

**CITY COUNCIL MEETING
TUESDAY, JUNE 19, 2018**

**DOCUMENTS RECEIVED
AFTER PUBLISHED AGENDA**

ITEM #10

**HAZARDOUS MATERIAL TESTING
REPORTS FOR ROUTE 238 BYPASS
PROPERTY PROJECT - AUTHORIZATION
TO ESTABLISH A PROFESSIONAL
SERVICES AGREEMENT WITH
ENVIRONOVA, LLC.; AND
APPROPRIATION
OF FUNDS**

SHERMAN LEWIS EMAIL

-----Original Message-----

From: Sherman Lewis [mailto:]

Sent: Saturday, June 16, 2018 5:30 PM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>; John Stefanski
<John.Stefanski@hayward-ca.gov>; Patrick O'Keeffe <>

Subject: Agreement with Management Partners for Route 238 Property Development

Attached is an update of my key data on the parcel groups.

Based on email from Mr. O'Keeffe, I understand the RFP for the quarry will not come out until Dec. or Jan.

--

Sherman Lewis

Academic Senator for Emeriti

Professor Emeritus, CSU Hayward President,

Hayward Area Planning Association

City Caltrans land deal							
Purchase options conveyed to City of Hayward, parcel groups	Parcel Groups	City acres	CTC Acres	Acres Open Space	Appraisals	Director's Deeds (DD)	Post mile
Industrial to Dixon to Mission, East of Mission North of Valle Vista	1						
= Lyon SoHay project, Mission to Industrial area*	10						
	sold	18.410	21.70		\$18,012,000	Source 3 below	04--ALA-238-9.8-10.0x
Mission to Tennyson, back lot, under negotiation	2	8.70	8.751	0.00	\$4,575,000	032732-01-01	04--ALA-238-10.2x
Tennyson to Calhoun	3 RFP out	25.69	28.48	13.28	\$2,300,000	030989-01-01	04--ALA-238-10.5x
Calhoun to Harder above cemetery	4 RFP out	78.61	79.46	78.61	\$1,533,200	031035-01-02	04--ALA-238-10.8x-11.7x
Bunker Hill Blvd. Bunker Hill Court, Maitland Drive, Central Blvd.	5 tenants	37.22	37.38	1.70	\$7,500,000	031029-01-01 031035-01-03	04--ALA-238-11.7x-12.2x
Old quarry on Overlook Ave.	6	29.42	29.804	5.28	\$18,180,000	033529-01-01	04--ALA-238-8.2x
Sloped hillside parcel bounded by Mission Blvd. and Carlos Bee Blvd.	7 tenants	9.75	9.799	0.00	\$5,421,000	033325-01-01	04--ALA-238-8.1x
Water tank to Grove Way above Foothill, county 13.26 ac	8	18.86	19.8158	7.25	\$11,170,000	031033-01-01	04--ALA-238-14.2x-14.4x
near Highway 238 bounded by 238 on-ramp and Oak Street	9 tenants	4.26	4.53	1.59	\$4,070,000	023918-01-01	04--ALA-580-30.4-30.7
		230.92	239.72		\$72,761,200		
Sources:							
1. City map, parcel group #s, and acres: January 12, 2016, City Manger Fran David to City Council on Draft Purchase and Sale Agreement with the California Department of Transportation for the City of Hayward to Acquire Excess Property in the 238 Bypass Corridor. Map acres: Attachment II maps.pdf dated May 7 2016. Page numbers of Att. II used are used as parcel group numbers.							
2. CTC: Sale agreement of January 20, 2016 Tab_52_2.4c. City Caltrans land deal Tab_52_2.4c no prices. Maps at pp. 23ff Exhibit-A, Numbering combines SoHay 1 and2 into 1 only, mis-numbers the rest.							
3. Parcel groups 1 and 2: CTC, May 17, 2017, Ref. No. 2.4d, item 6 Lyon SoHay project, Conveyance to Hayward, Direct sale. Pursuant to Purchase and Sale Agreement dated January 20, 2016 and CTC approval on January 21, 2016. DD- 031031-01-01, DD 032588-01-02, DD-032589-01-01, DD-039107-01-01, DD-039111-01-01, DD-039117-01-01, DD-039383-01-01. \$18,012,000.							
4. CTC: Oct. 18, 2017, TAB 76, Ref. No. 2.4d.(2) Conveyance of Excess State Owned Real Property to City of Hayward. Parcel Groups 3 to 10 acres and appraisals							
Source: City map and parcel group #s: 2017 Nov 14 City contract w Design Workshop for Master Plan Attachment III Property Map.pdf							
In May 2018 Parcel Group 2 was in negotiation between the City and True Life Homes, owner of adjacent land seeking devleopment.							

PUBLIC COMMENT

JENNA CARLSSON



Koshland Opportunity Scholarship Fact Sheet

Scholarships for Technical Certification Programs for South Hayward Residents

Applications due July 2, 2018!

Information on The Koshland Opportunity Scholarship:

- The Koshland Opportunity Scholarship is piloting a scholarship program for the academic year 2018- 2019. This year's pilot program will inform future funding cycles.
- 20 scholarships of up to \$3000 are available to cover tuition and registration fees.
- Stipends under \$600 will be considered for additional program expenses (equipment, uniforms, books, transportation, etc.)
- Applicants will be selected via Holistic Review, which allows reviewers to prioritize primary focus considerations below while evaluating the entire application pool.

Scholarship Eligibility Criteria

Applicants to this scholarship must meet four eligibility requirements:

1. **PROGRAM TYPE:** Applicants must plan to enroll in a technical certification program (Technology, Green Energy, Skilled Trades or Health Care) beginning Fall 2018.
2. **INSTITUTION:** Applicant's program of choice must be a Hayward public accredited educational institution (Chabot College, California State University East Bay Continuing Education Program, Eden Area ROP, The Hayward Adult School).
3. **SOUTH HAYWARD RESIDENT:** Applicants must live in South Hayward. Preference given for residents of Jackson Triangle/ Harder Tennyson neighborhoods (defined as zip code 94544, or recent students of Hayward High or Tennyson High.)
4. **DEMONSTRATED FINANCIAL NEED:** Applicant must demonstrate financial need and current or past barriers to realizing a certification program.

Relevant Certificate Programs from our Partner Institutions:

<p>CSU East Bay Continuing Education</p> <p>Online Programs</p> <ul style="list-style-type: none"> ● Certificate in Pharmacy Technician ● Certificate in Medical Terminology ● Certificate in Pharmacy Technician ● Certificate in Freight Broker/Agent Training ● Certificate in Veterinary Assistant <p>Programs Given at 1000 Broadway in Oakland:</p> <ul style="list-style-type: none"> ● Certificate in Construction Management ● Certificate in EKG Technician ● Certificate in Medical Billing and Coding <p>Contact Information:</p> <ul style="list-style-type: none"> ● www.ce.csueastbay.edu ● Dianna Wheaton: (510) 885-2305 or dianna.wheaton@csueastbay.edu (for Pharmacy Technician Certificate) ● Jonathan Cooper: (510) 885-2321 or jonathan.cooper@csueastbay.edu (for all other certificate programs) 	<p>Chabot College: Certificates of Achievement</p> <ul style="list-style-type: none"> ● Accounting Technician ● Administrative Assistant ● Advanced Manufacturing Technology ● Architecture Technology ● Automotive Chassis Technology ● Automotive Maintenance Technology ● Welding Certificate of Proficiency ● Tool Maker ● Software Specialist ● Medical Assisting ● Machinist ● Industrial Electronic Technology ● Hybrid and Alternative Fuel Vehicles ● Health Management ● Fire Technology ● Consumer Technology ● Automotive Engine Performance ● Automotive Drive Train <p>Contact Information:</p> <ul style="list-style-type: none"> ● www.chabotcollege.edu ● Yvonne Craig, Director of Grants, ywu-craig@chabotcollege.edu, 510-723-6810
<p>Eden Area ROP</p> <ul style="list-style-type: none"> ● Dental Assisting (and Registered DA) ● Electrical Training ● Medical Assisting ● Welding Technology <p>Contact Information:</p> <ul style="list-style-type: none"> ● www.edenropadultprograms.org ● Craig Lang clang@edenrop.org, (510) 293-2910 	<p>Hayward Adult School</p> <ul style="list-style-type: none"> ● Computer Repair (\$45/semester) ● Optometric Assistant (Free) <p>Contact Information:</p> <ul style="list-style-type: none"> ● www.has.edu ● (510) 293-8595 ● contact@has.edu

How to Apply and Get More Information:

- Download an application at www.jthtkoshland.org. **Applications are due July 2, 2018.**
- For questions on the scholarship program, visit www.jthtkoshland.org or contact the Jackson Triangle Harder Tennyson Koshland Fellows at jthtkoshlandfellows@gmail.com or (415) 733-8564.



JTHT Opportunity Scholarship 2018

Jackson Triangle Harder / Tennyson Koshland Fellows

Technology

Green Energy

Skilled Trades

Health Care

The Jackson Triangle Harder / Tennyson (JTHT) Koshland Fellows are pleased to announce a scholarship for residents of the JTHT community.

The goal of this scholarship fund is to uplift the JTHT community by giving residents access to job training and certification programs that result in livable wages and fulfilling careers. Scholarships are available for certification programs in these four industries.

How Did We Decide on This Project?

In 2014, The San Francisco Foundation selected twelve Koshland Fellows working in the Hayward community to lead a grassroots initiative with community members in the Jackson Triangle and Harder / Tennyson neighborhoods.

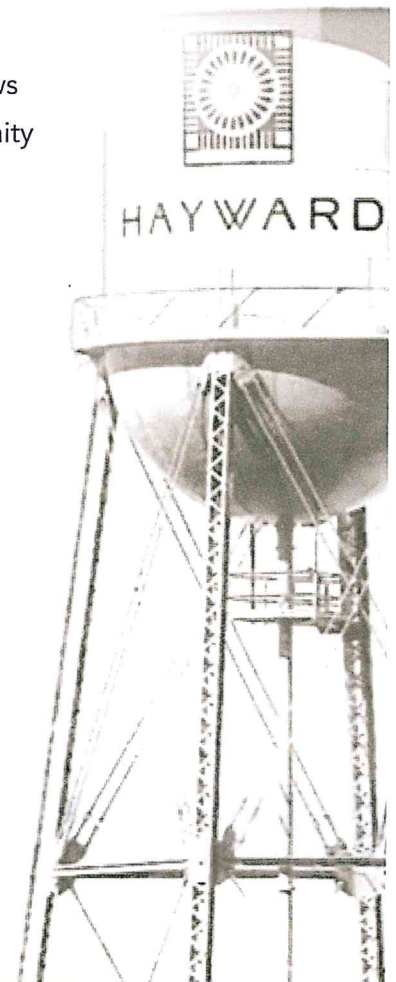
During the past three years, the JTHT Koshland Fellows:

- Engaged in professional development and **leadership training**
- Conducted **needs assessments** of the JTHT community
- Led **interviews** with Hayward businesses and community members
- Organized **focus groups** with students at Tennyson High School
- Conducted **research** on local workforce shortages and salaries
- Identified **career pathways development** as a priority action item

How Can You Help?

Do you know a resident of the JTHT neighborhood who might be interested in applying for a scholarship with us?

HELP US SPREAD THE WORD!



Who are the Koshland JTHT Fellows?

JASON ENRIQUE ARENAS

Family & Community Engagement Specialist,
Alameda County Office of Education

SONNYE BROTHERTON

Parent Volunteer and Hayward Resident

EMILY CHOW

Hayward Resident

LUIS COVARRUBIAS

English Learner Program Specialist,
Hayward Unified School District

CARLA DARDON

PATRICIA GARCIA

CAFÉ Parent Program Coordinator and Health
Promoter, Tiburcio Vasquez, Inc.

GABRIEL HERNANDEZ

Soccer Coach and Community Organizer

TERESA JOHNSON

Parent Advocate

SANDRA MORALES

Parent and Community Liason, HUSD and
Health Promoter, Tiburcio Vasquez, Inc.

JASMINE NAKAGAWA-WONG

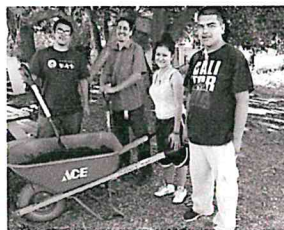
Program Manager,
FACES for the Future Coalition

SANDRA NAVARRO

Social Studies Teacher,
Tennyson High School

DENIZE SANCHEZ

Parent Ambassador Partnership Coordinator,
La Familia Counseling Service



Questions? Contact Us

jthtkoshlandfellows@gmail.com | (415) 733-8564
www.jthtkoshland.org



The Jackson Triangle Harder Tennyson Koshland Opportunity Scholarship 2018

The Opportunity Scholarship is a project of The San Francisco Foundation's JTHT Koshland Fellows. The goal of this scholarship fund is to uplift South Hayward's JTHT community by giving residents access to job training and certification programs that result in livable wages and fulfilling careers. Scholarships are available for certification programs in Technology, Green Energy, Skilled Trades, and Health Care.

ARE YOU ELIGIBLE?

You must meet the following 4 eligibility requirements in order to apply for this scholarship:

- PROGRAM:** I plan to enroll in a certification program in Technology, Green Energy, Skilled Trades or Health Care. (Please see the "Certification Programs" list for examples)
- JTHT PARTNER INSTITUTION:** The institution I wish to attend is an accredited nonprofit educational institution. Note: Preference will be given to applicants attending programs of Hayward's local public accredited educational institutions listed below:
- Chabot College CSU East Bay Eden Area ROP Hayward Adult School
- RESIDENCY:** I am a South Hayward resident. Note: Preference will be given for residents living in the Jackson Triangle Harder Tennyson neighborhood of Hayward, or recent students of Hayward High or Tennyson High. Please check below:
- Resident of 94544 Resident of South Hayward (not 94544)
- Attended Tennyson HS Attended Hayward HS Attended Mt. Eden HS
- FINANCIAL NEED:** I can demonstrate financial need.

Do you have an immediate family member who is a JTHT Koshland Fellow? Yes No

If Yes, please provide their name: _____

CERTIFICATION PROGRAMS (PARTIAL LIST)

The following are examples of certifications covered by the Opportunity Scholarship:

Medical Assistant	Electrician	Solar Energy
Dental Assisting	Welding/Metal Fabrication	Manufacturing
Veterinary Assistant	Industrial Maintenance	Computer Repair
Pharmacy Technician	Machine Technology	Digital Design
Phlebotomy	Automotive	Accounting
HVAC Technician	Warehouse Distribution	Information Technology



AMOUNT REQUESTED

Registration/Enrollment Fee:	
Course Tuition:	
Textbooks:	
Supplies:	
Uniform:	
Transportation:	
State Exam Fee:	
Childcare:	
Other (Please Specify Below):	
TOTAL AMOUNT REQUESTED:	

Have you applied for additional financial assistance outside of this scholarship? Yes No

If yes, please specify:

Please remember that your scholarship, if awarded, will be sent directly to the school/certification program you listed in the previous section. Withdrawal from a course may cause you to be ineligible for future scholarships from the JTHT Koshland Program.



SHORT ESSAY QUESTIONS

1) Why are you interested in this certification and career path? (500 character limit, spaces included)

2) What other degrees or certifications have you received? (500 character limit, spaces included)



3) We seek to fund applicants with barriers that have prevented them from achieving their career goals. Do any of the below special circumstances apply to you? (Please check all that apply.)

<input type="checkbox"/>	Re-entry into community	<input type="checkbox"/>	Working long hours while attending school
<input type="checkbox"/>	Immigrant / Immigration Status	<input type="checkbox"/>	Lack of transportation
<input type="checkbox"/>	Absence of a family member	<input type="checkbox"/>	Parenting/Caregiving duties
<input type="checkbox"/>	Lack of academic preparation (eg. test scores too low, no high school diploma, etc.)	<input type="checkbox"/>	Adult returning to school
<input type="checkbox"/>	Tuition too high	<input type="checkbox"/>	English language learner
<input type="checkbox"/>	Veteran	<input type="checkbox"/>	Lack of family support
<input type="checkbox"/>	Physical/Medical Disability	<input type="checkbox"/>	Lack of community resources
<input type="checkbox"/>	Learning Disability	<input type="checkbox"/>	Cultural/Ethnic/Racial barriers

4) Please expand on the most significant barrier you indicated above, or tell us more about what has prevented you from pursuing this career pathway before now. (500 character limit, spaces included)

I certify that this application is truthful to the best of my knowledge.

Signature: _____

Date: _____

PUBLIC COMMENT

KIM HUGGETT 1



STATE

of the



CITY

THE ANNUAL HAYWARD CHAMBER OF COMMERCE LUNCHEON
FEATURING HAYWARD MAYOR BARBARA HALLIDAY
& LEADERSHIP HAYWARD GRADUATION

FRIDAY, JUNE 29, 2018 NOON TO 1:30 PM

hosted by CHABOT COLLEGE

Located in the Cafeteria (Building 2300)

HAYWARD, CALIFORNIA

For Reservations, visit www.hayward.org

presented by:

Russell City Energy Center



CALIFORNIA STATE
UNIVERSITY
EAST BAY



St. Rose
HOSPITAL



Sutter Health
Eden Medical Center
We Plus You



BayAreaNewsGroup



KAISER
PERMANENTE.



BANK OF THE WEST



COMCAST



PUBLIC COMMENT

KIM HUGGETT 2

HAYWARD

3RD THURSDAY

STREET PARTIES



JUNE 21 * JULY 19 * AUGUST 16

5:30-8:30 PM * B STREET from FOOTHILL BLVD to WATKINS STREET

FREE FAMILY FUN * GREAT FOOD * ALAN THE AMAZING CLASSIC CAR SHOWS * BEER & WINE GARDENS LIVE MUSIC ON 5 STAGES

FEATURED ON THE BUFFALO BILL'S STAGE: RUCKATAN, ANDRE THIERRY FEATURED ON THE BISTRO STAGE: THE ROYAL DEUCES



JUNE: SHARK PUNCH



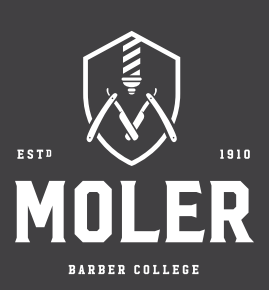
& West Coast Blues Society CARAVAN OF ALL-STARS



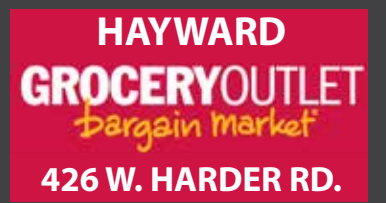
JULY: THIRD SOL



AUGUST: PATRON



FOR MORE INFORMATION: HAYWARD CHAMBER OF COMMERCE WWW.HAYWARD.ORG



PUBLIC COMMENT

CHARLIE PETERS

Electrify America to spend \$44 million on Sacramento-area electric vehicles

Department of Energy (Trump-Perry-VW) / SacBee / 14-Jun-18

The city of Sacramento on Wednesday announced a \$44 million investment by Electrify America to bring hundreds of electric vehicles to the city over the next year, an initiative officials hope will encourage sustainability, simplify transportation and ease traffic downtown.

Mayor Darrell Steinberg said the project is part of a reparations effort by Volkswagen, which owns Electrify America. After its diesel emissions scandal, the automaker agreed to pay more than \$20 billion in settlements, which included a deal with California to designate and invest in one "green city." Sacramento won the competition to become that city, Steinberg said, and the mayor says that success is part of a bigger goal of using more renewable vehicles beyond the city's borders.

"It's \$44 million of game-changing investment for our city and our region," Steinberg said. "Our goals are big and our vision is broad. We want to be the vision of alternative fuel technology in the entire state."

The project includes 260 electric vehicles from Gig Car Share, which will function like the burgeoning bike share industry; users can locate nearby cars with an app and drive them anywhere within a 13-square-mile radius of the "home zone," according to a news release. The cars will be available in early 2019.

Once one driver has parked the car and finished using it, someone else with the app can take over. Users pay by rental time or distance traveled — whichever is cheaper — and can attach bikes to the roof-mounted rack, the news release said.

"People are going to have such an easier time getting around," said Steinberg, who predicts that the advent of car sharing will decrease reliance on individually owned vehicles, which could reduce traffic downtown. "You really don't (need to own a car to get around), especially if there are clean vehicle options."

An additional 142 electric ride-share cars will be offered through another firm, Envoy Technologies, to residents of specific apartment complexes around town, the news release said. Those cars will be ready to drive by summer's end.

Those who commute frequently between Davis and Sacramento will also benefit from the project. Electrify America will pay for 12 electric buses, co-run by Sacramento Regional Transit and the Yolo County Transportation District, to travel between UC Davis' main campus and the UC Davis Medical Center in Sacramento. The buses are expected to be ready in 12 to 18 months, the news release said.

"Making it easier for people to get across that causeway is a key piece of connecting UC Davis and Sacramento in a more significant way," Steinberg said. ~~"This is the first very large step in making that happen."~~

Steinberg is especially elated by increased ease of access to the medical center because of the Aggie Square technology campus that will be built nearby.

"This is our project with Davis and the business community to build an innovation center in Sacramento that will be a job creator, an incubator for new businesses, pathways for college and high school students," he said.

The investment's third transportation component is a shuttle service, which will help residents of Franklin Boulevard's nearby neighborhoods get around town. The area has been without bus service since 2008, the news release said. Sacramento RT will start operating three buses in July, and Electrify America will pay to replace those buses with electric ones in early 2019.

"More than 90 percent of the micro-shuttle's service territory is in a low-income or disadvantaged Sacramento neighborhood," the news release said.

Electrify America will also install more than 10 electric vehicle charging stations around the Sacramento region, the news release said.

"The impact of this (project) ... I don't even think we realize today just how big this is," Steinberg said. "I think there are many components of it that are transformational."

<http://www.sacbee.com/news/local/transportation/article213138339.html>

VW, Shell Oil, EPA & Parsons, Public Private Partners?

Google: 510-537-1796 arb

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

Share your skateboard and change the world

By Larry P. Vellequette / Automotive News / June 13, 2018

Herbert Diess, Volkswagen Group's new CEO, has a lot on his plate -- especially for a guy who's new in the job and has been at VW for less than three years.

But with that caveat, I'd like to suggest to Professor Doctor Diess a potential industry-altering -- maybe world-altering -- strategy that, if implemented, might go a long way toward restoring Volkswagen's good name in the wake of sweeping diesel emissions violations and altering the unfavorable economics that have kept electric vehicles from being more widely adopted. The timing couldn't be better: German officials slapped the automaker with a \$1.18 billion fine on Wednesday for the emissions scandal.

It boils down to three words: Share the skateboard.

The "skateboard" is Volkswagen's brilliant MEB platform, the architecture that will underpin the automaker's EVs around the globe, including those beyond the Volkswagen brand.

MEB -- which will debut in the United States in 2020 with a crossover based on the I.D. Crozz -- allows Volkswagen Group designers broad flexibility to design interesting top hats to attach above the four wheels, electric motor (or motors) and battery pack. The German automaker believes its internal commoditization of battery electrics -- building all of its global EVs on the same set of bones -- will allow the vehicles to do something few EVs have done: turn a profit.

Which is exactly why Diess and Volkswagen should share or license MEB openly with other automakers.

I remain skeptical of EVs for a variety of reasons, but chief among them is the vehicles' inability to compete on a cost basis with traditional fossil

fuel-powered propulsion. Until that changes, there's little motivation for automakers to develop products that few consumers are willing to buy.

But on a truly global scale that includes VW and other large automakers, MEB has the promise to turn that equation on its head, giving full electrics a scale and associated cost structure that no internal combustion-powered vehicle could touch, all while giving automakers the flexibility to design and produce top hats to fit specific customer bases. And broad implementation of the technology would spur development of the charging infrastructure needed to make EVs viable and mainstream.

Volkswagen would likely benefit the most if it shared its MEB skateboard, lowering the per-unit costs of its EVs, while accessing a new revenue stream from licensing agreements with other automakers. But other automakers would also benefit, dramatically reducing development costs to meet EV mandates and saving much-needed r&d dollars for other projects.

In a way, doing so would be the ultimate fulfillment of FCA CEO Sergio Marchionne's 2015 "Confessions of a Capital Junkie" presentation, albeit in a sector with a technology that could have broad ramifications for the world in which we all live.

Which probably means it makes too much sense to happen, unfortunately.

<http://www.autonews.com/article/20180613/BLOG15/306139915/why-vw-should-share-its-skateboard-and-change-the-world>

Parsons-Shell Oil-VW, Friends?

Google: 510-537-1796 arb

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

Telematics 101: How Much Your Car Knows About You

By Charlie Peters / CA Senate Informational Hearing / March 15, 2016

We have a gentleman from the public who would like to say a few words.

We will give you a minute or two at the most, if you will give us your name and affiliation and your thoughts.

Yes I am Charlie Peters, Clean Air Performance Professionals; we are a coalition of motorists.

And we are very interested in this subject mater.

And I think the issue here that comes to mind to me very significantly is what has not been said here today.

An issue of the process being an appropriate oversight. And People to correct the problem. Seems to be the part that maybe needs a little more of your consideration.

As an example in California we have something called a PZEV, Partial Zero Emissions vehicle, I have in my hand my testimony at the Air Resources Board in 2003 indicating this was a free service by the car manufacturers and it was going to get done perfect every time with every car and it is going to be a perfect world because it was free.

Our experience is that we have never found an instance ware a car has

had a problem that was a PZEV vehicle that failed a Smog Check with the check engine light on that required a repair, that is guaranteed by the manufacturer for diagnosis and repair at no charge, where that has been done correctly ever never been done ever.

So the issue is who is responsible and how do you get a complaint so it can be even considered. In our system the complaint the oversight is California Air Resources Board, CARB will not take a complaint unless it has a written rejection by the manufacturer stating this particular car of this this customer that needs a PZEV repair they are refusing to do the repair.

They are never going to do that. The consumer will take the car to the dealer or aftermarket. The car never gets fixed.

These problems are absolutely solvable they can be done today we can start fixing this now but somebody needs to pay attention to what are we doing here.

Is this an argument over who gets to do the business or do people matter?

<http://senate.ca.gov/media/joint-hearing-senate-transportation-and-housing-and-judiciary-committee?type=video>

CAPP contact: Charlie Peters / (510) 537-1796 / cappcharlie@earthlink.net

Bar Sunset Review

BAR field offices, is it time for improved Smog Check Performance?

By Charlie Peters, Joint Business & Professions Hearing, Mar 8, 2014

Money to repair not scrap, and.....

program might prove an interesting audit study.

How about a car at the referee that fails being refereed back to the Smog Check provider after the fail fault has been determined, for further action, without any instructions on fault analysis?

The BAR and the owner just ask the service and repair provider if the referee failed car should be provided with further opportunity to repair?

Can a historical 50% repair performance result be improved to 80%, 30% performance improvement?

A BAR previous motorist Smog Check partnership resulted in all failed cars that received further voluntary repair passed at the next referee inspection every time. Every time.

W. Edwards Deming audit Total Quality Management (TQM) reviews changed Japan to the #1 performing mfg. country in the world in 4 years flat.

About 1980 Ford, IBM, Harley-Davidson etc., etc. with W. Edwards Deming contributions made large progress in cost, quality & profit results.

Central Valley free inspection and repair

Who is Awet Kidane?

Can PZEV Smog Check failed car perform @ over 80% pass rate after repair, two years after previous test fail result? 2,000,000 PZEV's have been produced so far.

Data from BAR Chief Patrick Dorais United Parcel Service (UPS) performance study about 1995 might prove interesting. 90% fail became about 90% pass. Initial test result performance improvement without any factors other than a quality audit.

Union, licensed Smog Check providers at the start and no Smog Check license after 1 year. Just a little of the TQM methods.

Keith Smith, TQM guru, ask the Inspection and Maintenance Review Committee (IMRC) about improved Smog Check oversight methods at the only meeting held in the State Capitol.

Mike Vanderlaan, the UPS study manager, also ask IMRC if the committee would support the Deming method.

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

Clean Air Performance Professionals

21860 Main Street Rear
Hayward, CA 94541
Phone - (510) 537-1796
Fax - (510) 537-9675 (call first)

BILL ANALYSIS, Hearing Date: June 28, 2010, Bill No: AB 2289

Senate Committee on Business, Professions and Economic Development

Senator Gloria Negrete McLeod, Chair Bill No: AB 2289 Author: Eng As Amended: June 23, 2010 Fiscal: Yes

SUBJECT: Smog check program: testing: penalties.

NOTE : This measure failed passage in this Committee on June 21, 2010, by a vote of 4-2, and was granted reconsideration. It is before this Committee today for Reconsideration and "Vote Only."

(snip)

7. Arguments in Opposition. Clean Air Performance Professionals (CAPP) opposes the bill and requests the bill be amended to include an in-field vehicle repair audit program. CAPP believes an in-field vehicle repair audit program would create maximum vehicle owner satisfaction, and provide a mechanism for continuous improvements in how vehicles are repaired so that customers will be better satisfied with repairs made under the smog check program. CAPP says that presently fear of loss of license or legal sanctions is a barrier to improving the quality of vehicle repairs. CAPP argues that such a program would improve quality and productivity in vehicle repairs and result in emission reductions, as mandated under California's emissions inspection and maintenance program.

NOTE : Double-referral to Transportation and Housing Committee (second.) Any amendments to this bill taken in BP&ED should be made in T&H.

SUPPORT AND OPPOSITION:

Support:

Department of Consumer Affairs, Bureau of
Automotive Repair (Sponsor)
Air Resources Board (Sponsor)
American Lung Association in California
Bay Area Air Quality Management District
Breathe California
California Air Pollution Control Officers
California Council for Environmental and Economic Balance
California Emission Testing Industries Association
Clean Power Campaign

Consumer Federation of California
Environmental Defense Fund
Green California
National Parks Conservation Association
Natural Resources Defense Council
Planning and Conservation League
Sierra Club California
South Coast Air Quality Management District
Union of Concerned Scientists
1 Test Only Station

Opposition:

Clean Air Performance Professionals

Consultant: G. V. Ayers

http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_2251-2300/ab_2289_cfa_20100624_190753_sen_comm.html

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

----- Original Message -----

From: Senator.Steinberg@outreach.senate.ca.gov

Sent: Wednesday, September 15, 2010 2:51 PM

Subject: I share your support for AB 2289

Dear Mr. Peters:

Thank you for your recent communication in support of AB 2289 (Eng). This bill would establish new industry operating standards and technology upgrades to the current biennial inspections of vehicle emission control equipment and systems (smog check) program. I appreciate hearing from you on this important issue.

I am pleased to report that I voted in support of AB 2289. This measure was passed on the Senate Floor on August 25, 2010. It was enrolled and signed by the Governor on September 8, 2010, and is now law.

You may wish to read more about the status, history and analysis of this and other bills online at www.leginfo.ca.gov/bilinfo.html. While you are online, please check out my website, www.sen.ca.gov/steinberg, to learn of community events and other issues in which I am involved.

Be assured that I will keep your views in mind if this issue comes before me for a vote. Please continue to express your views to me so I may better represent you in the state Senate.

If you need assistance or have concerns about another state matter, please do not hesitate to call my office at (916) 651-1529, or email me at senator.steinberg@sen.ca.gov.

Sincerely,

DARRELL STEINBERG

President pro Tempore

6th Senate District

DS:mr

California Environmental Protection Agency

Pete Wilson, Governor

AIR RESOURCES BOARD

John D. Dunlop III
Chairman

December 28, 1995

Mr. Charlie Peters
Clean Air Performance Professionals
25694 Redlands Boulevard
Loma Linda, California 92354

Dear Mr. Peters:

Thank you for your valuable participation in the California Environmental Protection Agency's Regulatory Improvement Initiative Public Meetings held on October 30 to November 3, 1995. We appreciate your comments and recognize your continuing interest to improve the effectiveness of California's Smog Check program.

The California Air Resources Board (ARB) reviewed your comments and provides the following response

Comment: Regarding Inspection and Maintenance (I/M) issues. Believes stationary sources are carrying more burden than necessary

The 1990 Clean Air Act Amendments call for emission reductions from mobile sources as well as stationary sources. Accordingly the 1994 California State Implementation Plan contains basically two elements, the ARB's comprehensive mobile source control plan and the District's attainment plan for stationary sources. We maintain that the solution to California's air pollution problem will require the cooperation of all segments of society and should address all sources of pollution. A major share of the pollution problem is due to mobile sources. Given this fact, the mobile source control plan includes a combination of advanced technology measures and aggressive market-based measures designed to optimize emission reductions from virtually every mobile source category. Our mobile source strategy and its component control measures, including the I/M program are exhaustive yet reasonable. Our new enhanced I/M program is designed to meet the federal I/M performance requirements and does not seek additional reductions from stationary sources to make up for any shortfall. The ARB's mobile source control strategy in combination with the District's plan ensures the only feasible way of complying with federal law and attaining State and federal air quality standards.

Comment: Proposing quality management study by the Bureau of Automotive Repair (BAR) on what is expected of automotive technicians

2020L Street * Sacramento, California 95814 * (916) 322-5840

Mr. Charlie Peters
December 28, 1995

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We support the implementation of a credible quality assurance program to protect the integrity of the I/M program. It is our understanding that the BAR has participated in a pilot pro-active quality assurance enforcement program called "Partners in Clean Air". ~~This new program is designed to set quality standards for~~ the automotive technicians and the repair industry. Central to the success of this program is the recognition that each smog technician must be empowered and motivated to do reliable vehicle testing and repair. Based on the results of this pilot program which was presented to the I/M Review Committee in March 1995, the BAR may consider the need for your proposed study.

Comment: Better communication between the BAR and the ARB

Without question, effective communication among the different collaborating agencies involved in the State's Smog Check program is key to its success. As we have demonstrated in the past, we will in good faith continue to coordinate with the BAR in carrying out our mandated responsibilities under the new I/M legislation. This is part of our shared commitment to comply with the Federal Clean Air Act's enhanced I/M performance requirements in a timely manner and in a way that reflects California's unique situation.

Thank you again for your efforts to help improve California's Smog Check program. Should you have any questions or further concerns, please contact Mr. Tom Cackette, Chief Deputy Executive Officer, at (916) 322-2892.

Sincerely,

John D. Dunlap, III
Chairman

(Note: retyped from poor quality original)

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net



Clean Air Performance Professionals

STOP

California Smog Check

Save Billions In "Wallet Flushing" Car Tax

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

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Challenging Enhanced I/M

States have generally gone along with EPA guidelines for enhanced I/M, drawing up state implementation plans (SIPs) to put test-only stations into operation by the beginning of 1995.

The holdout has been California. The state has a well-established network of test-and-repair stations. It has allowed these stations to raise test fees to the point where they actually make a profit on emissions testing. These businesses will be hurt if they lose emissions testing to state-sponsored centralized test stations.

Their response? Lobby like hell. Smog Check shops, with help from a group called Clean Air Performance Professionals, pressured state politicians to resist the EPA's demand that California implement a test-only enhanced I/M program.

Some of this is clearly self-interest. California is in the midst of a major recession—the defense spending that helped fuel a 50-year economic boom in the state is drying up, real estate prices are softening and the computer industry is scrambling. So you can hardly blame smog shops for wanting to hold on to a profitable business.

But the rebels also raise some serious questions as to whether a new, more complex I/M program will work significantly better than the existing one.

EPA studies show that decentralized systems, such as the one in California, produce only about half the emissions reductions of centralized, test-only programs. But a recent Rand Corp. study concluded that there was no evidence that a centralized I/M system would work better than the current one.

A political showdown seemed certain when the EPA threatened to withhold up to \$700 million a year in federal highway funds if the California legislature didn't pass an acceptable I/M program before it adjourned Sept. 10.

Cooler heads prevailed—for now. The legislature took no action for or against enhanced I/M. The EPA agreed to hold off on sanctions until after Jan. 1, 1994, giving the legislature time to craft an acceptable program and pass it when they reconvene for the new year.

The EPA retreat was potentially a brilliant move. The delay means that other states will have their SIPs filed and their enhanced I/M programs in the works before the California legislature reconvenes. That way, even if California maneuvers the EPA into allowing the state to continue a test-and-repair system, the revolt won't spread. The rest of the states will be well on their way to implementing the test-only programs the EPA really wants.—T.W.