

**CITY COUNCIL MEETING
TUESDAY, JUNE 6, 2017**

DOCUMENTS RECEIVED AFTER PUBLISHED AGENDA

PUBLIC COMMENTS

Lyanne Mendez

2017 LEGISLATIVE PACKAGE

PROPOSED BILLS

AB 33: Electric Vehicles Garage Charging Units. Allows electrical corporations to install level 2 electric vehicle charging units in residential garages for customers who purchase a vehicle on the secondary market.

AB 333: State Road 185. Allows CalTrans to relinquish a portion of State Route 185 located in Ashland (an unincorporated city) to Alameda County.

AB 549: Electrified Security Fence. Requires a local municipality to provide notice to the fire department and fire marshal when a permit is granted to a business to install an electrified security fence.

AB 574: Recycled Water. Requires the California State Water Board to develop regulations on how, and under what circumstances, recycled water could be used for drinking water.

AB 730: BART Passenger Safety. Allows BART to permanently operate a program that allows the removal of unruly passengers.

AB 771: Forest Maintenance. Requires CalFire to develop a uniform standard burn template for the purpose of prescribing fire as a fuel treatment.

AB 803: Low Income Energy Efficiency Assessment. Requires the Public Utilities Commission to audit the State's low income energy efficiency programs every five years. Grants more flexibility to independently owned utilities by allowing them to install the most relevant and effective technologies available when weatherizing homes.

AB 840: Vote-By-Mail Ballot Electronic Signature. Modernizes the process under which a voter, who did not sign the vote-by-mail envelope, can return a completed unsigned ballot statement.

AB 895: Campaign Disclosure Reporting. Allows certain campaign disclosure reports to be submitted electronically, to the Secretary of State, in lieu of a paper filing.

AB 1044: Vote-By-Mail Ballots. Requires voter information packets include materials on how voters can obtain information on whether or not their vote-by-mail ballot was counted.

AB 1091: Metallic Balloons Release. Clarifies ambiguity regarding the outdoor release of metallic balloons.

AB 1145: Mandatory Utility Relocation Reimbursement. Ensures that all utilities are reimbursed equally for any forced relocation of their facilities due to a local or state government initiated infrastructure project.

AB 1316: Childhood Lead Testing. Improves how the state identifies lead clusters by requiring that all children be tested for lead poisoning.

AB 1480: Pesticide Applicator Licensing Fraud Prevention. Authorizes the director of the Department of Pesticide Regulation to levy a civil penalty against individuals who commit fraud related to pesticide applicator license renewal applications.

RESOLUTIONS

ACR 18: State Scientist Day. Recognizes May 10, 2017, as the 29th Annual State Scientist Day, as a tribute to the dedication and professionalism of the state scientists who work on behalf of all the residents of California.

Muslim Appreciation & Awareness. Recognizes August 2017 as Muslim Appreciation & Awareness.

Summer Mobile "Pop-Up" Office Hours

Join us for some free family fun at these upcoming summer movie nights.

Stop by our Mobile "Pop-Up" Office before the movie to chat with me about legislative issues. Grab some free treats while the kids get their faces painted and spin the wheel for some treats.

Bring your own picnic dinner, low-back small chairs, blankets and flashlights (keep them low!). The movie will start after sunset, between 8 - 8:15 p.m.

Saturday, June 3, 2017

Movie: The Jungle Book

Meek Park

240 Hampton Rd., Hayward, CA

6:30 - 8:30 p.m.

Friday, June 30, 2017

Movie: The Secret Life of Pets

Hayward City Hall, 777 B Street, Hayward, Ca

6:30 – 8:30 p.m.

Friday, July 14, 2017

Movie: Moana

Adobe Park

20395 San Miguel Ave., Castro Valley, CA

6:30 – 8:30 p.m.

Saturday, August 26, 2017

Movie: Star Wars – The Force Awakens

Meek Park, 240 Hampton Rd., Hayward, CA

6:30 – 8:30 p.m.

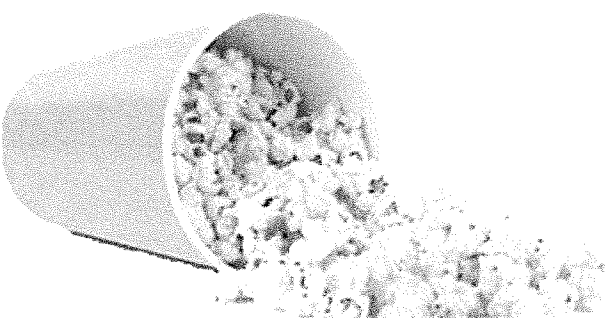
Friday, September 22, 2017

Movie: Beauty and the Beast

Adobe Park

20395 San Miguel Ave., Castro Valley

6:30 – 8:30 p.m.



PUBLIC COMMENTS

Charlie Peters



Clean Air Performance Professionals

SCAQMD BOARD MEETING: April 7, 2017 AGENDA NO. 20

Sacramento. Mr. Will Gonzalez of Gonzalez, Quintana, Hunter & Cruz, LLC provided a verbal update as well.

Mr. Gonzalez reported on the following two state bills that were introduced on behalf of SCAQMD: ...

2) AB 1274, which is sponsored by SCAQMD and authored by Assemblymember Patrick O'Donnell, addresses the Smog Check Program. The bill would extend the exemption for a smog check from six years to eight years. Drivers would be required to pay a smog abatement fee in lieu of getting a smog check.

Mr. Gonzalez indicated that the funds collected would benefit air districts' mobile incentive programs by funding the Carl Moyer program, and at the same time relieve consumers from having to get a smog check for newer vehicles.

Mr. Gonzalez also stated that both bills would be ready to go to their first committee hearings within the next two to four weeks.

<http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-apr7-020.pdf?sfvrsn=4>

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

Self-Driving Cars Will Save Money, End Car Ownership

By Rob Wile / Time / May 30, 2017

A new report says that the self-driving car revolution will arrive quicker than most people think, and it will save people a significant amount of money year after year.

The report was published by RethinkX, an "independent think tank" created by James Arbib, a London-based venture investor, along with serial entrepreneur and author Tony Seba. It says that as self-driving vehicles become common, most people will stop owning cars and instead pay by the ride for Uber-like on-demand autonomous electric vehicles. Doing so could save a family more than \$5,600 a year — equivalent to a wage raise of 10% for the median American household.

"This will keep an additional \$1 trillion per year in Americans' pockets by 2030, potentially generating the largest infusion of consumer spending in history," the report says.

The report estimates that as soon as 2030, 95% of all the miles you travel on the road will be inside self-driving electric vehicle services. Instead of individual drivers owning their own vehicles, the cars will be owned as fleets by companies, in a new business model the report's authors call "transport-as-a-service" (TaaS).

For evidence that this is already occurring, the report cites Tesla's recent announcement about the development of its own ridesharing platform as well as news like GM's \$500 million investment in Lyft, BMW's ridesharing service, ReachNow, and Volkswagen's \$300 million investment in Uber competitor Gett.

At the moment, owning a car entails the upfront purchase plus the ongoing costs of using them. Under the regime envisioned in the new report, all of these costs will be replaced by single per-usage charges. The reports' authors estimate, "conservatively," that these charges will be two to 10-times cheaper than operating your own vehicle — "and likely far cheaper than that as technologies improve."

The researchers picture an "intensely competitive environment" full of businesses eager to capture as many customers as possible as the transition to self-driving car services begins. "Businesses will offer services at a price trending toward cost," the report explains, and the cheap prices will speed the pace at which consumers will give up their cars and use autonomous taxis instead. "Nearly 100 million existing vehicles will be abandoned as they become economically unviable."

While the paper has a bit of blue-sky thinking to it, examples of their vision can already be found in places like Helsinki, where public officials have vowed to make car ownership obsolete by 2025. Even here in the U.S., the mayor of Miami-Dade county recently said he would be in favor of shelving an ambitious railway plan on the theory that autonomous vehicles will prove less costly.

"Rapid-transit vehicles don't necessarily have to be on rail," Mayor Carlos Gimenez said. "New technology is coming. And that new technology may have tremendous consequences. Automated cars, but also automated buses."

<http://time.com/money/4797898/self-driving-cars-could-soon-save-the-average-family-at-least-5600-a-year/>

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

Ford names Jim Hackett as new CEO in push to build self-driving cars

By Rob Davies / The Guardian / May 22, 2017

Ford has named the head of its driverless cars division as its chief executive in a sudden regime change, as the company that pioneered the assembly line looks to the next stage of the industry's evolution.

The Detroit-based carmaker said Mark Fields, who has run the company since July 2014, was retiring with immediate effect amid an overhaul of senior management.

Fields will be replaced by Jim Hackett, who runs the smart mobility unit that houses Ford's autonomous vehicle projects and is close to the executive chair, Bill Ford Jr.

Ford Jr, great-grandson of the company's founder Henry, said Hackett was a "transformational leader" who would modernise the business by exploring areas such as artificial intelligence, robotics and 3D printing.

He and Hackett also emphasised the need to make decisions faster, with Ford Jr hinting at more centralised control as he referred to "breaking the hierarchy down".

Despite posting a pre-tax profit of \$10.4bn (£8bn) last year, the company has fallen out of favour on Wall Street and its stock has declined by 37% during Fields' tenure.

This year it was overtaken in stock market value by newcomer Tesla, which specialises in electric cars and is testing driverless vehicles, as investors focus on the future of transport.

The 114-year-old company has also been outpaced by traditional rivals such as General Motors, which posted rising first-quarter profit this year, while Ford's earnings slumped.

Ford Jr said the decision that Fields would retire was reached on Friday but admitted there had been discussions for some time.

Fields, whose pay deal last year was worth \$22m (£17m), is in line for a payoff worth \$14.3m, a sum he would not have been entitled to had he left the company under circumstances other than voluntary retirement.

The choice of Hackett as his successor indicates a firmer commitment to driverless vehicles from the company whose founder introduced the assembly line production method that dominated the 20th century.

In February, Ford announced a \$1bn investment over five years in the artificial intelligence software company Argo AI, as part of its attempt to make driverless cars a reality.

It hopes to have a driverless car on the road by 2021, and aims to capitalise on its progress in the emerging field by licensing the technology to other companies.

Analysts say the appointment of Hackett suggests Ford wants to burnish its reputation among investors by showing that it can embrace technological change more quickly than it has done.

"If we've learned anything from the phenomenon of [Tesla chief executive] Elon Musk, it's that Wall Street likes a tech/innovation guy," said Jessica Caldwell, senior analyst at Edmunds.

“Putting the head of their mobility division at the helm indicates Ford is trying to send a strong message to stockholders that the company intends to be a dominant player in the future of mobility.”

Hackett was cagey about whether Ford might tweak its planned \$4.5bn spend on electric cars and \$1bn on autonomous vehicles, one of the only questions he did not answer during a lengthy press conference about his appointment.

The 62-year-old does not bring a wealth of technological expertise to the role, having previously spent 30 years with office furniture company Steelcase, followed by a spell as interim athletic director at the University of Michigan.

But he has been credited with a free-thinking approach in both positions and was described by Ford Jr as a “futurist” who was well connected in Silicon Valley.

As chief executive of Steelcase, he moved the company away from traditional office equipment, tailoring new products towards a growing trend for open-plan working.

At the University of Michigan, he won praise for convincing former San Francisco 49ers coach Jim Harbaugh to take on the university’s underperforming American football team, the Wolverines.

Developing driverless – or autonomous – vehicles is a nascent but fast-growing industry, with Ford expecting to roll out a driverless car by 2021 and some analysts estimating there will be 10m cars with some form of autonomy by 2020.

That’s not much in the context of more than 1bn cars worldwide, but represents rapid progress from a standing start just a few years ago. In the US, the race pits traditional auto firms such as Ford and General Motors against technology-focused newcomers, such as Uber and Google, through its Waymo spinoff company.

Also in the running is Tesla, led by futurist billionaire Elon Musk, an auto firm that bridges the divide between Detroit and Silicon Valley by specialising in electric and autonomous cars.

While Ford’s management shake-up might suggest it is lagging behind, a study by Navigant Research recently put the company top of the pile among firms working on the technology.

Despite the high-profile nature of efforts by technology firms, the study’s top six rated firms were traditional carmakers, with Ford followed by General Motors, Renault-Nissan and Daimler.

The UK has started laying the groundwork to become a testing bed for the technology, with MPs consulting on a regulatory regime designed to ready the country for a driverless future.

Opinion is divided about when the first consumer models will hit the streets, despite some rumours suggesting Tesla will release a model with a level of autonomy by 2018.

Sceptics have pointed to uncertainty around the regulatory regime governing matters such as insurance, while the technology has not been without some concerning teething problems.

<https://www.theguardian.com/technology/2017/may/22/ford-sack-ceo-senior-bosses-push-build-self-driving-cars>

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

PUBLIC COMMENTS

Wynn Grcich

The Children's March for Humanity - Rallying FOR Children's Health

June 17, 2017 10:00am

Lake Merritt at The Pergola

599 El Embarcadero

Oakland, CA 94610

WWW.AVOICEFORCHOICE.ORG

christina@avoiceforchoice.org

Donate Today!

This group is going to court, fighting to keep the religious exemption law and for us to have informed consent for vaccinations

(Bring back referendum 277 on the ballot)

Share this information: copy this flier and hand them out

**Take action to save our children:
March for Children's health**

JUNE 7, 2017



SUSTAINABLE PULSE

SUSTAINABLE FOOD SUSTAINABLE AGRICULTURE GLOBAL GMO FREE COALITION GMO EVIDENCE

New EPA Report Will Lead to Virtual US Ban on Atrazine Herbicide

Posted on Jun 3 2016 - 12:50pm by Sustainable Pulse

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Categorized as

- Breaking News
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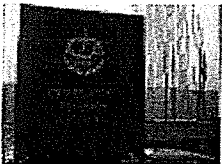
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- birth defects
- cancer
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- scientific study
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(No Ratings Yet)

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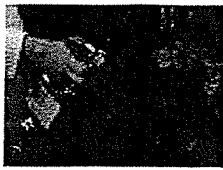


EU Greens Request European Court of Justice to Rule on Glyphosate Transparency

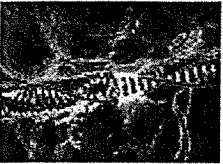
The amount of the herbicide atrazine that's released into the environment in the United States is likely harming most species of plants and animals, including mammals, birds, amphibians and reptiles, according to a risk assessment released Thursday by the Environmental Protection Agency (EPA).



The EPA assessment of atrazine will lead to tighter regulatory limits on the product manufactured by Swiss-based Syngenta AG, which will ultimately prevent farmers from being able to use it to control weeds in the U.S..



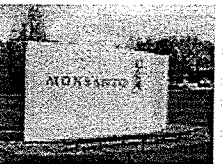
French Senate Adopts Resolution to Ban Non-Agricultural Use of Pesticides in Europe



CRISPR Gene Editing Can Cause Hundreds of Unintended Mutations



New Tumor Evidence Found in Confidential Glyphosate Data



US Court Documents Show Monsanto Manager Led Cancer Cover Up for Glyphosate and PCBs

Atrazine is also well known as a hormone disruptor that has been linked to birth defects and cancer in humans, and contamination of ground-, surface- and drinking-water supplies. About 70 million pounds of atrazine are used in the United States each year.

The second-most widely used pesticide in the United States and already banned in Europe, atrazine was found to cause reproductive harm to mammals and birds in real-world scenarios, with EPA "levels of concern" surpassed nearly 200-fold, according to the new EPA assessment.

Atrazine is present in water levels much higher than are needed to kill frogs and other amphibians, whose populations are currently in steep decline across the United States. Numerous studies have shown that atrazine chemically castrates and feminizes male frogs at concentrations lower than the level allowed in drinking water by the EPA.

"Anyone who cares about wildlife, people and the environment should be deeply troubled by this finding," said Nathan Donley, a scientist with the Center for Biological Diversity. "When the government's own scientists say there's enough atrazine in streams and rivers right now to kill frogs and other imperiled wildlife, we should be worried. How many animals have to die before we do what Europe did 12 years ago and ban atrazine?"

"When the amount of atrazine allowed in our drinking water is high enough to turn a male tadpole into a female frog, then our regulatory system has failed us," said Donley. "We've reached a point with atrazine where more scientific analysis is just unnecessary — atrazine needs to be banned now."

The latest findings come as the EPA is in the process of "registration review" of atrazine, a process designed to determine whether the chemical can safely be used in light of new scientific study. The assessment will inform EPA's decision on whether to allow atrazine to be used for the next 15 years. The last time the agency fully analyzed the threats posed by atrazine was in 2003; no new registration decision has been made so far.

Sustainable Pulse

About the Author

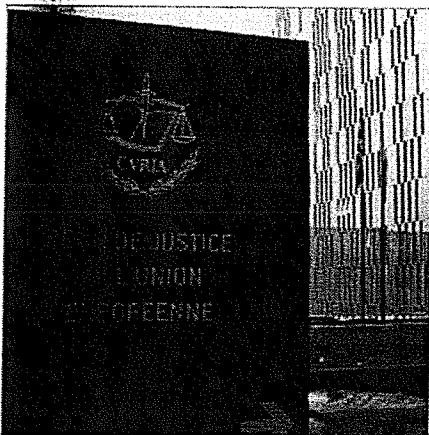


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AddThis

3 Comments so far. Feel free to join this conversation.



Sydney Alonso

June 3, 2016 at 17:56 - Reply

Thanks for that. Must make sure to elect Bernie and NOT HILLARY. We're at a pivot point where young and old alike are waking up to the corrupting influences of our toxic corporate/governmental, faux-democracy.



Sydney Alonso

June 3, 2016 at 18:00 - Reply

Thanks for that. Must make sure to elect Bernie and NOT HILLARY. We're at a pivot point where young and old alike are waking up to the corrupting influences of our toxic corporate/governmental, faux-democracy.

Monsanto's next, with any good-fortune at all_/_

Communications Received Related to

Item # 1 LB 17-021

**Adoption of Resolution Declaring the
City of Hayward a Sanctuary City**

ALICIA LAWRENCE

From: Alicia Lawrence
Sent: Sunday, June 4, 2017 9:47 PM
To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>
Subject: Sanctuary City Resolution

Hello -

I'm a Hayward resident. We - my husband, son, and I - live in the Burbank/Cannery neighborhood.

I understand there is a Resolution to make Hayward a Sanctuary city. We, unfortunately, will not be able to attend Tuesday's City Council meeting. So I would like to take this email as a chance to express that our household is completely supportive of the resolution.

I'm sure you have read a number of articles and seen plenty of statistics regarding the benefits to Sanctuary Cities. On the off-chance that you have missed it, here is a link to Tom Wong's report on the the positives of Sanctuary cities.

<https://www.americanprogress.org/issues/immigration/reports/2017/01/26/297366/the-effects-of-sanctuary-policies-on-crime-and-the-economy/>

I have my fingers crossed that my fellow residents who attend Tuesday's meeting are as in favor of this resolution as we are.

Thank you for your time.

Cheers!
Alicia

--

Alicia G. Lawrence

ERNEST AVELLAR

From: ernie
Sent: Thursday, June 01, 2017 7:17 PM
To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>
Subject: Sanctary City

To: Mayor and Council members:

I ask you not to approve the sanctuary city resolution on your next agenda. It would be better that it be presented to the vote of the citizens.

If enacted, it could endanger losing federal funds as well local officials voting on such a matter being prosecuted. I presume that the resolution has been reviewed by your legal staff; however, it makes some errors in the introduction seeming to say that the both the US Constitution and the California Constitution provide that illegal aliens may remain in the country.

That is not correct. In fact, the supremacy clause says that the Constitution, federal laws and treaties are the law of the land and judges in every State shall be bound thereby local laws to the contrary.

Sincerely,

Ernest Avellar

LAURA PADILLA

From: Laura Padilla
Sent: Sunday, June 04, 2017 11:46 AM
To: David Korth <David.Korth@hayward-ca.gov>
Cc: Kelly McAdoo <Kelly.McAdoo@hayward-ca.gov>; List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>; Colleen Kamai <Colleen.Kamai@hayward-ca.gov>
Subject: Re: Public Notice Re: The Hayward City Council Meeting, Tuesday, June 6, 2017, 7pm, Hayward City Hall - Item No. 1 re: Sanctuary City Proclamation (List 1)
Importance: High

I am disappointed and feel betrayed by Hayward City government that I received this email too late to ask questions about the information in the reports. No information about the Sanctuary City Resolution for Hayward was in the local newspapers or the news so at least Hayward residents would have at least 2 weeks.

This is a major resolution that will affect the safety and welfare of all Hayward residents. More public announcement should have been given.

I am unable to attend the City Counsel meeting due to physical limitations. Please make sure all the city counsel members see this email before the vote.

Do not vote to make Hayward a Sanctuary City.

1. Do not make Hayward a Sanctuary City. This will make Hayward unsafe for the legal residents which include U.S. citizens and legal immigrants. Not only will the Sanctuary city attract criminals and increased crime, funding will be reduced for fire and police department, community services, economic development and pavement for West Winton from Santa Clara to Hesperian (which will affect me daily as my house bounces daily with the heavy traffic).
2. Do not waste Taxpayers money on classes for immigrants on their rights and legal representation. This is a misuse of the Hayward City Funds. Immigrants who are here legally already know their rights. If they need help they can go to their countries consulate such as Canada, Nicaragua, Honduras, Mexico, China or what ever foreign country they come from.
3. Some of the information in the reports lack detailed information which leads the statements up to interpretation. The 39% who were born outside the United States and the 50% who speak another language at home does not clearly show how this was determined. Did they include immigrants who are no longer immigrants and have become legal citizens? I personally know Hayward residents that were born outside the United States and they are here legally and do not support Hayward becoming a Sanctuary City.
4. The reports shows Hayward already protects and respects all Hayward residents so Sanctuary City is not necessary. Leave Hayward as is.

The only people who benefit from Sanctuary City are illegal immigrants who have broke our country's laws by entering this country illegally and potentially bring diseases such as small pox and tuberculosis, and especially illegal immigrants who commit crimes against legal Hayward residents.

PROTECT ALL LEGAL HAYWARD RESIDENTS BY NOT MAKING HAYWARD A SANCTUARY CITY.

Sincerely,

Laura Padilla
Native Hayward and
Winton Grove Resident

MIMI BAUER

From: Mimi
Sent: Monday, June 05, 2017 1:07 PM
To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>
Cc: Kelly McAdoo <Kelly.McAdoo@hayward-ca.gov>
Subject: Fwd: Your Tuesday City Council Agenda

Dear Mayor and Council Members,

I will not be attending the meeting on Tuesday evening, however, I do want to let you know I fully support the staff's recommendation to designate Hayward as a Sanctuary City. If people, cities and states do not take an immediate and strong stand against the hatred and bigotry promoted by our current "President" we will find ourselves living in a fascist state where no one is safe. And you can quote me at the meeting.

Peace,
Mimi Bauer

ELISABETH WEIR

Request area: Send a Comment to the Mayor and City Council

Citizen name: Elisabeth Weir

Description: Support for LB 17-021, Adoption of a Resolution Declaring the City of Hayward a Sanctuary City and Review of Proposed Administrative Rule 1.10

Hello, I am a resident of Hayward, and I cannot attend the City Council tomorrow evening, so I wanted to say how excited I am to hear about this measure, which I strongly believe is in the best interest of all who live in Hayward, documented and undocumented alike.

I do not know if there will be opposition voiced at the City Council tomorrow night, but please count this as a voice very much in support of declaring the City of Hayward a Sanctuary City. While I cannot make it to the meeting tomorrow, I would love to be involved in helping to bring this measure to fruition in any way I can.

Elisabeth Weir

AISHA WAHAB

From: Kelly McAdoo

Sent: Monday, June 5, 2017 9:51 PM

To: 'Wahab.aisha; 'ramonario; 'xosie.mendoza; 'denizeesanchez; David Korth; Maria Hurtado

Subject: FW: Recommendations for David Korth/Sanctuary City

Good evening Aisha-

David Korth forwarded me your email from earlier today. I appreciate the feedback and request. The staff team is reviewing your suggestions and comments. On some, the City may not have legal standing to implement the suggested recommendation. Other recommendations may require additional analysis. I plan to forward your message to the City Council (along with this email response) so that they can review the request before tomorrow's meeting. If the Council does table the item, it is unlikely to come back for discussion until September given the other items already scheduled for Council meetings between now and July 18 (the last meeting before the Council takes a recess until September).

We hope to have responses/feedback on your suggestions in time to make any edits that the Council may choose to make at tomorrow's meeting. Please let me know if you have any questions or concerns. I'm happy to discuss the process further.

Thank you-
Kelly

From: Aisha Wahab
Sent: Monday, June 05, 2017 1:48 PM
To: David Korth <David.Korth@hayward-ca.gov>
Cc: ramonario; xosie.mendoza; denizeesanchez
Subject: Recommendations for David Korth

Aisha Wahab has attached the following document:



Recommendations for David Korth

Hi David,

I appreciate all the support you have given each and every one of us on the Sanctuary City discussion.

Many of us (some cc'ed on this email) have discussed the current Resolution that is on the Agenda for tomorrow's City Council meeting, and we believe that there is much more work to be done to get the Resolution in an acceptable state.

Attached is a document with several of our recommendations and adjustments to address the concerns we have. There are more concerns that need to be addressed and we would like to know what the best process is to move forward with our concerns.

We would like to ask for the City Council to table the agenda item for at least 2 weeks, if not a month for us to be able to review the current resolution with one that we believe fits the needs of the community.

We want to know if this is possible or if this will go directly to a vote and we can amend the resolution at a later date.

Looking forward to your guidance us on this very important issue. Please let us know the best course of action as soon as you can.

Respectfully,
Aisha Wahab
&
The Hayward Collective

Sanctuary City Resolution Recommendations/Concerns

1. **Recommendation:** We wish to have a community component to evaluate the resolution so it doesn't get shelved for years, with the purpose of seeing if this resolution served its purpose/ evaluation metric? Is it doing what it said it will be doing? This could look like a community taskforce.
2. **Recommendation** Line item 1: Change "shall not actively" to "shall not" to ensure that HPD will not collaborate with ICE. **Changing the verbiage.**
3. **Recommendation:** Line item 5. This needs to be removed. We feel this contradicts line item 2.
4. **Recommendation:** Adding a line that addresses: 247g Agreements- Hayward Police department will never sign a 247g agreement.
5. **Recommendation:** Have consistent language- for example in line item 2 it states "serious offenses," and in Line item 5 it states "criminal activity". Terminology used needs to be clearly defined.
6. **Recommendation:** Declaring safe zones in the city by prohibiting immigration enforcement from entering the following spaces: hospitals, faith based organization/places of worship, schools, courthouses, and other sensitive areas.
7. **Recommendation:** Create an office for new residents that is a one stop shop for new residents to the community.
8. **Recommendations:** Provide public funds for legal representation of persons detained by ICE.
9. **Recommendation:** Establish a rapid response team for when and if there is ICE presence, and provide training to city staff on immigration rights and procedures.

10. **Recommendation:** Include a specific segment surrounding community education and engagement and which expands on the draft's mentioning of community partnership. We recommend: "The City of Hayward will actively secure and safeguard resources that administers immigrants' understanding of their rights and protections (as residents of this city?). The City will mobilize all local resources and utilize respective bodies to host and sponsor immigrant rights workshops, legal counseling for paths to citizenship and immigrant workers rights."
11. **Question:** Line item II. Who categorizes what is considered a "serious crime?" State, city, or federal, and which crimes are these? (do we want to keep this part?)
12. **Question:** What does becoming a Sanctuary City look like for the unincorporated areas in Hayward? What plans do the city of Hayward have to ensure that this community is also kept safe?
13. **Question** Line item IV. Who will review and revise these said policies? Please include which policies will be reviewed at and revised in order for community to hold the city accountable to this.

From: David Korth

Sent: Tuesday, June 6, 2017 3:21 PM

To: Aisha Wahab;xosie.mendoza; denizeesanchez

Cc: Kelly McAdoo <Kelly.McAdoo@hayward-ca.gov>; Maria Hurtado <Maria.Hurtado@hayward-ca.gov>

Subject: Response to Hayward Collective Recommendations re: Proposed City of Hayward Resolution Proclaiming the City of Hayward a Sanctuary City

Importance: High

Hello members of the Hayward Collective:

Please find attached City staff's evaluation and response to the Hayward Collective's recommendations and questions pertaining to the proposed City of Hayward Sanctuary City Resolution.

This information will be shared with the Mayor and City Council in preparation for this evening's City Council meeting where this matter is being considered. As noted to you previously, if the City Council decides to table this item this evening, it is unlikely to come back for discussion until September, given the other items already scheduled for Council meetings between now and July 18 (the last meeting before the Council takes a recess until September).

If you have any questions, please feel free to contact me.

Cordially,

David Korth

Staff Analysis and Recommendations Regarding

The Hayward Collective (HC) Recommendations & Questions about the Proposed Sanctuary City Resolution Dated: 6/6/17

1. **HC Recommendation:** We wish to have a community component to evaluate the resolution so it doesn't get shelved for years, with the purpose of seeing if this resolution served its purpose/ evaluation metric? Is it doing what it said it will be doing? This could look like a community taskforce.
 - The Community Taskforce is actively working on evaluations and metrics as part of the update to the 1992 Anti-Discrimination Action Plan (Plan); staff recommends that the HC Recommendation above be considered by the Community Taskforce as part of the forthcoming update to the Plan.

2. **HC Recommendation re Resolution Line item 1:** Change "shall not actively" to "shall not" to ensure that HPD will not collaborate with ICE. Changing the verbiage.
 - There are no legal concerns about changing the language per the HC Recommendation. Staff recommends that this be considered at City Council's discretion. NOTE: the initial phrasing was used to match the wording of neighboring resolutions.

3. **HC Recommendation re Resolution Line item 5:** This needs to be removed. We feel this contradicts line item 2.
 - There are no legal concerns about removing item 5 as recommended above. Again, staff recommends that this be considered at City Council's discretion. NOTE: the initial phrasing was (again) used to match the wording of neighboring resolutions.

4. **HC Recommendation:** Adding a line that addresses: 247g Agreements, recommendation: "Hayward Police department will never sign a 247g agreement."
 - Clarification is needed with the Hayward Collective regarding which "agreement" they are referring. This may be in reference to ICE Detainer Form I-247. If so, the HC Recommendation is not consistent with current HPD policy, which allows for exceptions in the case of serious offences like homicide. Additional time would be needed to conduct an analysis of the impact of the recommended policy change.

Staff Analysis and Recommendations Regarding

The Hayward Collective (HC) Recommendations & Questions about the Proposed Sanctuary City Resolution Dated: 6/6/17

5. **HC Recommendation:** Have consistent language- for example in (Resolution) line item 2, it states “serious offenses,” and in Line item 5 it states, “criminal activity”. Terminology used (also) needs to be clearly defined.
 - It is recommended by staff that the term “serious offenses” be used for the sake of consistency. Please see response to question 11 below with regard to definitions.

6. **HC Recommendation:** Declaring safe zones in the city by prohibiting immigration enforcement from entering the following spaces: hospitals, faith based organization/places of worship, schools, courthouses, and other sensitive areas.
 - There is no clear legal authority authorizing the Council to prohibit ICE from enforcing federal law.

7. **HC Recommendation:** Create an office for new residents that is a one stop shop for new residents to the community.
 - It is suggested that this HC Recommendation be considered and discussed by the Hayward Community Taskforce.

8. **HC Recommendation:** Provide public funds for legal representation of persons detained by ICE.
 - The Alameda County Immigration Legal and Education Partnership (ACILEP) receives public funds to undertake this work Countywide. The City has an active cooperative relationship with ACILEP, and has arranged to implement this work in Hayward. If there is a need for additional City action in this area, staff recommends that this matter be more fully explored as part of the work of the Hayward Community Taskforce.

Staff Analysis and Recommendations Regarding

The Hayward Collective (HC) Recommendations & Questions about the Proposed Sanctuary City Resolution Dated: 6/6/17

9. HC Recommendation: Establish a rapid response team for when and if there is ICE presence (in Hayward), and provide training to city staff on immigration rights and procedures.

- The ACILEP also receives public funds to undertake this work Countywide, and the City as is collaborating with ACILEP to implement this work in Hayward as well. It is recommended that this matter also be considered by the Hayward Community Taskforce as it develops recommended updates to the Hayward 1992 Anti-Discrimination Action Plan.

10. HC Recommendation: Include a specific segment surrounding community education and engagement and which expands on the draft's mentioning of community partnership. We recommend:

“The City of Hayward will actively secure and safeguard resources that administers immigrants’ understanding of their rights and protections (as residents of this city?). The City will mobilize all local resources and utilize respective bodies to host and sponsor immigrant rights workshops, legal counseling for paths to citizenship and immigrant workers rights “.

- The first part of the recommended language has budget implications that Council may wish to consider in the context of other City commitments.
- There is no concern with the second sentence, if the word “all” is removed so that the sentence reads: “The City will mobilize local resources and utilize respective bodies to host and sponsor immigrant rights workshops, legal counseling for paths to citizenship and immigrant workers rights.” (NOTE: The City already utilizes local resources and partnerships with community agencies to provide “Know Your Rights” workshops and Citizenship Assistance events.)

Staff Analysis and Recommendations Regarding

The Hayward Collective (HC) Recommendations & Questions about the Proposed Sanctuary City Resolution Dated: 6/6/17

11. HC Question Re: Resolution Line item 2: Who categorizes what is considered a “serious crime?” State, city, or federal, and which crimes are these? (do we want to keep this part?)

- The term “serious crime” used within the Resolution is not rooted in any specific legal authority and therefore does not have a legal definition. If Council wants to direct staff to provide a definition for this term, more time will be needed to conduct research and complete an analysis of the policy implications.

12. HC Question: What does becoming a Sanctuary City look like for the unincorporated areas in Hayward? What plans does the City of Hayward have to ensure that this community is also kept safe?

- The unincorporated areas of the County fall under the jurisdiction of the Alameda County government. (NOTE: Alameda County has publicly declared itself as a sanctuary jurisdiction.)

13. HC Question re: Resolution Line item 4: Who will review and revise these said policies? Please include which policies will be reviewed at and revised in order for community to hold the city accountable to this.

- It is recommended that this matter be considered as part of the work being conducted by the Hayward Community Taskforce for possible inclusion in the updated 1992 Anti-Discrimination Action Plan.

FRANK BURTON

From: Frank Burton

Sent: Monday, June 05, 2017 11:33 PM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>

Cc: City Manager <City.Manager@hayward-ca.gov>; Maria Hurtado <Maria.Hurtado@hayward-ca.gov>; David Korth <David.Korth@hayward-ca.gov>; Freddy Davis

Subject: Motion passed by the Community Task Force is not reported correctly in the Staff materials to City Council on Sanctuary City

Mayor and City Council,
City Manager,
Asst. City Manager Hurtado,
David Korth,
City of Hayward

Confirming a telephone conversation between David Korth and myself today, the motion passed by the Community Taskforce to Update the 1992 Anti-Discrimination Action Plan is not reported accurately in the staff report dated June 6th (Item LB-17-021 Attachment I, Staff Report) over the City Manager's signature addressed to the Mayor and City Council.

I made the motion which was passed by the Taskforce on April 19 (not April 14th as indicated on Page 4 of the Staff Report) and it said "We urge the City Council to designate Hayward as a Sanctuary City." The resolution urged the City Council **to designate** Hayward as a Sanctuary City, not just **to consider** passing a resolution, as is stated on Pages 1 and 4 of the staff report.

Sincerely,

Frank Burton

STEPHANIE SPENCER
EDEN AREA INTERFAITH COUNCIL

June 4, 2017

To the Honorable Mayor Barbara Halliday
To the Honorable Hayward City Council Members:

The Eden Area Interfaith Council (EAIC) is an education and advocacy organization of 16 congregations, interfaith bodies, and individuals in Hayward, San Leandro, San Lorenzo, Castro Valley and the western part of the unincorporated areas of Alameda County. We were founded in 2001, and reconstituted in 2015 to promote respect for all faiths and human rights for all people.

Eden Area Interfaith Council supports adoption of Hayward City Council Resolution 17-*Affirming the City's Commitment to the Values of Dignity, Inclusivity, and Respect for All Individuals, Regardless of National Origin, Gender, Gender Identity, Race, Religious Affiliation, Sexual Orientation, or Immigration Status, and Declaring Hayward a Sanctuary City.*

The EAIC was rejuvenated in December 2015 after a hate crime was committed by a Christian woman against three Muslim men who were praying at Lake Chabot Regional Park. Representatives of mosques, churches, Sikh Gurdwara, an interfaith parish, synagogues and concerned individuals from the Eden Area demonstrated to show interfaith unity and support for free practice of all religions and freedom from persecution. We organized to provide ongoing interfaith education and public declarations of unity and mutual support to refute increasing statements of intolerance, misinformation, and hate directed to religious groups, immigrants, ethnic groups, and non-white racial groups.

In the current political climate, it seems many of us are searching for a rational response to an irrational situation. We have heard different messages about religious groups, especially Muslims, and ethnic groups, especially immigrants, from the current administration. The specific statements and policies keep changing, and they are going to continue to change unpredictably for the foreseeable future.

In this type of situation, we must rely on our deepest, clearest values, and the moral and faith-based principles from our faith traditions that don't change, to make a decision about becoming a sanctuary city.

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As a community, we could make decisions based on the incomplete and fluid information we have at any given point—and we would need to keep trying to keep up and keep changing our decisions as the information and messages change. Of course, we all want to have responsible government in terms of policies and finances and there may be many opportunities to make fiscal decisions, and to refine policies. But there is only one opportunity right now to make a clear, strong statement that our most vulnerable neighbors will understand.

Most people won't remember the details of fiscal decisions and legal processes and policy changes. But they will remember that we stood together; that we said, "Not in our town." "We value everyone in our community." Sanctuary is very powerful symbolically, even though it's not a legal status.

Our greatest responsibility is to each other, and to all the members of our community. As the faith traditions that are part of our community and the Eden Area Interfaith Council teach us, our highest responsibility is to build a community that benefits all members, and protects the most vulnerable members of our community.

Sanctuary doesn't just support immigrants who don't have authorized status, or immigrants from just one country or one ethnic community. The people who could be affected by immigration raids come from dozens of countries, and they have lived in Hayward a decade or many decades, or their whole lives. They have made a commitment to Hayward, and they work and pay taxes and raise their families, and work to improve their communities, their schools, to prevent violence, and to cultivate community leaders who work with city, school and county officials.

Sanctuary supports all immigrants, and it also supports members of religious groups who are experiencing persecution. Most members of those communities are US citizens or legal permanent residents. **Half** of all California children have at least one immigrant parent (http://www.ppic.org/main/publication_show.asp?i=258). One in eight children in California has an undocumented parent (<https://edsources.org/2017/1-in-8-children-in-california-schools-have-an-undocumented-parent/580621>). In the Hayward Unified School District, that proportion may be higher. Fear affects children disproportionately, and fear has physiological consequences for children and for babies born by women who live in fear of deportation.

We really are stronger together, and as public health and economic data show, we are healthier and more prosperous when people feel safe, and know that their leaders stand with them. And it is what our diverse religious teachings tell us is the right thing to do.

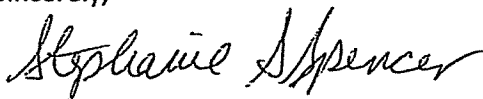
The experience of my church, which is a member of the Eden Area Interfaith Council illustrates the effects and importance of taking a clear stand in support of all members of our community. Twenty-two

years ago, Eden Church in Hayward declared itself welcoming and affirming of LGBTQ persons in church leadership and membership. When the church members made that decision, people didn't leave the church; the church didn't split. *More* people joined the church. And Eden didn't become a mostly "gay church." Most people who joined were not LGBT, but they chose Eden because we were affirming and welcoming of LGBTQ people.

The congregation became more united, more diverse, because people who are divorced, or who are adopted, or are biracial, or immigrants, know they will be accepted, and they trust that they can make a contribution at Eden. Members, visitors, and community partners trust us because we have demonstrated clearly and concretely that we stand with everyone.

We believe that if Hayward City Council makes the strong, clear statement that Hayward is a Sanctuary City more people will choose to live in Hayward, to invest in Hayward, and people who live here will continue contributing to make Hayward a good place to live, because they know they will be accepted, and they will know they can trust their leaders to make decisions that are for the good of all community members.

Sincerely,



Stephanie S. Spencer, President

Eden Area Interfaith Council
P.O. Box 4353
Hayward, CA 94540
president@edeninterfaith.org

These faith groups and congregations make up the EAIC



Christian

Catholic Church
Our Lady of Grace
Catholic Church -
Castro Valley

Church of Jesus
Christ of Latter-Day
Saints:
Church of Jesus Christ
of Latter-Day Saints -
Hayward

Episcopal
Holy Cross Episcopal
Church - Castro Valley
Presbyterian:
First Presbyterian
Church - Hayward

United Church of
Christ:
Eden United Church of
Christ - Hayward
United Church of
Hayward - Hayward



Hindu

Badarikashrama - San
Leandro



Unitarian-Universalist

Unitarian Universalist:
Starr King Unitarian
Universal Church -
Hayward



Muslim

Masjid Abu Bakr -
Hayward
Mosque of Muhajireen -
Hayward



Individual Members

Spiritual
Independents:
Penelope Anne Hughes
Aisha Wahab

Religiously-Affiliated
Members:

Father Michael Castori
 (All Saints Catholic
 Church - Hayward)

Sue Merrill
 (All Saints Episcopal -
 San Leandro)



Interfaith

South Hayward Parish -
Hayward

Network of Spiritual
Progressives



Jewish

Congregation Shir
Ami - Castro Valley
Temple Beth Sholom
in San Leandro



Sikh

Gurdwara Sahib -
Hayward

BISHOP JERRY MACKLIN



May 24, 2017

Hayward is home to immigrants.

This includes undocumented and naturalized citizens, legal permanent residents and unaccompanied minors; immigrants who fled violence, hunger and were afraid and alone looking for safety.

People came here fleeing oppression to connect with a family support system, to find a better way of life for themselves and their family, to find a safe haven, to work, to join a community they can be a part of growing and sustaining themselves. Immigrants are welcome in Alameda County, as the County has designated itself a "Welcoming" community.

Tonight we are hearing the City Council decide on the issue of passing a resolution declaring Hayward to become a "Sanctuary" city. While many will say that this is largely symbolic I'd like to say it reflects our values as a community.

I would feel proud to have Hayward stand in solidarity with our Immigrant community. I also want to stand strong with the eight other cities in Alameda County that have passed resolutions declaring their commitment to stand strong and shine light in this time of darkness for our immigrant community.

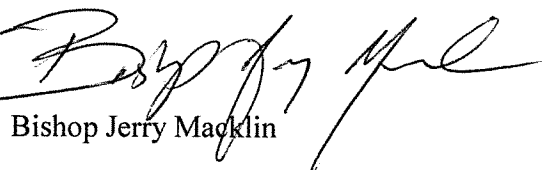
I applaud our police force for already implementing a policy that does not turn our community members over to ICE or Homeland Security. As I understand, we have been doing the right thing for years. Now it is time to take another step in the direction of compassion and progressiveness and that is to pass this resolution.

Statistics say that cities that have sanctuary policies tend to have less poverty and the cooperation between police and community lowers the potential for crime. Certainly, people who feel trust in their government will be able to better contribute to the wellness of the city and the happiness in their home. We must work together to create an improved living environment for all.

Please stand with all the voices unafraid to tell their stories here tonight, the residents too nervous to leave the shadows, the sister cities who will stand strong with us, the activists working to create a more just society and all the family's, workers and individuals who just want to be able to live safely and free, without fear.

Please stand with us in remembering that in Alameda County, in Hayward, Immigrants are at home. Let's do the right thing and support our residents who came here hundreds of years ago or just yesterday. Please vote in favor of this resolution!

In Solidarity



Bishop Jerry Macklin

Item # 3 MIN 17-086

Minutes of the City Council Meeting on May 16, 2017

Item #4 MIN 17-088

Minutes of the Special City Council Meeting on May 20, 2017



TO: Mayor and City Council
FROM: City Clerk
DATE: June 6, 2017
RE: Revisions to Minutes of May 16, and May 20, 2017

This serves to amend two typographical errors in the minutes of the City Council meetings of May 16 and 20, 2017.

1) Council Minutes of May 20, 2017. Last paragraph on page 2, currently reads:

“Discussion of cost drivers and options to close the \$10.4 million budget gap were continued to the work session scheduled for Tuesday, **June** 23, 3017.”

Proposed to read:

“Discussion of cost drivers and options to close the \$10.4 million budget gap were continued to the work session scheduled for Tuesday, **May** 23, 3017.”

2) Council Minutes of May 16, 2017. Top of page 3, currently reads:

AYES: Council Members Zermeño, Márquez, Mendall,
Lamnín, Salinas

MAYOR Halliday

NOES: None

ABSENT: Council Member Peixoto

ABSTAINED: None

Proposed to read:

AYES: Council Members Zermeño, Márquez, Mendall,
Lamnín, Salinas

MAYOR Halliday

NOES: Council Member Peixoto

ABSENT: None

ABSTAINED: None

With the change noted above, I respectfully request approval of the amended minutes.



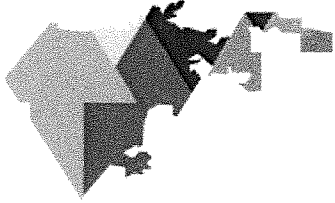
Item # 5 CONS 17-196
Consolidated Landscaping and Lighting District No. 96-1

Item # 13 WS 17-026
Proposed FY 2018 Operating Budget

<p>AGENDA QUESTIONS & ANSWERS MEETING DATE: June 6, 2017</p>	
<p>Requested by: CM Lamnin</p> <p>Item 13 Proposed FY 2018 Operating Budget – Work Session 2 – Hangar Rents</p> <p>Regarding the hanger rents, I am following up on questions raised at the Budget work session which do not seem to be included in the Staff report nor FAQ's. My apologies if I've missed them.</p> <ol style="list-style-type: none"> 1. Are rents also proposed to be raised for tie down spaces? 2. Please clarify the 4% charged as CPI increases in previous years. CPI in both 2013 and 15 was lower than 4%. 3. Is the practice of 75% of CPI or Market rate rents in alternating two year cycles codified in a document? I did not see it in the 2002 Master Plan, but again I may have missed it. 	<p>Response from: Airport Manager Doug McNeeley</p> <ol style="list-style-type: none"> 1. There was no proposal to increase tie down rates for two reasons. First, Paragraph 1(f) of the published Master Fee Schedule excludes tie downs from the schedule for periodic rental increases. Second, there is low demand for tie down space. Outdoor storage of aircraft is not preferred by most aircraft owners, due to the deteriorating effects of prolonged exposure to heat and moisture on aircraft. Accordingly, the airport historically maintains a significant number of tie down vacancies – currently, 49 of 108 tie down spaces (45%) at the airport are vacant. And, unlike hangars, there is no waitlist of aircraft owners interested in available tie down space. Given this low demand, the market would not currently support a rental rate increase. 2. Seventy-five percent of the local CPI in 2013 was 3.966%, and 3.998% in 2015. Policy has consistently been to round to the result to the nearest tenth. 3. Adjustments to airport rental rates are made through the City's annual Master Fee Schedule adopted by Council at a public meeting. There are no recommendations for the establishment of rental rates in the 2002 Airport Master Plan because that is not within the scope of a master plan document. An airport master plan makes assumptions about how future capital improvements could be funded, but it is not a policy document and it does not establish rental rates.
<p>Requested by: CM Lamnin</p> <p>Item 5 – Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Assessments for Fiscal Year 2018; and set June 27, 2017, as the Public Hearing Date for Such Actions for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 16</p> <p>For Zone 13, would you please clarify the \$50,000 cost for tree replacement and trimming? It seems higher than comparable services for this district and others?</p>	<p>Response from: Maintenance Services Director Todd Rullman</p> <p>Of the initially proposed \$50k in "one-time" work, \$10k is allotted for tree replacement to replace dead, diseased and dying trees in this LLAD. There is a high mortality rate of the pear species citywide, in recent years we have migrated to a different species and have had better luck.</p> <p>The additional \$40k was slated for the replacement of a sand playground surface to a rubberized type.</p> <p>Since submission of the initial budget draft, MS staff has had discussions with representatives from the LLAD and we've collectively decided to defer the \$40k project into FY19 due to the initial capital outlay to complete the project. The final adopted budget will have a \$10k allotment (reduced from \$50k) for one-time work to address the dead, dying and diseased pear trees.</p>

**Item # 6 CONS 17-197
Maintenance District No. 1**


**Item # 7 CONS 17-198
Maintenance District No. 2**



Memorandum

DATE: June 6, 2017

TO: Mayor and City Council

FROM: Kelly McAdoo, City Manager 

THROUGH: Todd Rullman, Maintenance Services Director

SUBJECT Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2018 for Maintenance District No. 1 (CONS 17-097) and Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2018 for Maintenance District No.2 (CONS 17-198)

For your information, incorrect assessment diagrams were included in the June 6 Engineer's Report for Maintenance Districts 1 and 2, pages 15-18 and 15-17 respectively.

Attached you will find the correct diagrams which will be included in the June 27 presentation to the City Council.

Attachments:

CONS 17-097: Attachment III Preliminary Engineer's Report Maintenance District No. 1
CONS 17-198: Attachment III Preliminary Engineer's Report Maintenance District No. 2



CITY OF HAYWARD

MAINTENANCE DISTRICT No.1

PRELIMINARY ENGINEER'S REPORT

FISCAL YEAR 2018

JUNE 2017

PURSUANT TO CHAPTER 26 OF PART 3 OF DIVISION 7 OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND CHAPTER 10, ARTICLE 10, SECTION 10-10.25 OF THE HAYWARD MUNICIPAL CODE AND ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:
SCI Consulting Group
4745 MANGELS BLVD.
FAIRFIELD, CALIFORNIA 94534
PHONE 707.430.4300
FAX 707.426.4319
WWW.SCI-CG.COM

CITY OF HAYWARD

CITY COUNCIL

Barbara Halliday, Mayor
Sara Lamnin, Council Member
Francisco Zermeño, Council Member
Marvin Peixoto, Council Member
Al Mendall, Council Member
Elisa Márquez, Council Member
Mark Salinas, Council Member

CLERK OF THE COUNCIL

Miriam Lens

City Manager
Kelly McAdoo

CITY ATTORNEY

Michael Lawson

ENGINEER OF WORK

SCI Consulting Group

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INTRODUCTION

OVERVIEW

On January 5, 1993, by Resolution No. 93-010, the City Council approved the vesting tentative map of Tract 6472 for a 148-lot single-family residential subdivision located on the northerly side of Industrial Parkway West adjacent to the collector streets of Pacheco Way, Stratford Road and Ruus Lane. The final subdivision consisted of 143 lots.

Conditions of approval for Tentative Map Tract 6472, which included Final Tract Maps 6472, 6560, 6682 and 6683, included provisions for storm drainage improvements and construction of an approved stormwater pumping facility. The drainage area and the stormwater pumping facility were analyzed in documents prepared by Wilsey & Ham, Civil Engineers. These documents indicated the following: the drainage basin includes 29.1 acres, of which 24.7 acres are residential, 1.9 acres are for a park site, and 2.5 acres are for the collector streets associated with Stratford Road and Ruus Lane. Pacheco Way does not drain into this drainage basin system nor does the industrial property to the south.

In addition to the 143 lots identified above, final Tract Map 6682, with a total of 31 lots located immediately to the east of Chutney Road, was also approved. Therefore, the total number of residential lots in the drainage basin is 174. In addition to the residential lots, there is a park located on one parcel of land.

On June 6, 1995, by Resolution No. 95-103, the City Council ordered the formation of Maintenance District No. 1 to provide for the operation and maintenance of the storm drainage improvements and the stormwater pumping facility to serve the drainage basin. The FY 1996 Engineer's Report (formation report) included a FY 1996 budget which proposed \$22,557.36 in expenditures which equated to \$129.64/parcel (174 assessable parcels). This is the maximum annual assessment rate and it may not be increased to reflect change in the Consumer Price Index.

A Storm Water Lift Station (SWLS) has been constructed to pump storm water run-off for the developed area which is adjacent to the Alameda County Flood Control and Water Conservation District's ("Flood Control District") Line B, Zone No. 3A. The plans for the lift station were approved by the City and the Flood Control District. The SWLS was designed with capacity for only the development of the area encompassing the 174 parcels. No added capacity was constructed for run-off from other areas such as the Georgian Manor and Spanish Ranch Mobile Home Parks, which are presently served by a privately owned and operated pumping facility located within each park.

An agreement between the City and the Flood Control District transferred ownership of the SWLS to the Flood Control District. The agreement states that the Flood Control District concurred with the SWLS transfer subject to the City providing the Flood Control District with

the funds to operate, maintain, and provide for capital equipment replacement and for modifications that may become necessary for the optimal performance of the SWLS.

Each year the City will be evaluating the need to increase assessments to ensure there are adequate funds to continue to provide proper operation, maintenance, and capital replacement of the storm water pumping facilities within Maintenance District No. 1. As part of this effort, the County of Alameda updated their capital replacement study to determine if the Maintenance District No. 1 is adequately funded. Currently there are not currently sufficient funds to replace the Maintenance District No. 1 capital facilities when they reach the end of their useful lives.

LEGISLATIVE ANALYSIS

PROPOSITION 218 COMPLIANCE

On November 5, 1996, California voters approved Proposition 218 entitled "Right to Vote on Taxes Act," which added Articles XIIC and XIID to the California Constitution. While its title refers only to taxes, Proposition 218 established new procedural requirements for the formation and administration of assessment districts.

Proposition 218 stated that any existing assessment imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems, or vector control on or before November 6, 1996 shall be exempt from the procedures and approval process of Proposition 218, unless the assessments are increased. Maintenance District No. 1 imposes an assessment exclusively for flood control and drainage improvements.

Proposition 218 defines increased, when applied to an assessment, as a decision by an agency that does either of the following:

- a) Increases any applicable rate used to calculate the assessment.
- b) Revises the methodology by which the assessment is calculated, if that revision results in an increased amount being levied on any person or parcel.

For Fiscal Year 2018, the collection rate is proposed to be \$243.92 per parcel, which is the same rate as the previous fiscal year. The Fiscal Year 2018 collection rate is at the maximum base assessment rate of \$243.92 per parcel, which was established at the time the District was formed.

Based upon the review of the formation documents by the City Attorney, since the formation budgeted assessment rate was set at \$243.92 per assessable parcel and the proposed FY 2018 assessment rate will be at the budgeted formation rate of \$243.92 per assessable parcel, the proposed FY 2018 assessment rate is not considered an increase and does not require Proposition 218 proceedings.

PLANS & SPECIFICATIONS

INTRODUCTION

The agreement between the City and the Flood Control District calls for the City each year to deposit with the Flood Control District the funds to maintain, operate, and set aside assessment revenue to provide for a capital replacement fund.

Each year, no later than December 1, the Flood Control District furnishes the City with an itemized estimate of the cost to operate, maintain and supplement the capital equipment replacement fund for the fiscal year commencing on the next July 1. Should the capital equipment replacement fund be inadequate to cover unscheduled/emergency repairs, equipment replacement or modifications that are found to be necessary for the normal and safe performance of the Storm Water Lift Station (SWLS), the Flood Control District will provide the City with written notice of the need for additional funding.

The annual Engineer's Report includes: (1) a description of the improvements to be operated, maintained and serviced, (2) an estimated budget, and (3) a listing of the proposed collection rate to be levied upon each assessable lot or parcel.

In order to receive public comment, City staff 1) mailed a notice to property owners to let them know of the May 30 community input meeting and two Council dates; 2) held a community input meeting on May 30, and 3) conducted an online survey to measure maintenance satisfaction.

The City of Hayward is proposing to hold a public hearing on **June 27, 2017**, to provide an opportunity for any interested person to be heard. At the conclusion of the public hearing, the City Council may adopt a resolution setting the annual assessment amounts as originally proposed or as modified. Following the adoption of this resolution, the final assessor's roll will be prepared and filed with the County Auditor's office to be included on the FY 2018 tax roll.

Payment of the assessment levied upon each parcel will be made in the same manner and at the same time as payments are made for property taxes. All funds collected through the assessment must be placed in a special fund and can only be used for the purposes stated within this report.

DESCRIPTION OF IMPROVEMENTS

The facilities, which have been constructed within the City of Hayward's Maintenance District No. 1 boundaries, and those which may be subsequently constructed, will be operated, maintained and serviced and are generally described as follows:

**CITY OF HAYWARD
MAINTENANCE DISTRICT NO. 1
FISCAL YEAR 2018
174 Parcels**

FY 2018 Assessment Amount per Parcel: \$243.92

The following is an overview of the FY 2018 District assessment, along with a description of any one- time items budgeted in FY 2018:

- **Maximum base assessment amount:** is unchanged from the original amount of **\$243.92** per parcel, set when the District was created.
- **Annual CPI increase:** the maximum base assessment amount cannot be increased annually based upon the prior year's change in the CPI.
- **Assessment revenue:** the FY 2018 amount needed to operate and maintain the facilities and contribute to the capital reserve is: **\$42,442.08**.
- **Annual assessment charge:** Each of the **174** parcels shall be apportioned an equal share of the total assessment for this zone as the special benefit derived by the individual parcels is indistinguishable from each other. The FY 2018 per parcel charge **will remain the same** as the FY 2016 amount of **\$243.92** per parcel. This amount is at the maximum base assessment, and is sufficient for maintaining levels of service and for keeping a reserve balance.
- **Proposition 218:** Future increases in the assessment amount **above** the maximum base assessment amount would require the noticing and balloting of property owners per the requirements of Proposition 218.
- In FY 2018, the annual contribution to the pump station capital reserve will be made in the amount of **\$5,500**. If additional work occurs in FY 2018, it would be funded through capital reserves.

The following improvements are proposed to be operated, maintained and serviced in Maintenance District No. 1 for Fiscal Year 2018:

The Stratford Village Storm Water Lift Station (SWLS):

The facilities include:

- 2 - 15 H.P. Pumps
- 1 - 5 H.P. Pump
- 1 - 3 H.P. Dewatering Pump
- 1 - Generator
- 1 - Supervisory Control and Data Acquisition (SCADA) System
- 1 - Masonry Building to House the SCADA System and Generator

The operation and servicing of these facilities include, but are not limited to: personnel; electrical energy; materials, including diesel fuel and oil; hazardous materials clean up; and appurtenant facilities as required to provide sufficient run-off capacity.

Maintenance means the furnishing of services and materials for the ordinary and usual operations, maintenance and servicing of the SWLS, including repair, removal or replacement of all or part of any of the SWLS.

In FY 2001 the Flood Control District staff evaluated and approved the purchase of a Supervisory Control and Data Acquisition (SCADA) system. This system allows Alameda County Flood Control staff to respond much faster in emergencies and allows staff to remotely observe, troubleshoot, and operate the facility. For instance, during heavy rains, the operator can observe pumping actions, start and stop the pumps, and reset alarms remotely. The cost of purchasing this system has been spread over an eight (8) year period. The last payment for the SCADA system was paid from the FY 2009 assessment proceeds.

For Fiscal Year 2018, the collection rate remains at the same rate from the previous fiscal year, which is \$243.92 per parcel. This amount is the maximum base assessment amount for the District, and it is not indexed to the Consumer Price Index. Any future increases in the assessment rate would require noticing and balloting of property owners per the requirements of Proposition 218.

FISCAL YEAR 2018 ESTIMATE OF COST AND BUDGET

ESTIMATE OF COSTS

Chapter 10, Article 10, Section 10-10.25 of the Hayward Municipal Code and as supplemented by the provisions of Chapter 26 of Part 3 of Division 7 of the Streets and Highways Code of the State of California provides that the total cost of operation, maintenance and servicing of the storm drainage improvements and storm water pumping station can be recovered by the District. Incidental expenses including administration of the District, engineering fees, legal fees and all other costs associated with these improvements can also be included.

The costs for Fiscal Year 2018 are summarized in the table below. These cost estimates are based on Alameda County budget projections for Fiscal Year 2018.

FIGURE 1 – 2018 COST ESTIMATE

FY 2018 Budget

Maintenance District No. 1 - Pacheco Wy., Stratford Rd., Russ Ln., & Ward Crk.

Fund 270, Project 3745

	FY 2015 Actual	FY 2016 Actual	FY 2017 Adopted	FY 2017 EOY Est	FY 2018 Proposed
Income					
a. Annual Assessment	29,739	42,442	42,442	42,442	42,442
b. County Fee (1.7%)	-	(722)	(722)	(722)	(722)
c. Adjustment for Delinquencies	-	-	-	-	-
d. Other	-	-	-	-	-
Total Revenue:	29,739	41,721	41,721	41,721	41,721
Services					
a. Utilities: PGE	1,420	1,512	1,751	1,700	1,700
b. Pump Station O&M - ACFCO	32,258	14,374	26,000	14,044	30,000
c. Pump Station - O&M - ACFCO - Past Due Amt	41,434	-	-	-	-
d. Pump Station One-Time Repair - ACFCO	-	-	-	-	-
e. Pump Station - ACFCO Capital Reserve	-	-	-	5,500	5,500
f. Property Owner Mtg/Legal Noticing	414	159	362	1,300	500
e. Annual Reporting	8,542	1,120	1,600	1,616	1,200
f. City Staff	1,299	1,939	4,064	4,064	2,000
Total Expenditures:	85,367	19,103	33,777	28,224	40,900
<i>Net Change</i>	<u><i>(55,628)</i></u>	<u><i>22,618</i></u>	<u><i>7,943</i></u>	<u><i>13,497</i></u>	<u><i>821</i></u>
Beginning Fund Balance	38,597	(17,031)	5,587	5,587	19,084
<i>Change</i>	<u><i>(55,628)</i></u>	<u><i>22,618</i></u>	<u><i>7,943</i></u>	<u><i>13,497</i></u>	<u><i>821</i></u>
Ending Fund Balance	(17,031)	5,587	13,531	19,084	19,904
Fund Balance Designations					
Capital reserve maintained by Alameda County.					
Maximum Base Assessment Amount Per Parcel	243.92	243.92	243.92	243.92	243.92
Annual Parcel Assessment	171.60	243.92	243.92	243.92	243.92
# of Parcels	174	174	174	174	174
Total Amount Assessed for the District	29,858.40	42,442.08	42,442.08	42,442.08	42,442.08

METHOD OF ASSESSMENT APPORTIONMENT

METHOD OF APPORTIONMENT

Chapter 10, Article 10, Section 10-10.25 of the Hayward Municipal Code and as supplemented by the provisions of Chapter 26 of Part 3 of Division 7 of the Streets and Highways Code of the State of California permits the establishment of assessment districts by agencies to finance the maintenance and operation of drainage and flood control services, which include the operation, maintenance and servicing of pump stations.

Article XIID of the California Constitution provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways.

The land uses within Maintenance District No. 1 consist of 174 residential parcels and one park parcel. These parcels receive a special benefit in that the pumping station and the storm drains protect the residential parcels and park parcel from storm water flooding. Even though there are only minor structures located on the park parcel it does receive special benefit from flood control improvements and services.

It is estimated that all residential and park parcels derive similar benefits from the flood control improvements and services, therefore the method for spreading the annual costs is on a per parcel basis.

The projected Fiscal Year 2018 operation, maintenance and capital replacement costs, including funds allocated to operating and capital reserve funds, are estimated to be \$42,442.08. Therefore, the collection rate for Fiscal Year 2018 will be at the maximum assessment rate of \$243.92 per parcel.

ASSESSMENT

WHEREAS, the City Council of the City of Hayward, County of Alameda, California, Pursuant to Chapter 26 of Part 3 of Division 7 of the Streets and Highways Code of the State of California, and Chapter 10, Article 10, Section 10-10.25 of the Hayward Municipal Code, and in accordance with the Resolution of Intention, being Resolution No. **17-XXX**, preliminarily approving the Engineer's Report, as adopted by the City Council of the City of Hayward, on **June 6, 2017**, and in connection with the proceedings for:

WHEREAS, said Resolution directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the Assessment District and an assessment of the estimated costs of the improvements upon all assessable parcels within the Assessment District, to which Resolution and the description of said proposed improvements therein contained, reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me and the order of the City Council of the City of Hayward, hereby make the following assessments to cover the portion of the estimated cost of Improvements, and the costs and expenses incidental thereto to be paid by the Assessment District.

As required, an Assessment Diagram is hereto attached and made a part hereof showing the exterior boundaries of the Assessment District. The distinctive number of each parcel or lot of land in the Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

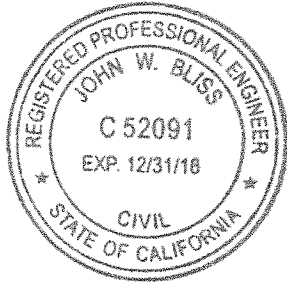
I do hereby assess and apportion said net amount of the cost and expenses of the Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within said Assessment District, in accordance with the special benefits to be received by each parcel or lot from the improvements, and more particularly set forth in the Estimate of Costs and Method of Assessment hereto attached and by reference made a part hereof.

The assessments are made upon the parcels or lots of land within Assessment District, in proportion to the special benefits to be received by the parcels or lots of land, from the Improvements.

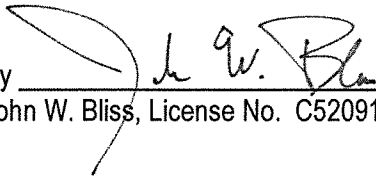
Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Alameda for the fiscal year 2018. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of the County.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2018 for each parcel or lot of land within said Maintenance District No. 1.

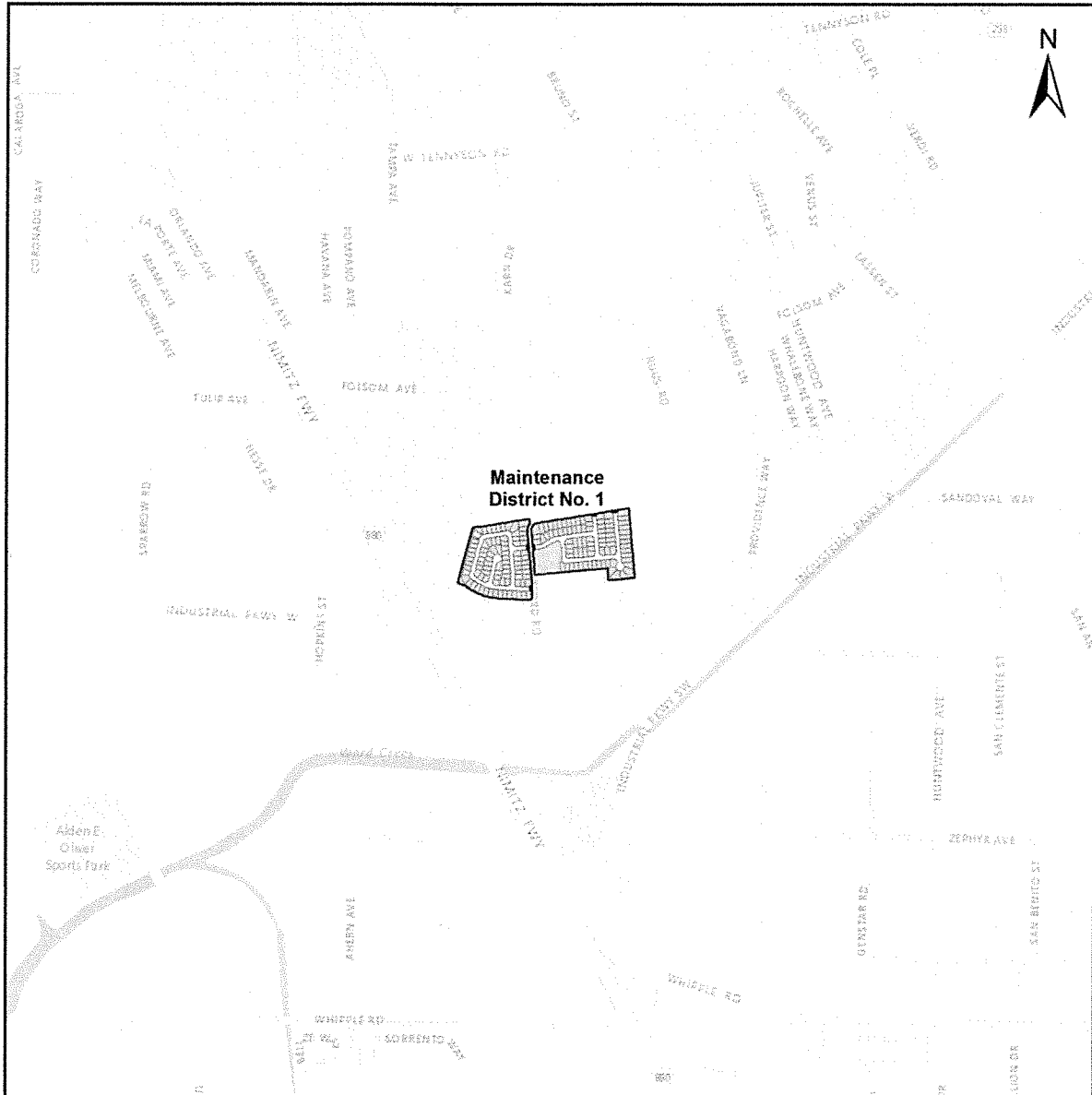
Dated: June 6, 2017



Engineer of Work

By 
John W. Bliss, License No. C52091

VICINITY MAP

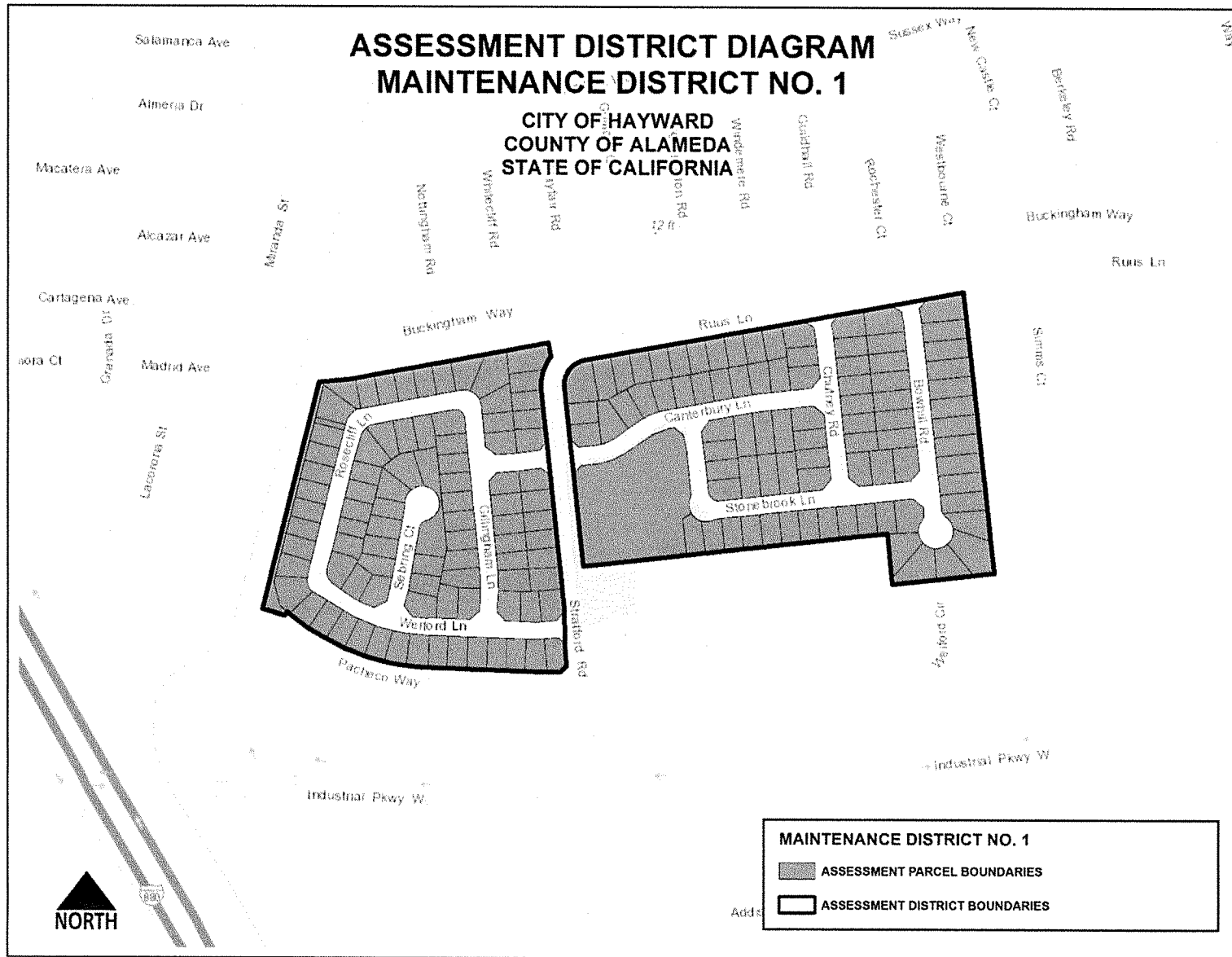


ASSESSMENT DIAGRAM

The boundary of the City of Hayward's Maintenance District No. 1 is on file in the Office of the Hayward City Clerk and is incorporated in this report in Appendix "B".

A detailed description of the lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Alameda for Fiscal Year 2018.

For additional information as to the bearings, distances, monuments, easements, etc. of subject subdivisions, reference is hereby made to Final Tract Maps No. 6472, 6560, 6682 and 6683 filed in the Office of the Recorder of Alameda County.



ASSESSMENT ROLL

A list of names and addresses of the owners of all parcels within the City of Hayward's Maintenance District No. 1 is shown on the last equalized Property Tax Roll of the Assessor of the County of Alameda, which is hereby made a part of this report. This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll on file in the Office of the Hayward City Clerk.

The proposed collection rate and the amount for Fiscal Year 2018 apportioned to each lot or parcel, as shown on the latest roll at the Assessor's Office, are on file in the Office of the City Clerk. The description of each lot or parcel is part of the records of the Assessor of the County of Alameda and these records are, by reference, made a part of this report.

The total assessment amount proposed to be collected for Fiscal Year 2018 is \$42,442.08.

The Assessment Roll for Fiscal Year 2018 is included on the following page of this Report and is on file in the Office of the Hayward City Clerk.



CITY OF HAYWARD

MAINTENANCE DISTRICT No.2

PRELIMINARY ENGINEER'S REPORT

FISCAL YEAR 2018

JUNE 2017

PURSUANT TO CHAPTER 26 OF PART 3 OF DIVISION 7 OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND CHAPTER 10, ARTICLE 10, SECTION 10-10.25 OF THE HAYWARD MUNICIPAL CODE AND ARTICLE XIID OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:
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CITY OF HAYWARD

CITY COUNCIL

Barbara Halliday, Mayor
Sara Lamnin, Council Member
Francisco Zermeño, Council Member
Marvin Peixoto, Council Member
Al Mendall, Council Member
Elisa Márquez, Council Member
Mark Salinas, Council Member

CLERK OF THE COUNCIL

Miriam Lens

CITY MANAGER

Kelly McAdoo

CITY ATTORNEY

Michael Lawson

ENGINEER OF WORK

SCI Consulting Group

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INTRODUCTION

OVERVIEW

On April 16, 2002, by Resolution No. 02-043, the City Council approved the Final Map of Tract 7317 for a 114 lot residential subdivision, with 109 single-family homes, located on the northerly side of Eden Shores Boulevard and westerly of the Union Pacific Railroad.

On November 26, 2002, by Resolution No. 02-171, the City Council approved the Final Map of Tract 7361 for a 120 lot residential subdivision, with 116 single-family homes, located on the southerly side of Eden Shores Boulevard and westerly of the Union Pacific Railroad.

On June 3, 2003, by Resolution No. 03-083, the City Council approved the Final Map for Tract 7360, for a 318 lot residential subdivision, with 309 single-family homes located on the southwesterly side of Eden Shores Drive and westerly of the Union Pacific Railroad. The additional lots in each subdivision, 27 total, will be landscaped areas, parks, wetlands or buffer areas.

Conditions of approval for Tracts No. 7317, 7360 and 7361, included provisions for construction of a water buffer channel and storm-water pretreatment pond, masonry walls, anti-predator fences, and landscaping within the proposed development area. Maintenance District No. 2 will provide a funding source to operate and maintain these improvements, including the furnishing of water and electrical energy along with debris removal, weeding, trimming and pest control spraying.

On June 24, 2003, by Resolution No. 03-102, the City Council ordered the formation of Maintenance District No. 2 to provide the funding for the operation and maintenance of these facilities. The FY 2004 Final Engineer's Report (formation report) included a FY 2004 budget which proposed \$343,875.00 in expenditures at buildout for an anticipated 525 assessable parcels which equated to maximum assessment rate of \$655.00/parcel. This maximum annual assessment rate which may be levied is increased each fiscal year by the prior year's change in the Consumer Price Index.

LEGISLATIVE ANALYSIS

PROPOSITION 218 COMPLIANCE

On November 5, 1996, California voters approved Proposition 218 entitled "Right to Vote on Taxes Act," which added Articles XIII C and XIII D to the California Constitution. While its title refers only to taxes, Proposition 218 established new procedural requirements for the formation and administration of assessment districts.

Proposition 218 stated that any existing assessment imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems, or vector control on or before November 6, 1996 shall be

exempt from the procedures and approval process of Proposition 218, unless the assessments are increased. Proposition 218 defines increased, when applied to an assessment, as a decision by an agency that does either of the following:

- a) Increases any applicable rate used to calculate the assessment.
- b) Revises the methodology by which the assessment is calculated, if that revision results in an increased amount being levied on any person or parcel.

The formation methodology used to calculate the maximum annual assessment that could be levied in any given year allows the maximum assessment rate from the prior year to be increased by the prior year's change in the Consumer Price Index. Therefore, based upon the review of the City Attorney, imposing the assessment adjustment each year based upon the prior year's increase in the Consumer Price Index does not require Proposition 218 proceedings.

The FY 2004 formation documents set the maximum assessment rate at \$655.00 per parcel, which increased each fiscal year by the prior year's change in the Consumer Price Index. Therefore, the FY 2018 maximum assessment rate is now set at \$906.58 per parcel.

In FY 2008 the rate was \$155.00 per parcel. For FY 2009 through FY 2011 the collection rate was reduced to \$100.00 per parcel at the request of the Eden Shores Homeowners' Association (HOA) due to downturn economic conditions and the fact that there were sufficient reserves available to supplement the annual operation and maintenance costs for those fiscal years. For FY 2012 through FY 2013, the collection rate increased to \$130.00 per parcel to cover increased maintenance and utility costs. For FY 2014, the collection rate increased by 10% to \$143.00 per parcel to cover increased maintenance and utility costs. For FY 2015, the collection rate increased to \$157.30 per parcel to cover increased maintenance and utility costs. For FY 2016, the collection rate increased to \$173.00 per parcel to cover increased maintenance and utility costs. For FY 2017, the collection rate increased to \$198.95 per parcel to cover increased maintenance and utility costs

For Fiscal Year 2018, the estimated operating costs, including funds allocated for operation and capital reserves, are \$106,239.30. Based on these estimated operating costs, the assessment rate needed to cover the FY 2018 operating expenses is \$198.95 per parcel. This proposed assessment rate remains the same as the previous year's assessment rate of \$198.95. The proposed FY 2018 assessment is below the maximum base assessment of \$906.59 per parcel, therefore it does not require Proposition 218 proceedings. In future years, if there is a need for additional funds to cover any major repairs or replacements, the assessment amount may be increased up to their maximum base assessment amount.

PLANS & SPECIFICATIONS

INTRODUCTION

The annual Engineer's Report includes: (1) a description of the improvements to be operated, maintained and serviced, (2) an estimated budget, and (3) a listing of the proposed collection rate to be levied upon each assessable lot or parcel.

In order to receive public comment, City staff 1) mailed a notice to property owners to let them know of the May 30 community input meeting and two Council dates; 2) held a community input meeting on May 30, and 3) conducted an online survey to measure maintenance satisfaction.

The City of Hayward is proposing to hold a public hearing on **June 27, 2017**, to provide an opportunity for any interested person to be heard. At the conclusion of the public hearing, the City Council may adopt a resolution setting the annual assessment amounts as originally proposed or as modified. Following the adoption of this resolution, the final assessor's roll will be prepared and filed with the County Auditor's office to be included on the FY 2018 tax roll.

Payment of the assessment levied upon each parcel will be made in the same manner and at the same time as payments are made for property taxes. All funds collected through the assessment must be placed in a special fund and can only be used for the purposes stated within this report.

DESCRIPTION OF IMPROVEMENTS

The facilities, which have been constructed within the City of Hayward's Maintenance District No. 2 boundaries, and those which may be subsequently constructed, will be operated, maintained and serviced and are generally described as follows:

CITY OF HAYWARD
MAINTENANCE DISTRICT NO. 2
FISCAL YEAR 2018
534 Parcels

FY 2018 Assessment Amount per Parcel: \$198.95

The following is an overview of the FY 2018 District assessment, along with a description of any one- time items budgeted in FY 2018:

- **Maximum base assessment amount:** was increased from the prior year's maximum base assessment amount of **\$876.78 to \$906.59** by applying CPI-U for the San Francisco-Oakland-San Jose MSA (**3.40%** for the period February 2016 to February 2017).
- **Annual CPI increase:** the maximum base assessment amount **does increase** annually based upon the prior year's change in the CPI.
- **Assessment revenue:** the FY 2018 amount needed to operate and maintain the facilities and contribute to the capital reserve is: **\$106,239.30**.
- **Annual assessment charge:** each of the **534** parcels shall be apportioned an equal share of the total assessment for this zone as the special benefit derived by the individual parcels is indistinguishable from each other. The FY 2018 per parcel charge **will remain the same** as the FY 2017 amount of **\$198.95** for FY 2018. This amount is below **the** maximum base assessment, and is sufficient for maintaining levels of service and for keeping a reserve balance. In future years, if there is a need for additional funds, the assessment amount may be increased up to the maximum base assessment amount.
- **Proposition 218:** Future increases in the assessment amount **above** the maximum base assessment amount would require the noticing and balloting of property owners per the requirements of Proposition 218.
- **In FY 2018,** A contingency budget of \$10,000 is included in case unscheduled maintenance or repair is required.

The following improvements are proposed to be operated, maintained and serviced in Maintenance District No. 2 for Fiscal Year 2018:

- Water Buffer Channel;
- Storm-water Pre-Treatment Pond;
- Masonry Walls;
- Anti-predator Fences; and
- Miscellaneous Landscaping

The operation, maintenance and servicing of these improvements include, but are not limited to: personnel; water, for irrigation and buffer replenishment; electrical energy; materials, including diesel fuel and oil, debris removal, weeding, trimming, pest control spraying, etc.

FISCAL YEAR 2018 ESTIMATE OF COST AND BUDGET

ESTIMATE OF COSTS

Chapter 10, Article 10, Section 10-10.25 of the Hayward Municipal Code and as supplemented by the provisions of Chapter 26 of Part 3 of Division 7 of the Streets and Highways Code of the State of California provides that the total cost of operation, maintenance and servicing of the water buffer channel, water treatment pond, masonry walls, anti-predator fences and landscaping can be recovered by the District. Incidental expenses including administration of the District, engineering fees, legal fees and all other costs associated with these improvements can also be included.

The costs for Fiscal Year 2018 are summarized in the following table:

FIGURE 1 – 2018 COST ESTIMATE

FY 2018 Budget
Maintenance District No. 2 - Eden Shores
Fund 271, Project 3718

	FY 2015 Actual	FY 2016 Actual	FY 2017 Adopted	FY 2017 EOY Est	FY 2018 Proposed
Income					
a. Annual Assessment Revenue	83,998	92,382	106,239	106,239	106,239
b. Minus County Tax Collection Fee (1.7%)	(1,428)	(1,570)	(1,806)	(1,806)	(1,806)
c. Adjustment for Delinquencies	-	-	-	-	-
d. Other	-	-	-	2,000	2,000
Total Revenue:	82,570	90,812	104,433	106,433	106,433
Services					
a. Utilities: Water	39,206	30,170	38,821	28,000	28,280
b. Utilities: PGE	12,195	14,433	14,794	15,000	15,150
c. Maintenance - Pond - Aquatics	26,208	29,968	27,644	30,000	30,300
d. Maintenance - One Time Repair	-	-	-	5,000	10,000
e. Maintenance - Landscaping - ES HOA	3,600	-	3,780	3,600	3,636
f. Pre-treatment Pond O&M - ACPCD	4,079	3,458	3,500	3,500	3,535
g. Pre-treatment Pond One-Time Capital - ACPCD	-	-	-	-	-
h. Property Owner Mtg/Legal Noticing	677	484	1,106	1,200	1,200
i. Annual Reporting	7,432	1,925	2,750	2,765	2,050
j. City Staff	2,681	1,939	3,394	3,394	3,428
Total Expenditures:	96,078	82,376	95,789	92,459	97,579
Net Change	(13,508)	8,435	8,644	13,974	8,854
Beginning Fund Balance	352,444	338,936	347,371	347,371	361,346
Change	(13,508)	8,435	8,644	13,974	8,854
Ending Fund Balance	338,936	347,371	356,016	361,346	370,200
Fund Balance Designations					
Operating Reserve ¹	41,285	45,406	52,217	53,217	53,217
Capital Reserve ²	297,651	301,966	303,799	308,129	316,983
Total Fund Balance	338,936	347,371	356,016	361,346	370,200
Maximum Base Assessment Amount Per Parcel	835.22	851.10	876.78	876.78	906.59
Annual Parcel Assessment	157.30	173.00	198.95	198.95	198.95
# of Parcels	534	534	534	534	534
Total Amount Assessed for the District	83,998.20	92,382.00	106,239.30	106,239.30	106,239.30

Notes: 1. Operating reserves are needed for future fiscal years because the City does not receive the property tax assessment revenue from the County until January, and then April, which makes it necessary to have cash in the bank in order to fund operations for the first six months (July - Dec). Amount is 50% of annual net revenue. 2. Capital reserves are needed in the event capital facilities need to be replaced because of natural disaster, failure, damage, etc., in accordance with our capital plan.

METHOD OF ASSESSMENT APPORTIONMENT

METHOD OF APPORTIONMENT

Chapter 10, Article 10, Section 10-10.25 of the Hayward Municipal Code and as supplemented by the provisions of Chapter 26 of Part 3 of Division 7 of the Streets and Highways Code of the State of California permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the operation, maintenance and servicing of water buffer channels, water treatment ponds, masonry walls, predator fences and landscaping.

Proposition 218 requires that maintenance assessments must be levied according to benefit rather than according to assessed value. In addition, Article XIID, Section 4(a) of the California Constitution limits the amount of any assessment to the proportional special benefit conferred on the property.

Because assessments are levied on the basis of benefit, they are not considered a tax, and, therefore, are not governed by Article XIII A of the California Constitution.

Article XIID of the California Constitution provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways.

The properties benefiting from the operation, maintenance and servicing of water buffer channels, water treatment ponds, masonry walls, predator fences and landscaping consist of the 534 single-family residential lots located within Tracts No. 7317, 7360 and 7361.

Each of the 534 single-family residential lots receive a special benefit in that they are able to be developed because protection to the adjacent open space has been provided through the construction of these improvements. The special benefit derived by the individual parcels is indistinguishable between parcels. Therefore, all residential parcels derive the same benefit and the corresponding method of assessment for residential land uses is based on a per parcel basis.

The estimated Fiscal Year 2018 proposed assessment revenue is \$106,239.30. The proposed assessment for the District for Fiscal Year 2018 is \$198.95 per parcel, which is the same amount as the previous fiscal year's assessment. The maximum base assessment amount for the District is subject to an annual adjustment equal to the change in the San Francisco-Oakland-San Jose the Consumer Price Index for All Urban Consumers (CPI-U) from the previous year. The maximum base assessment amount for the District for Fiscal Year 2018 has been increased from the previous year's maximum base assessment amount of \$876.78 by 3.40%, which is equal to the percentage increase in CPI-U from February

2016 to February 2017. The maximum base assessment amount for the District for Fiscal Year 2018 is \$906.59.

ASSESSMENT

WHEREAS, the City Council of the City of Hayward, County of Alameda, California, Pursuant to Chapter 26 of Part 3 of Division 7 of the Streets and Highways Code of the State of California, and Chapter 10, Article 10, Section 10-10.25 of the Hayward Municipal Code, and in accordance with the Resolution of Intention, being Resolution No. **17-XXX**, preliminarily approving the Engineer's Report, as adopted by the City Council of the City of Hayward, on **June 6, 2017**, and in connection with the proceedings for:

WHEREAS, said Resolution directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the Assessment District and an assessment of the estimated costs of the improvements upon all assessable parcels within the Assessment District, to which Resolution and the description of said proposed improvements therein contained, reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me and the order of the City Council of the City of Hayward, hereby make the following assessments to cover the portion of the estimated cost of Improvements, and the costs and expenses incidental thereto to be paid by the Assessment District.

As required, an Assessment Diagram is hereto attached and made a part hereof showing the exterior boundaries of the Assessment District. The distinctive number of each parcel or lot of land in the Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

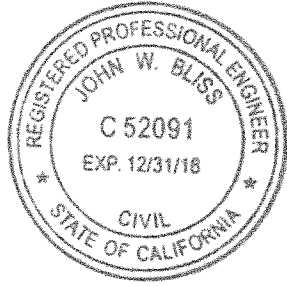
I do hereby assess and apportion said net amount of the cost and expenses of the Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within said Assessment District, in accordance with the special benefits to be received by each parcel or lot from the improvements, and more particularly set forth in the Estimate of Costs and Method of Assessment hereto attached and by reference made a part hereof.

The assessments are made upon the parcels or lots of land within Assessment District, in proportion to the special benefits to be received by the parcels or lots of land, from the Improvements.

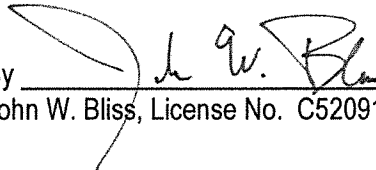
Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Alameda for the fiscal year 2018. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of the County.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2018 for each parcel or lot of land within said Maintenance District No. 2.

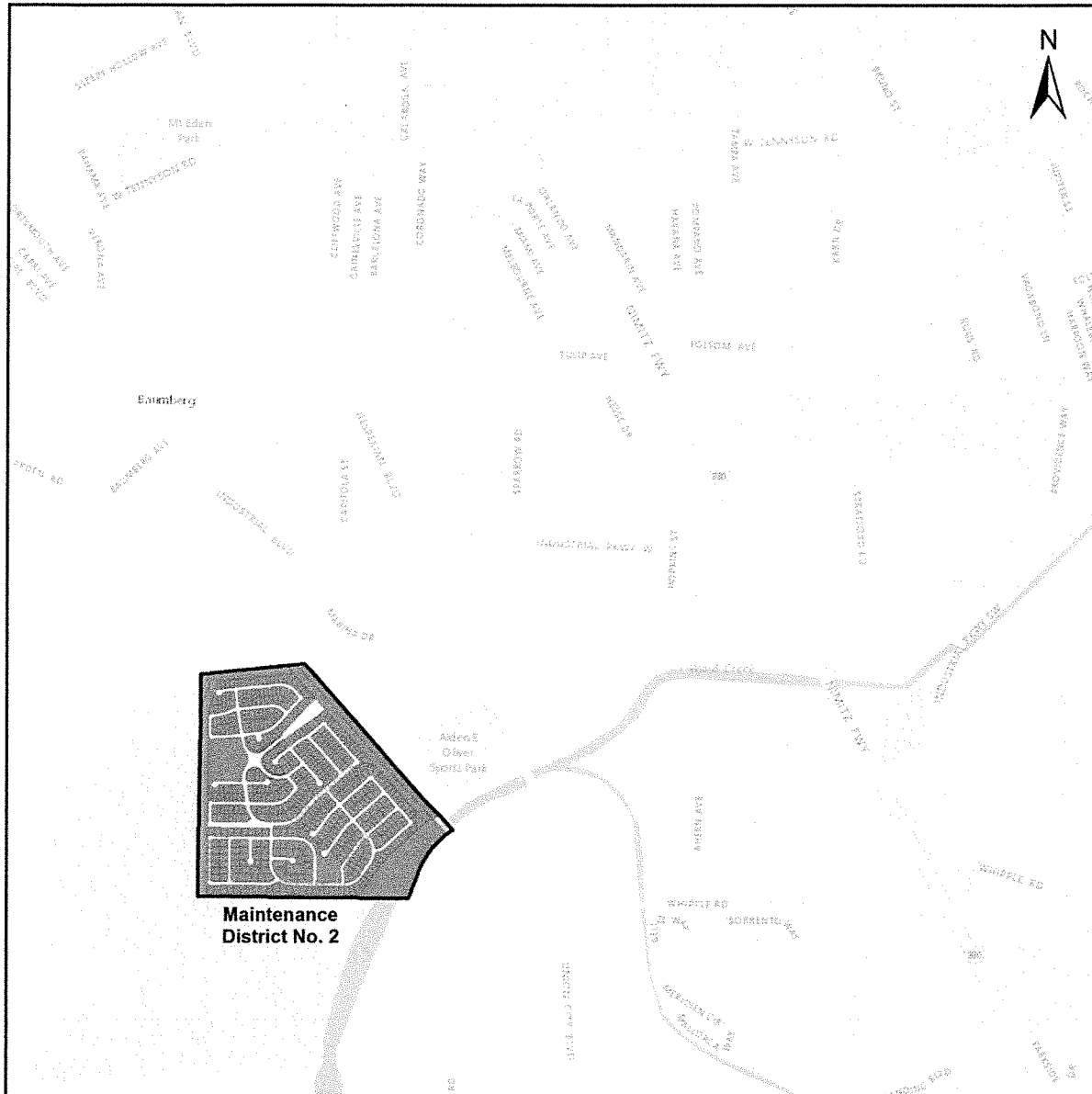
Dated: June 6, 2017



Engineer of Work

By 
John W. Bliss, License No. C52091

VICINITY MAP

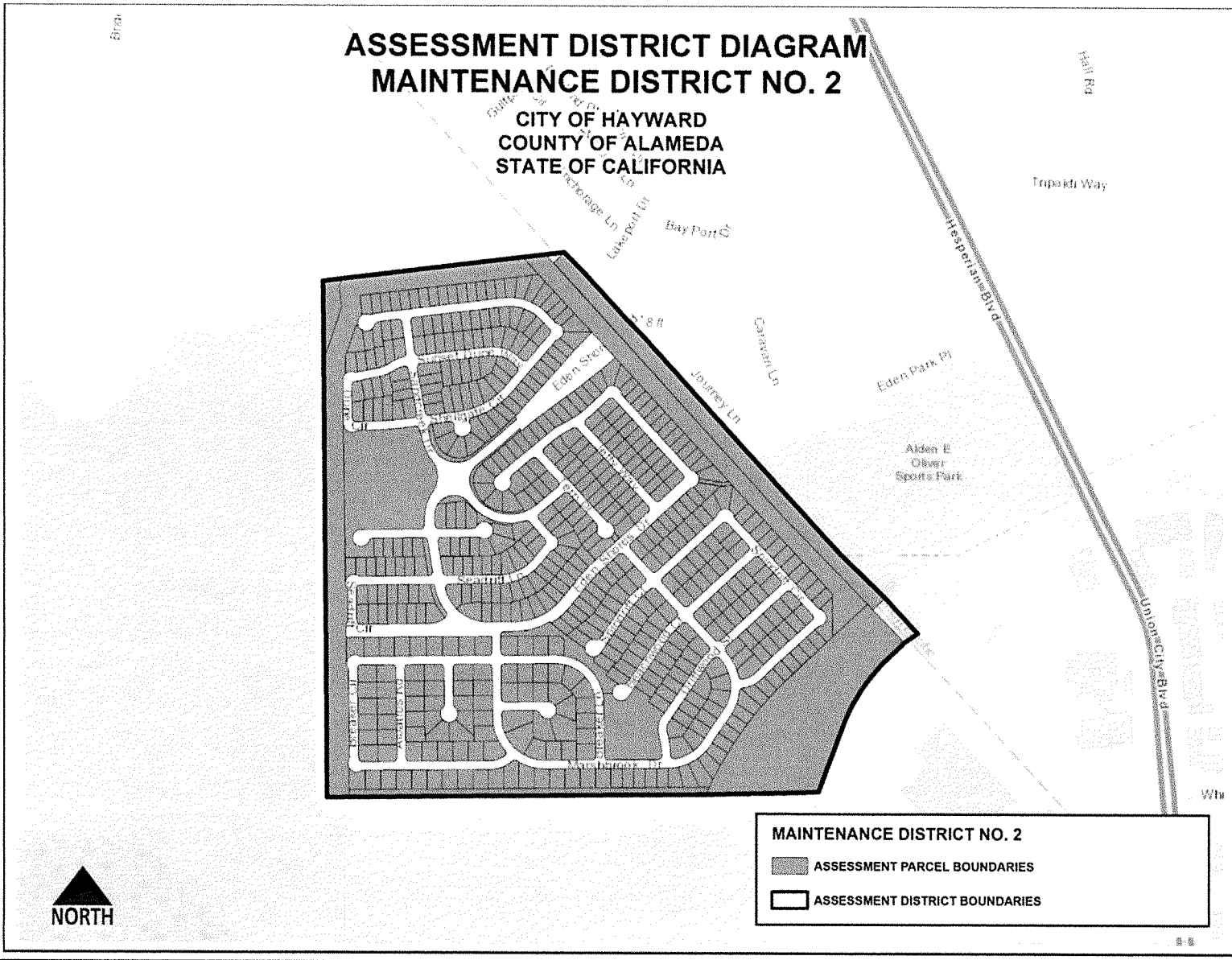


ASSESSMENT DIAGRAM

The Assessment District Diagram for the City of Hayward's Maintenance District No. 2 (Eden Shores) is on file in the Office of the Hayward City Clerk and is incorporated in this report in Appendix "B".

A detailed description of the lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Alameda for Fiscal Year 2018.

For additional information as to the bearings, distances, monuments, easements, etc. of subject subdivisions, reference is hereby made to Final Tracts Maps No. 7317, 7360 and 7361 filed in the Office of the Recorder of Alameda County.



ASSESSMENT ROLL

A list of names and addresses of the owners of all parcels within the City of Hayward's Maintenance District No. 2 is shown on the last equalized Property Tax Roll of the Assessor of the County of Alameda, which is hereby made a part of this report. This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll on file in the Office of the Hayward City Clerk.

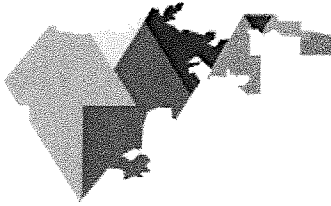
The proposed collection rate and the amount for Fiscal Year 2018 apportioned to each lot or parcel, as shown on the latest roll at the Assessor's Office, are on file in the Office of the City Clerk. The description of each lot or parcel is part of the records of the Assessor of the County of Alameda and these records are, by reference, made a part of this report.

The total amount proposed to be collected for Fiscal Year 2018 is \$106,239.30.


The Assessment Roll for Fiscal Year 2018 is included on the following page of this Report and is on file in the Office of the Hayward City Clerk.

Item # 13 WS 17-027

Proposed FY 2018 Operating Budget



Memorandum

DATE: June 5, 2017
TO: Mayor and City Council
FROM: City Manager 
SUBJECT: Item 13: Budget Work Session 2 - Library staffing options in FY 2018

This memo provides additional information about library staffing options to Council for reference and discussion during the upcoming budget work session on June 6th, 2017.

Background

Council has been presented with information regarding staffing options at the new 21st Century Library and Learning Center on multiple occasions over the course of the fiscal year. Most recently in work session items, *Review of 21st Century Library and Community Learning Center Staffing Considerations*, on May 2, 2017 and again on May 20, 2017 during the FY 2018 Operating Budget Saturday Work Session. During these discussions Council identified some key areas for staff to evaluate as the new 21st Century Library and Learning Center progresses towards its grand opening in February/March 2018. These key areas include: expanding services to allow the Library to open on Sundays; remaining open later into the evening on nights that correspond with key “study times” with some of the City’s educational institutions; to consider an increased use of volunteers to provide services at the facility; and last, but certainly not least, to limit the impact to the General Fund as it relates to new positions adhering to the status quo goal the City Manager identified as a priority in the Budget Message section of the Proposed FY 2018 Operating Budget.

As discussed in the May 2nd staff report, it is possible to operate the new 21st Century Library and Learning Center without additions to current staffing; this approach, however does not address challenges that could arise from the likelihood of a significant increase in annual visits from the current 400,000 per year to a projected 1.2 million in the first year of operation at the new facility. For this reason, staff proposed an increase of 4.3 FTEs for Council’s consideration.

Discussion

The main library has had the same hours of operation with no substantive changes for the past 20+ years. Keeping the library facility open and available to the public is the core library function which has been maintained through the extraordinary efforts of library staff through challenges such as staffing reductions and service demand increases that have occurred over the years. The main library is open to the public six days a week, Monday through Saturday, for a total of 48 hours of operation per week. The library is open from 11:00 a.m. to 8:00 p.m. on Mondays, Tuesdays and Wednesdays (nine hours per day); and from 10:00 a.m. to 5:00 p.m. on Thursdays, Fridays, and Saturdays (seven hours per day).

The optimal number of daily hours for the library to operate and allow for public access is between seven to nine hours per day. This number of hours is optimal for three fundamental reasons:

1. It offers provision of a reasonably wide window of opportunity for the public to access library services on a given day, including morning, afternoon, and occasional evening hours.
2. The operating window does not exceed the length of one full-time staff shift (eight hours plus one hour meal break).
3. It maximizes the amount of library operating hours the City can offer to the community with limited resources. This is achieved by focusing and aligning staff "shifts" with the library's open hours to the greatest possible extent.

Options and recommendations:

Considering all the above, as well as the discussions in the May 2nd and May 20th work sessions, there are several options the Council can consider at this time.

Option One - No additions to library staffing in FY 2018. This option causes no fiscal impact to the General Fund in FY 2018 other than previously projected growth in net staffing expense that will be incurred regardless. As mentioned in previously discussions, the new library can be operated with existing staffing levels. However, this may cause impacts on existing staff due to the anticipated increase in library visits that may occur during the first year the new library is open.

Option Two - Addition of 1.0 FTE Librarian position. Council may consider the implementation of a modest increase to library staffing to address the needs that will be created by new services offered at the new 21st Century Library and Learning Center, that are not currently offered which would consist of a Librarian (1.0 FTE).

Option Three - Addition of 4.3 FTE staff positions as proposed in the FY 2018 Operating Budget. The option included in the Proposed FY 2018 Operating Budget would add 4.3 FTE front-line library staff effective at the time the new library opens in 2018. It is this option that would comfortably address the initial projected spike in service demand. If the Council selects this option, staff could potentially redirect these staff to implement Sunday operating hours in FY 2019 depending on actual service demands. This option, combined with some small increases to supplies and services, would have a projected increase of \$203,399 in General Fund expenditures in FY 2018, and covers only the second half of the fiscal year. In future years, this cost would be for the full fiscal year should the staffing level be maintained.

Staff recommends deferring implementation of Sunday hours at the new 21st Century Library and Learning Center until July 2018 or later, after the new library has been open and operating for a period of time so staff can better understand service demand increases before implementing Sunday operating hours. This will also allow staff and the Council more time to evaluate options for addressing the structural deficit in the operating budget before adding additional services for the public.

Next Steps

Immediately upon the new 21st Century Library and Learning Center opening in the Winter of 2018, staff plans to look to some key indicators to be able to quantify ongoing service needs and identify appropriate service levels at the new facility. Among the measures staff plans to use are:

- A comparison of customer wait times at the main library today vs. wait times at the new 21st Century Library and Learning Center

- Customer surveys to identify the most desired operating times, including those currently offered and not offered
- Number of visits - trends and increases
- Times of heaviest and least use
- Services requiring additional resources to function optimally
- Services being offered that may not be desired or utilized
- More accurate projection of possible new revenue streams

PUBLIC COMMENTS

Kate Turney

Kate Turney, Hangar D-12

Address to Hayward Council June 6, 2017

The Airport was given as a public commons to the City of Hayward for \$1.00 70 years ago to use as a public resource, not a business. Hangar rent increases have been kept at @ 3% for decades, close to the Consumer Price Index projected in the Master Plan. This is called "past practice," recognized as common law in bargaining.

The claim that the rents have veered from Fair Market Value in 2015 to 50% below FMV in 2017 is just not believable. The 50% will raise \$500,000 over 5 years. The claim that the first 10% installment this year is just a one-time thing makes no sense: 10% of the hangars' \$1 million annual contribution to this airport would be \$100,000 - not enough to reroof the hangars or repave the taxiways. Besides, the airport has an \$8 million surplus to pay for that maintenance.

The outline you have provided for this meeting states, "The Airport Master Plan...is not relevant to this discussion." Of course it is. The Council has, for all these years, as past practice dictates, taken into account specific needs of the Hayward community. It is your job to take that into consideration as well.

The Hayward Airport is a cultural treasure for the city to preserve even as it expands. It is no longer a resource for the people who live here if people who are born in Hayward and grow up here can't afford to use it.

Here is one example from real life of what this airport has meant to two people whose lives were changed by the airport's accessibility.

Ralph fell in love with airplanes when he was 6 years old. His father left the family. His mother, suffering from addictions, was unavailable to him, so Ralph rode his bike to the airport after school and on weekends and every day during the summer just to be close to the planes and the pilots who recognized his great passion and his need for a safe place just to BE. Eddie Petreri, a retired mechanic on a fixed income, a widower with a small, single engine plane, was always at the airport and he had the time and the heart to watch out for Ralph. Eddie taught him to fly, helped him with his homework, gave him odd jobs cleaning up around the hangars, and later, taught him how to be a mechanic. When Ralph's mother died of an overdose at the side of the road alone in her car, Eddie was there for Ralph. Eddie attended Ralph's high school graduation and his graduation from the Air Force Academy, where Ralph was first in his class. Eddie and Ralph saved each other's lives.

The contributions of small plane pilots to the culture of Hayward is incalculable.

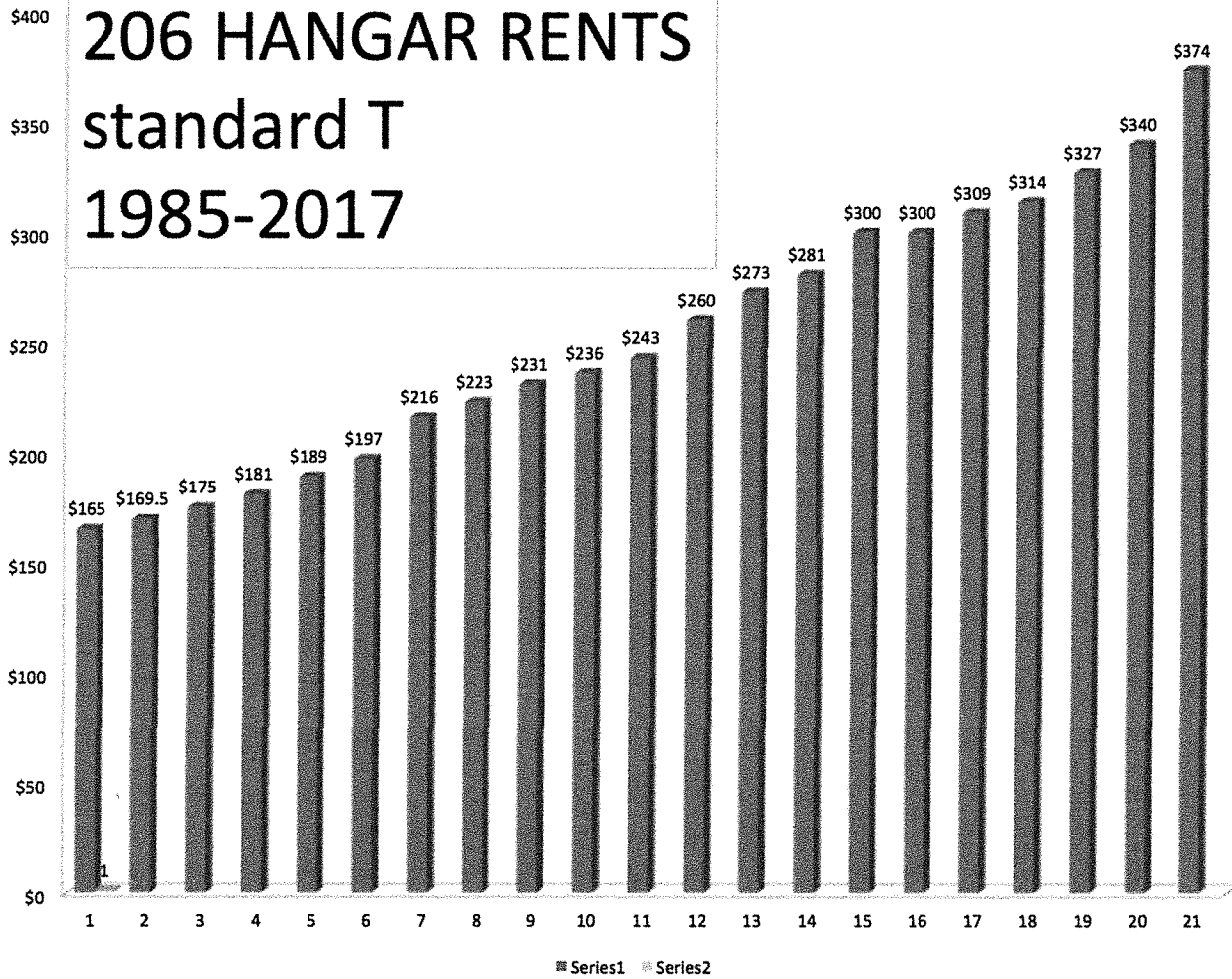
Your rent increases will drive these people out. What a loss to our kids and our culture!

Please exercise your oversight to serve the needs of your community first.

PUBLIC COMMENTS

Jerry Turney

206 HANGAR RENTS standard T 1985-2017



FAA 5190.6B

Airports should be permanent with assurance that they will remain open for aeronautical use over the long term.

Pg 1-4

|

FAA OPINION 5190.6B

2.2. Background. The FAA Airport Compliance Program enforces contractual federal obligations that a sponsor accepts when receiving federal grant funds or the transfer of federal property. These contractual federal obligations serve to protect the public's interest in civil aviation and achieve compliance with federal statutes. Given the great number of

If market rent for nonaeronautical uses results in a surplus, that surplus can be used to subsidize aeronautical costs of the airport. It is to the benefit of aviation and the traveling public that aeronautical users be able to use the airport at rates and charges below the cost of providing the aviation facilities and services if these are effectively subsidized by nonaeronautical revenues. See, for example, *Bombardier Aerospace, et al. v. City of Santa Monica*, FAA Docket No. 16-03-11, January 3, 2004, (available online) where the FAA noted that it promotes the practice of using nonaviation revenues to subsidize aeronautical activities since it reduces the economic impact on aviation users and the aviation public.

PUBLIC COMMENTS, JUNE 6, 2017

By Jerry Turney, The 206 Hangar Group

Congratulations to our airport secretary for her \$100,000 appointment as senior secretary.

A \$205,000 increase in personnel salaries was presented, April 13th, at the airport budget presentation.

We expect another announcement soon.

2017 features a 20% growth in personnel. A second new employee will be added soon, no doubt.

Our 10% hangar rents--\$107,000--arrived just in time, apparently.

The next staff member will probably be financed with creatively budgeting a \$100,000 revenue shortfall. That deficit usually turns out to be too cautious and revenue materializes historically. And that will pay for the second new staffer, in all likelihood.

Pilots, looking on the bright side, hope for the day when the 1970 Hayward Air Terminal (aka Airport Plaza) finally pays its fair rent.

50 years ago, the City Manager, City Clerk, and the City Attorney wrote the half a century Air Terminal lease: the one that **decreases** rent year-after-year. Creative Terminal financing gave us \$169.50 rent this year! Next year the rent is \$156 and 144.40 in 2019.

Didn't G.H.W. Bush called this "voodoo" economics?

We are searching City and airport archives hoping to learn more about this lease.

There may even be a **Mayor's Award for Excellence** given the City Manager, Clerk, and Attorney for their crafting this 50-years ***declining rent agreement***. How unusual.

Who could imagine, back in the day, today's pilots would still be picking up all of that lost revenue. That never used Hayward Air Terminal continues to suck rent money out of the 206 Hangar Pilot's pockets, decade-after-decade.

CM Mendall, now there's your story.

As optimists, pilots trust the CAC will consider our sincere request for an Air Terminal type rent agreement that includes 50 years of declining rents for the 206 Hangar Group.

What's good for one is good for all, don't you think?

Keep hope a live one kind gesture at a time (satire lives).

PUBLIC COMMENTS

Lloyd Emberland

LVK hangars

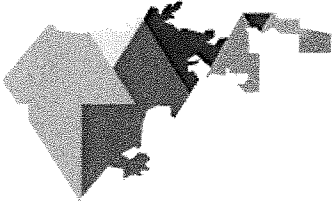
I'm having a hard time understanding why \$10,000 was spent for a "Fair Market Survey" when the hangar rents for surrounding airports are public information for free on the Internet. In 30 some years I have observed that Livermore hangars have been generally lower than Hayward's and their current increase is 3.4% which, in their words, is the most their office has seen for many years. Their July 1st hangar rents are substantially lower than Hayward's as they will be in the future. They said their waiting list is about a year.

Livermore Airport is the most comparable airport in the area to Hayward's in terms of runway length, number of hangars and ability to handle jet traffic but I believe business development at Hayward Airport has been more aggressive which will add income to their bottom line, but is there no benefit for hangar renters?


**Lloyd Emberland
Hayward**

Item # 14 WS 17-022

Capital Improvement Program FY 2018-2027



Memorandum

DATE: June 5, 2017
TO: Mayor and City Council
FROM: Kelly McAdoo, City Manager 
SUBJECT: Item 14: Capital Improvement Program FY 2018 - FY 2027 - Responses to Council Queries

For your information, attached please find answers to questions received from Council related to the Capital Improvement Program FY 2018 - FY 2027 in preparation for tomorrow night's work session.

Attachment I: Responses to Council Queries re: Capital Improvement Program FY 2018 - 2027

**Capital Improvement Program
June 6, 2017**

#	Questions / Comments	Response
1	Regarding the escalation of costs for both the Fire Training Center (\$30 million in previous discussions, now up to \$48.9) and the Police station (\$90 million to \$130), what options do we have to set a price cap for these? Ex: \$30 million and \$80 million, respectively.	City Council may choose to direct staff to set a maximum cost for these projects. The changes to these cost projections included in the CIP are mostly related to the change as they have been previously presented to Council, not because of significant increases in scope. If cost limits are established today and the projects do not commence in the relatively near future, the projects are subject to further cost increases. Creating cost limits today will likely limit/change the scope of each projects and limit their ability to meet identified needs.
2	Will the intersection study include vehicle miles traveled considerations?	<p>Hayward's Intersection Improvement Study will evaluate approximately 100 signalized and un-signalized intersections throughout the City furthering the efforts to develop strategies that will improve efficiencies and reduce accidents. It will identify intersections with the greatest need for improvements and recommend strategies to fund the proposed improvements after prioritizing.</p> <p>Vehicle Miles Traveled (VMT) will soon replace Level Of Service (LOS) as a measure under CEQA to evaluate transportation and development related impacts. As soon as regulations have been adopted by the state, the City will revise its policies to align with the new legislation (SB743). This is, however, separate and distinct from the Intersection Improvement Study.</p>
3	Is the comprehensive zoning update a CIP project?	No, it may be added in FY18 (or future years) as an amendment to the CIP; however, at this time accurate project cost estimates have not been identified. Staff is treating this as a high priority and has been working to identify the appropriate partners to engage for the work and identify accurate cost estimates. It is anticipated that this information will be brought back to Council for further direction in Fall of 2017.
4	Thank you for including the traffic calming proposals. Regarding proposed traffic calming for Hayward Blvd, can an evaluation of a left	Yes, access to and from properties along Hayward Blvd. will be part of the overall analysis. It's too early into the process to know the feasibility

**Capital Improvement Program
June 6, 2017**

#	Questions / Comments	Response
	<p>turn option for people who need to turn into University Hills when heading downhill be evaluated? Currently residents and visitors have no legal option to enter the complex if they are heading west, nor any legal U-turn option. University Hills is the condo complex adjacent to the university just off Hayward Blvd.</p>	<p>of such an option, but we do know it will be a challenge due to the extreme slope and curvature of the roadway. Staff will work with the consultant to identify possible options to address this need.</p>
5	<p>On the Main Street Complete Streets project (page 35), will adding street parking be evaluated?</p>	<p>Yes, street parking will be evaluated as will adding bike lanes and wider sidewalks.</p>
6	<p>On page 58 some projects that may to be ongoing are not listed with ongoing/periodic funding. Would you please clarify?</p> <ul style="list-style-type: none"> a. Biannual satisfaction survey b. General plan update c. Mural program d. Disaster Preparedness exercise e. Employee Engagement 	<p>a. This is an error. This is in fact an on-going program. The CIP will be adjusted accordingly.</p> <p>b. Page 58 of the CIP shows expenditures related to the 2040 General Plan Update project - total shown of \$1.612M. No further expenses are anticipated. Page 59 shows revenues and payback to the General Fund using Planning revenues. Staff anticipates that the General Fund "borrow" to pay for the General Plan Update project will be paid back by end of next fiscal year.</p> <p>c. This is an error. This is an on-going program. The CIP will be adjusted to reflect this when brought back for adoption.</p> <p>d. Funding has been identified for current year expenditures including training exercises; however, what has not been captured are expenses related to the identified critical need for funding of an Emergency Manager (1.0 FTE). Due to the status quo budget, this position remains vacant following the retirement of the Battalion Chief who was acting in this capacity for the City as an over-hired position.</p> <p>e. This is an error. This is on-going work that staff plans to continue in future fiscal years. The CIP will be adjusted to reflect this when brought back for adoption.</p>
7	<p>Similarly, does an item need to be added for Census preparations?</p>	<p>No, The Census is funded, prepared and administered solely by the United States Census Bureau. City staff will assist with this efforts but these costs will be absorbed within existing budgets and workloads.</p>
8	<p>Why is there an annual fee for traffic signal preemption?</p>	<p>This is the ongoing maintenance and upgrade of preemptive system for emergency response vehicles. The cost to buy emergency traffic preemption for all intersections in the city was quoted at \$2.3 million. The</p>

**Capital Improvement Program
June 6, 2017**

#	Questions / Comments	Response
		previous funding amount would have installed 10 intersection a year for 12 years. The City has entered a Hardware as a Service (HaaS) agreement which will allow for the entire system to be installed at one time, and payments for services will be made over the next ten years.
9	Page 133, is this \$169k project for a new Bay Friendly Water Conservation/Demonstration Garden?	The Bay Friendly Water Conservation/Demonstration Garden project (CIP Project No. 07050) is an existing project, which has been moved from FY 2017 to FY 2018. The project pushed out one year to allow time for thoughtful design of a cost-effective project, as well as coordination with the Utilities & Environmental Services and Maintenance Service Departments. Furthermore, in view of the recently completed project located at the southern portion of the grassy area behind City Hall, staff will re-evaluate the need for this project and if the need is confirmed, an appropriate location for it.
10	For the \$100k annual Workspace Reconfiguration/Remodel project (page 254), it would seem that there is enough balance in the Facilities reserve to cover this project, at least for the first couple years, rather than a new transfer from the general fund (page 242)	<p>The Facilities CIP has been modified due to the reduction in allocation from the General Fund. In the final version of the CIP which will be presented for adoption, this change will be included and the \$123k project will be eliminated. The General Fund transfer to cover these costs will be eliminated from the CIP as will an additional \$166k to further assist reducing the GF budget deficit.</p> <p>Neither of these changes were made in time for inclusion in the Proposed CIP being presented on June 6th, but will be reflected in the version presented for adoption on June 20, 2017.</p>
11	In the proposed design of the recycled water distribution system, is Calpine a customer as well as a provider of recycled water?	The Recycled Water Storage and Distribution System project (CIP Project No. 07507) anticipates purchasing surplus tertiary treated recycled water from Russell City Energy Corporation's (RCEC) Recycled Water Facility and distributing it to approximately 40 customers in the industrial area. RCEC currently receives secondary treated effluent from the City's Water Pollution Control Facility. The secondary treated

Capital Improvement Program
June 6, 2017

#	Questions / Comments	Response
		effluent currently produced at City's WPCF has limited use and is not authorized for general irrigation and industrial uses.