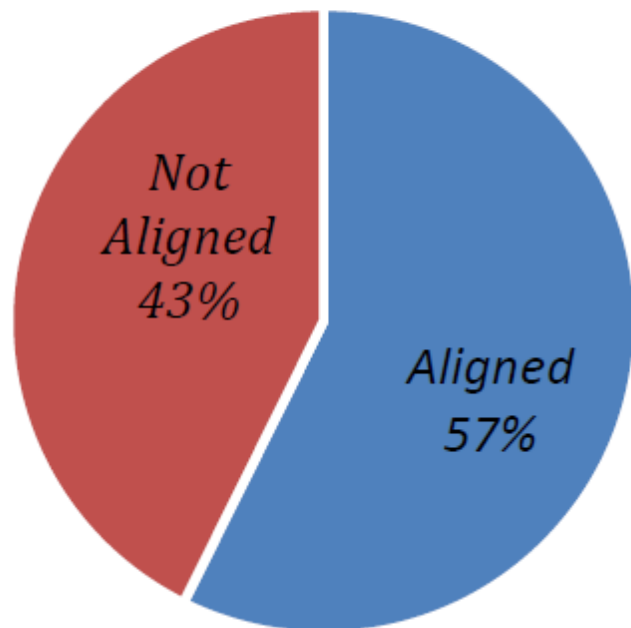
Commissioners provided comments and considerations to highlight some of the specific General Plan programs, listed here:

- Continue working on the Objective Design Standards and consider the possibility of creating a resident-based Design Review Committee.
- Prioritize programs that address housing, homelessness, transit and public transportation, and cultural and special events.
- Concentrate on programs that help understand how residents use public transportation and decrease car dependency, such as M-3 (Survey Transportation and Transit Gaps and Barriers); M-4 (Regional Connection Improvements), and M-14 (Transit Rider Information Study).
- Continue implementing the M-6 Complete Streets Assessment at the neighborhood level.
- Consider using the City's tax code to fund Police and Fire programs, instead of Impact Fees due to their potential impact to development in the City.
- Continue developing the City's permit software and research ways to provide metrics on how the use of the software will increase efficiency in the permit process.
- Develop a Fair Chance Housing ordinance to lower barriers and end discrimination for people with convictions or other groups that have not had access to housing units in the past.

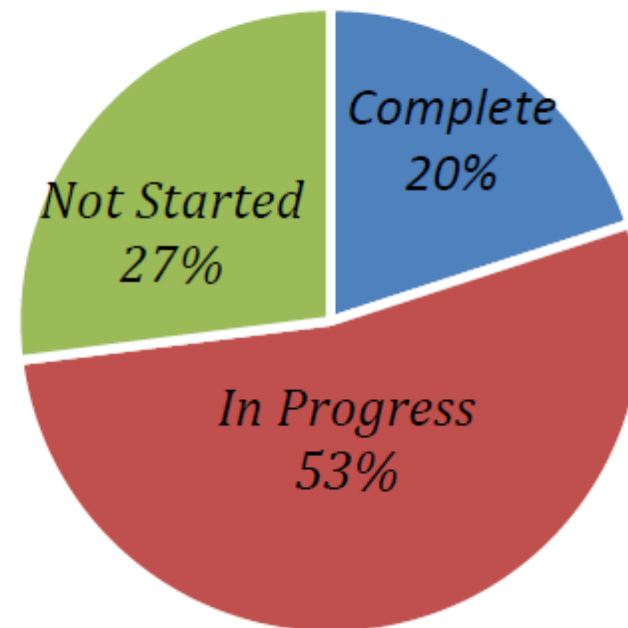
# Programs Aligned with Strategic Roadmap Projects

Following City Council feedback from the report received in 2021, staff reviewed the complete list of GP programs and identified those that are also included in the City's Strategic Roadmap.

GP programs aligned with SRM projects



Status of SRM-aligned GP programs



# Programs Aligned with Strategic Roadmap Projects

Some of the programs in the General Plan identified in the City Council's Strategic Roadmap (SRM) include:

- **City's Housing Element Update**  
GPA-2: General Plan Update; SRM Project: Preserve, Protect and Produce Housing for All (9)
- **Branding and Marketing Program**  
GP Program ED-2; SRM Project: Grow the Economy (1, 1a, 1b, 14, 14a, 14b)
- **Concierge Program To Recruit Clean Energy and Technologies**  
GP Program ED-3, Energy and Sustainability Business Program; SRM Projects: Combat Climate Change (1, 1c, 4, 5, 5a, 5b)
- **Community Emergency Response Team (CERT) program**  
GP Program CS-12: Community Emergency Response Reserves Program; SRM Project: Support Quality of Life (16)
- **Foreclosure Prevention Program**  
GP Program H-5: Foreclosure Prevention and Counseling; SRM Project: Preserve, Protect and Produce Housing for All (11)
- **Density Bonus Ordinance Update**  
GP Program H-9: Density Bonus; SRM Projects: Preserve, Protect and Produce Housing for All (4, 4b, 4f)

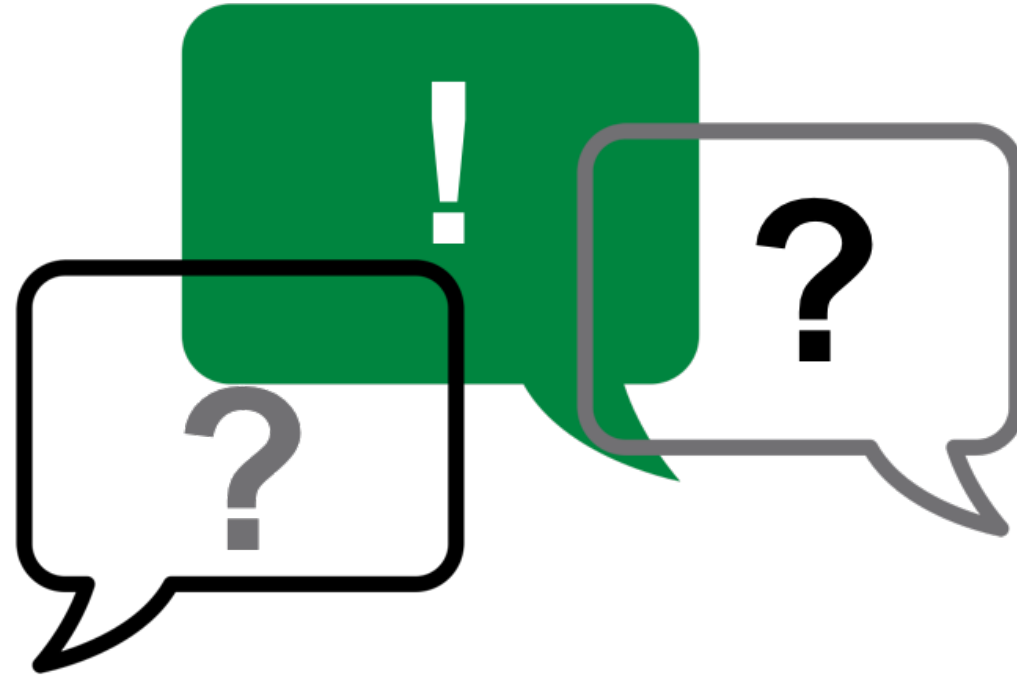
# Next Steps

- Council to accept report but no other formal action needed
- Once accepted, staff will forward Annual Progress Report to State's Department OPR, which will satisfy the City's reporting requirements.
- Over the coming months, staff will be working to update the status of implementation programs on the Hayward e-plan on the City's website based on information provided in this report.
- On an annual basis, Development Services staff will continue to provide an update to the City Council on General Plan implementation progress.
- Over the next few years, staff from various departments will continue to take the lead on the various programs, helping to implement the General Plan's goals and policies.





# Questions



# **LEGISLATIVE BUSINESS**

**ITEM #11**

**LB 22-010**

**SALARY PLAN  
AMENDMENT  
FY 22**

# **Adopt a Resolution Approving an Amendment to the City of Hayward Salary Plan for FY 2022**

**1 Presenter: Jana Sangy, Director of Human Resources**

# Amendments to the City of Hayward Salary Plan for FY22

## Cost-of-Living-Adjustments

BARGAINING GROUP	PERCENTAGE INCREASE	FISCAL IMPACT
SEIU	Increase <b>2%</b>	<b>Total Fiscal Impact: \$424,516</b> \$229,238 from the General Fund \$195,278 from all other funds

## New Classifications

CLASSIFICATION	FISCAL IMPACT
Water Pollution Source Control Inspector I	No additional fiscal impact. This addition would result in a savings of \$12,544 to the Enterprise Funds.

## Salary Adjustments

CLASSIFICATION	SALARY ADJUSTMENT	FISCAL IMPACT
Human Resources Administrative Assistant	Increase <b>2%</b>	<b>Total Fiscal Impact: \$2,815</b> \$1,407 from the General Fund \$1,407 from Workers' Comp Fund
Landscape Maintenance Supervisor	Increase <b>2.16%</b>	<b>Total Fiscal Impact: \$3,735</b> \$3,175 from the General Fund \$560 from Workers' Comp Fund
Streets Maintenance Supervisor	Increase <b>2.16%</b>	\$3,659 from the General Fund

# Amendments to the City of Hayward Salary Plan for FY22

## Salary Adjustments (cont.)

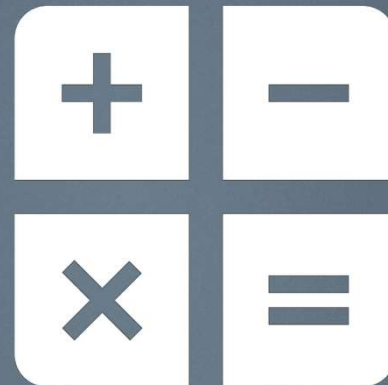
CLASSIFICATION	SALARY ADJUSTMENT	FISCAL IMPACT
Senior Maintenance Leader	Increase of <b>0.01%</b>	<b>Total Fiscal Impact: \$16</b> \$14 from the General Fund \$2 from the Stormwater Fund
WPCF Operator	Increase <b>4.79%</b>	\$34,271 from the Wastewater Fund
WPCF Lead Operator	Increase <b>0.24%</b>	\$2,416 from the Wastewater Fund
Administrative Supervisor	Increase <b>1.07%</b>	<b>Total Fiscal Impact: \$4,657</b> \$2,628 from the General Fund \$2,029 from all other funds
Supervising Permit Technician	Increase <b>1.07%</b>	\$1,544 from the General Fund
City Clerk	Increase <b>6%</b>	No additional fiscal impact.
City Attorney	Increase <b>3.50%</b>	No additional fiscal impact.
Executive Assistant	Increase <b>5.82%</b>	\$15,660 from the General Fund

# **PUBLIC HEARING**

**ITEM #12**

**PH 22-017**

**MASTER FEE  
SCHEDULE**



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# FY 2023 Master Fee / Fine and Bail Schedule

# Fee Compliance



- ▶ All fees have been reviewed to ensure compliance with:
  - ▶ Prop 26
  - ▶ Prop 218



# FY 2023 Changes



- ▶ A portion of the changes included in the master fee schedule for adoption have been previously approved by resolution (Airport, Park & Affordable Impact Housing Fees)
- ▶ No changes at this time to the City's Fine & Bail Schedule

# Notable Changes

## **Proposed New Section-Loan Servicing**

- ▶ General Loan Servicing
- ▶ Homeownership Loan Programs
- ▶ Below Market Rate Program Fees
- ▶ Affordable Rental Housing

# Questions & Approval

