

**CITY COUNCIL MEETING
TUESDAY, JANUARY 26, 2016**

PRESENTATIONS

Establishing and Financing Geologic Hazard Abatement Districts (GHADs)



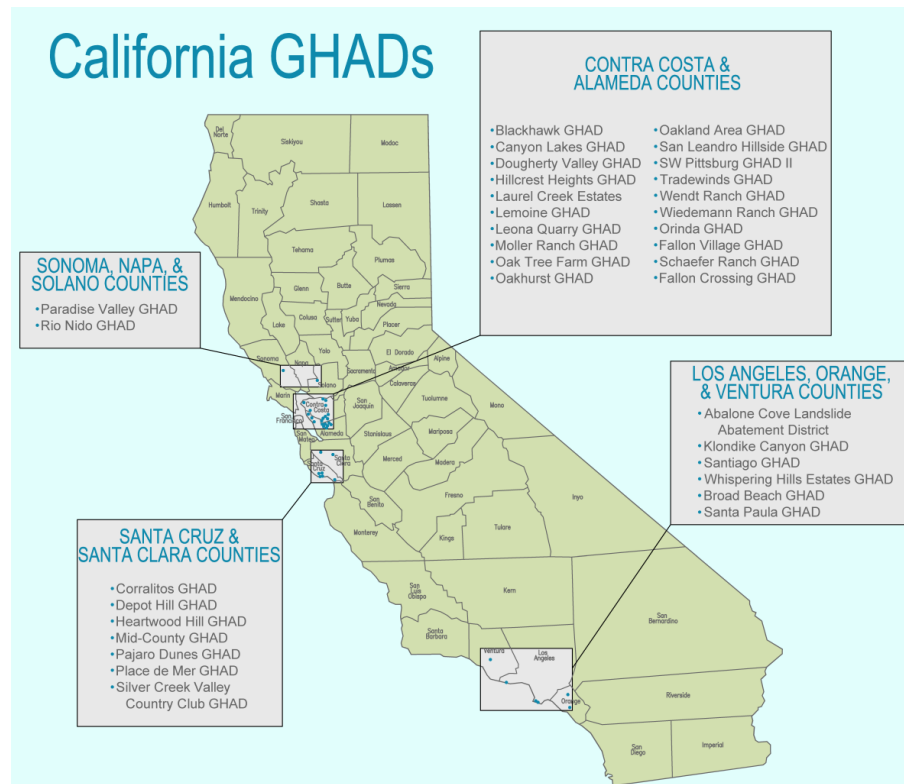
City of Hayward
January 26, 2016

GHAD Overview



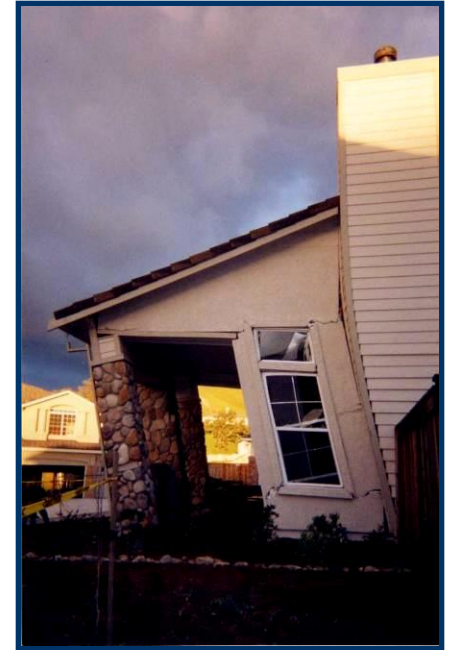
- Established by the Beverly Act in 1979
- Independent state-level agency to oversee geologic hazard prevention, mitigation, abatement and control
- Similar authority to other public agencies
- No limitation as to number of units, area, or contiguity
- Funding is typically through supplemental property tax assessments

GHADs within California



Why a GHAD?

- Increased recognition of long-term weathering issues and inability to eliminate all geotechnical risk
- Absence of insurance coverage for earth movement
- Reduction of large-scale corrective grading techniques
- Creation of alternative to costly, time-consuming litigation
- Safeguarding of water quality, habitat, and biotic resources
- Management of open space prudently and safely



Broad Scope of Capabilities



- GHADs historically used for slope stability, but scope has been expanded:
 - Management
 - Levee management
 - Improvements and facilities management
 - Coastal and sea-level rise issues
 - General open-space management
 - Stormwater quality management
 - Sensitive habitat management
 - Property ownership

Benefits of a GHAD



- Focus on prevention
- Rapid response capabilities
- Broader range of available remedial measures
- No requirement for local permitting, State and Federal still apply
- Exempt from:
 - LAFCO (Local Agency Formation Commission)
 - CEQA (California Environmental Quality Act)

The GHAD Formula



Planning + Formation + Financing + Management =
Established GHAD

Step 1: Planning



- Define GHAD Boundaries
- Establish GHAD responsibilities and limitations
- Create a Plan of Control (What the GHAD will and will not do)

Step 2: Formation (City Council)



Hayward City Council

- Declare that the City is subject to GHAD law (Approved November 17, 2015)
- Accept Petition for Formation (Scheduled for February 2, 2016)
 - Includes: Draft Plan of Control, Plat and Legal Description
- Hold public hearing on GHAD formation and appointment of the GHAD Board of Directors and Chair (Scheduled for March 1, 2016)

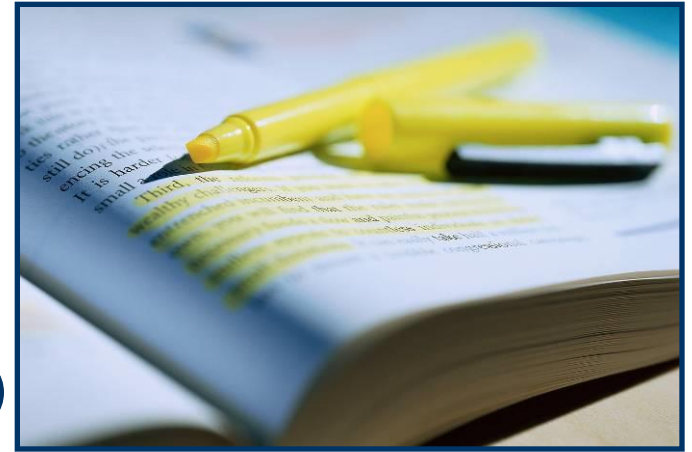
Step 2: Formation (GHAD Board)



GHAD Board of Directors (Members of the Hayward City Council)

- Appointment of GHAD Officers (April/May 2016)
 - Clerk (Required)
 - Treasurer (Required)
 - Other Officers of the District (Manager, Legal Counsel)
- Adopt final Plan of Control (April/May 2016)
- Approve Engineer's Report and Intent to Order GHAD Assessment (April/May 2016)
- Hold a Public Hearing (Proposition 218) requirement to consider adoption of assessment for Hayward GHAD (June/July 2016)

The Plan of Control



- Prepared by a Certified Engineering Geologist, this document usually includes the following critical information:
 - Boundary description*
 - Scope of GHAD's duties*
 - Identification of geologic hazards*
 - Criteria for GHAD involvement
 - Prioritization of expenditures
 - Acceptance criteria
 - Maintenance and monitoring plan
 - Monitoring protocols

* Legally required

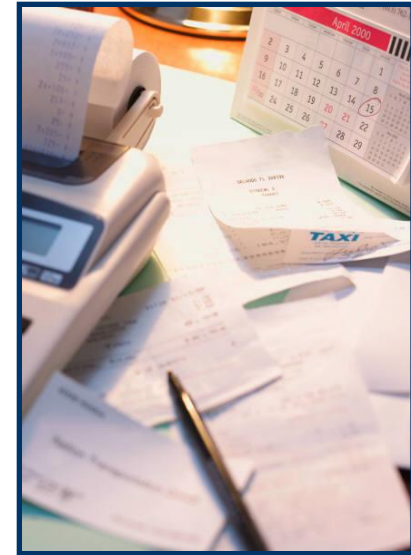
Step 3: Financing

- Typically funded through supplemental property tax assessments
- Assessments are usually uniform
 - Based on number of units, land area, sq. footage, etc.
- Engineer's report provides the basis for the budget
- Revenue stream is divided into operations and reserve accumulation
- Budget provides short and long-term costs
- Components:
 - Operation and maintenance costs
 - Reserve Accumulation
- Assessment levels can be set higher than the expected levy amount



Proposition 218

- “The Right to Vote on Taxes” Initiative
- Engineer’s report provides the basis for the operating budget and assessment level
- Requires ballot and 45-day period



Board Duties

Duties

- Annual Budget
- Annexation Hearings
- Plan of Control Revisions
- Contracting Policies
- Other GHAD Matters

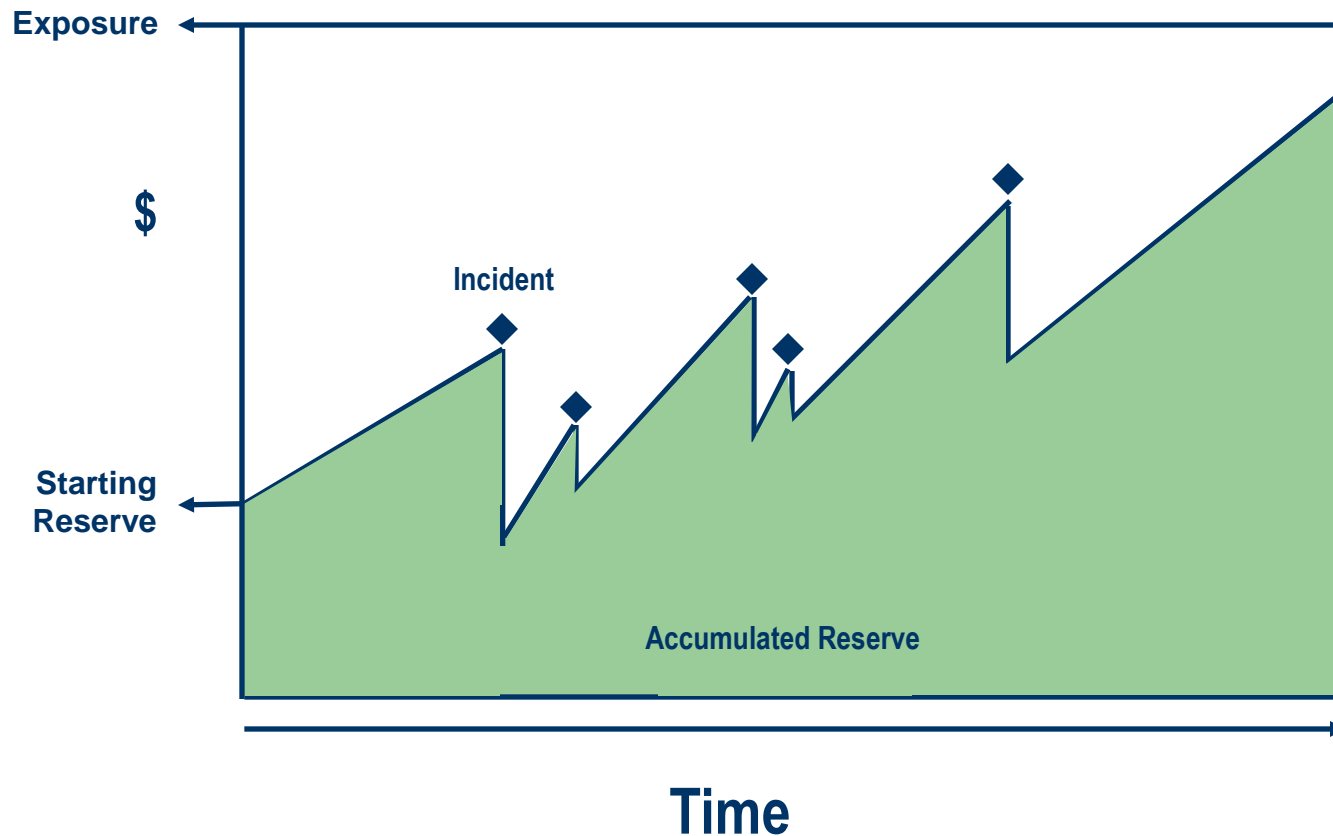


GHAD Management



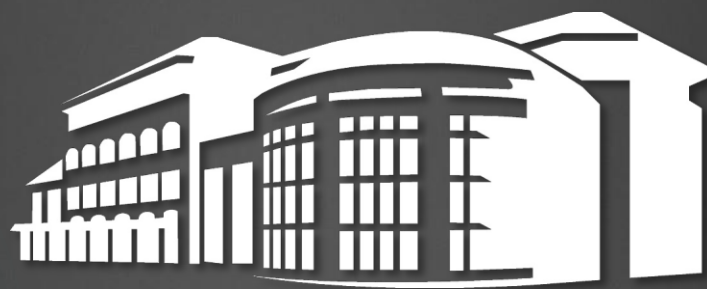
- Resource agency permitting
 - Local ordinance exemption, but State and Federal permits still apply
 - Interaction between GHAD manager and City staff
 - Contracting practices
 - Rapid-response capabilities
 - Long-term prevention programs

Long-Term GHAD Financing



Discussion





UPDATE ON POTENTIAL RENEWAL OF CITY'S UTILITY USERS TAX MEASURE

Presentation Overview



- ▶ Utility Users Tax (UUT) Background
- ▶ Review of November 2015 Polling Results
- ▶ Overview of Budget & Finance Committee Recommendations
- ▶ Overview of Proposed Outreach Efforts



GODBE RESEARCH
Gain Insight



City of Hayward: UUT Renewal Feasibility Survey

December 2015

The City of Hayward commissioned Godbe Research to conduct a survey of local voters with the following research objectives:

- Assess potential voter support for a measure to renew the existing UUT at a new rate to maintain City services with funding that cannot be taken by the State;
- Prioritize projects and programs to be funded with the proceeds;
- Test the influence of supporting and opposing arguments on potential voter support;
- Identify the rate and duration at which voters will support the measure; and
- Identify any differences in voter support due to demographic and/or voter behavioral characteristics.

- Data Collection Telephone and Internet Interviewing
- Universe 18,836 likely June 2016 voters in the City of Hayward
- Fielding Dates November 5 through November 15, 2015
- Interview Length 20 minutes
- Sample Size 650
- Margin of Error $\pm 3.78\%$



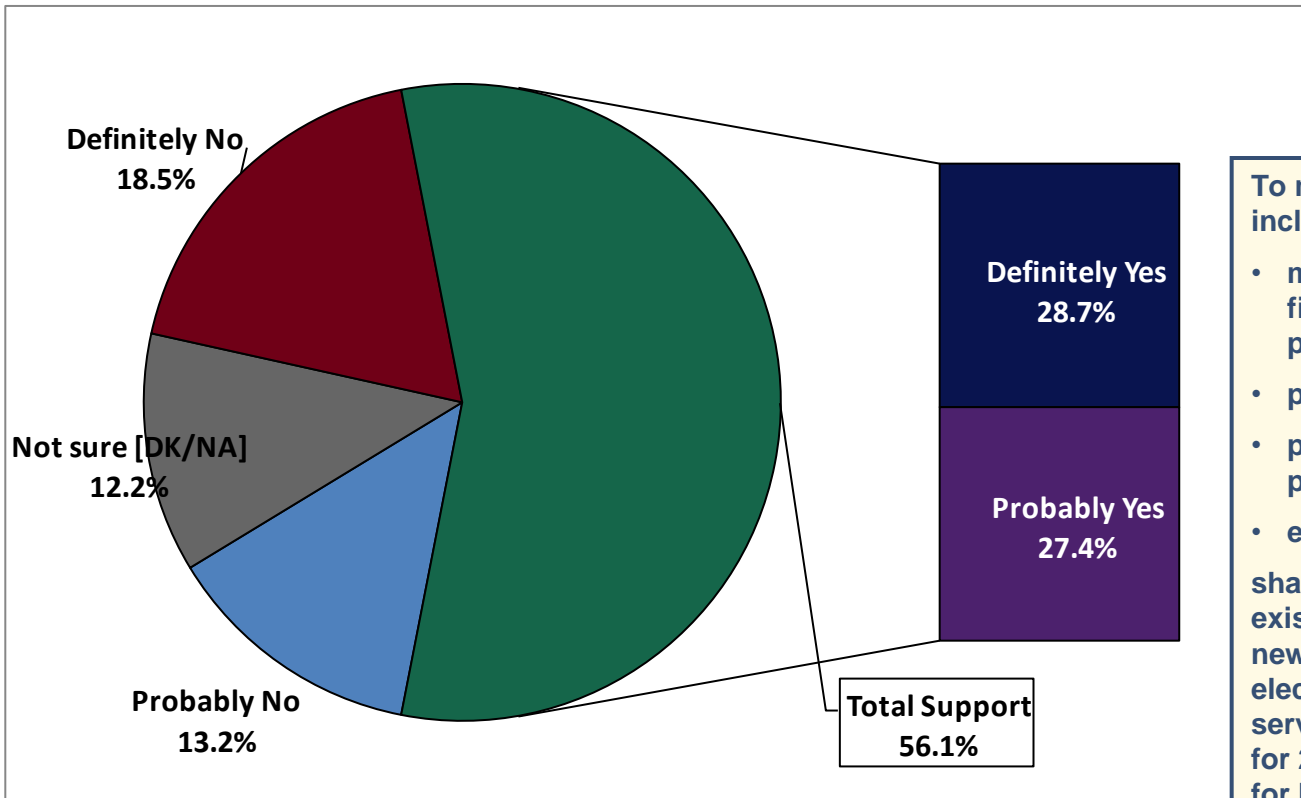
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Key Findings

Q1. Uninformed Support for UUT Renewal

June 2016 (n=650)



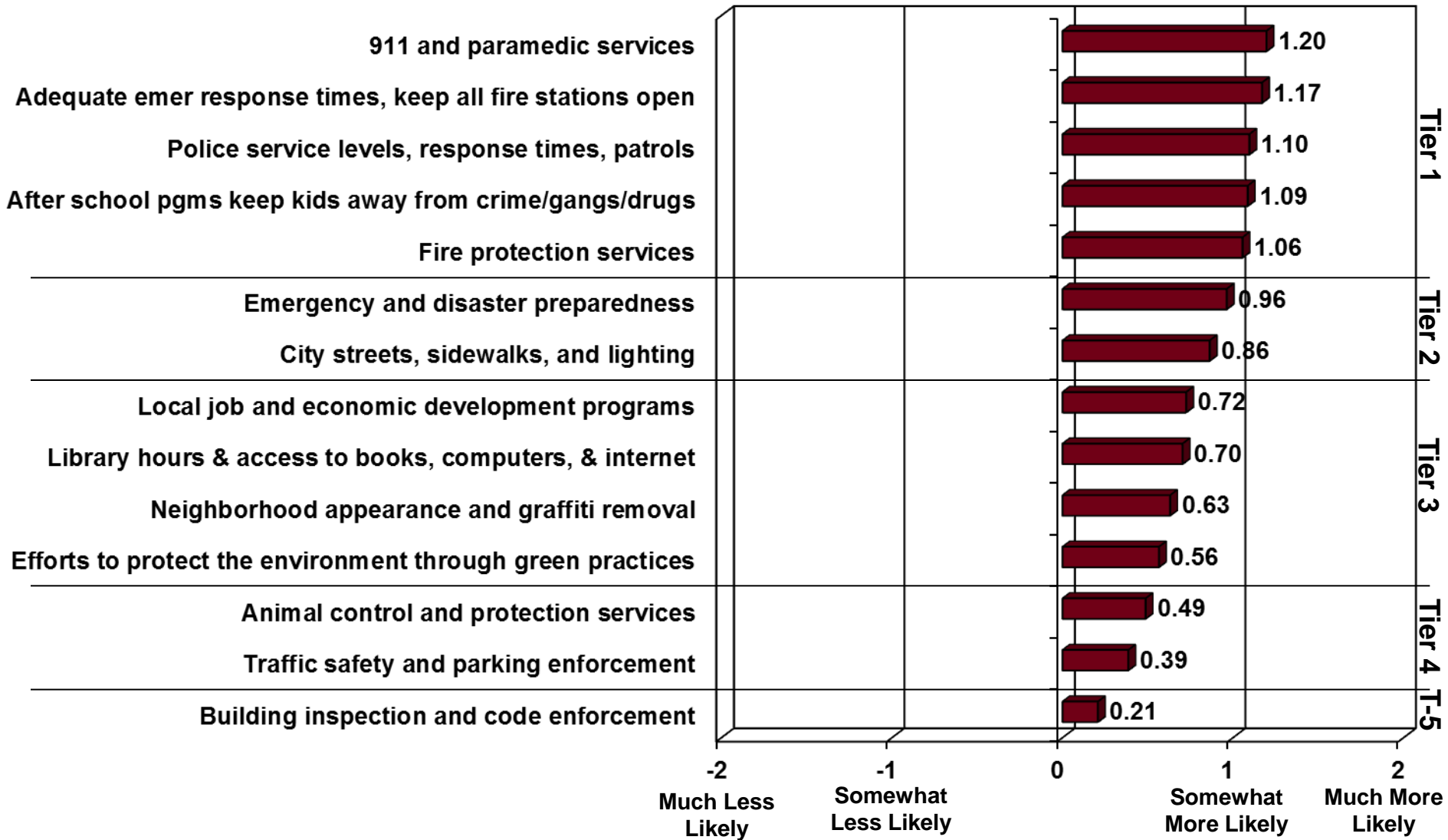
To maintain City of Hayward services including:

- maintaining firefighters, paramedics, fire stations, and neighborhood police patrols;
- protecting emergency response times;
- preserving youth and anti-gang programs, and
- emergency and disaster preparedness;

shall the City of Hayward renew the existing Utility Users Tax ordinance at a new rate of 6.25 percent on gas, electricity, video and telecommunications services, providing \$17 million annually, for 20 years, with exemptions available for low-income lifeline users; and all money dedicated to preserving Hayward city services?

Q2. Features of the Measure

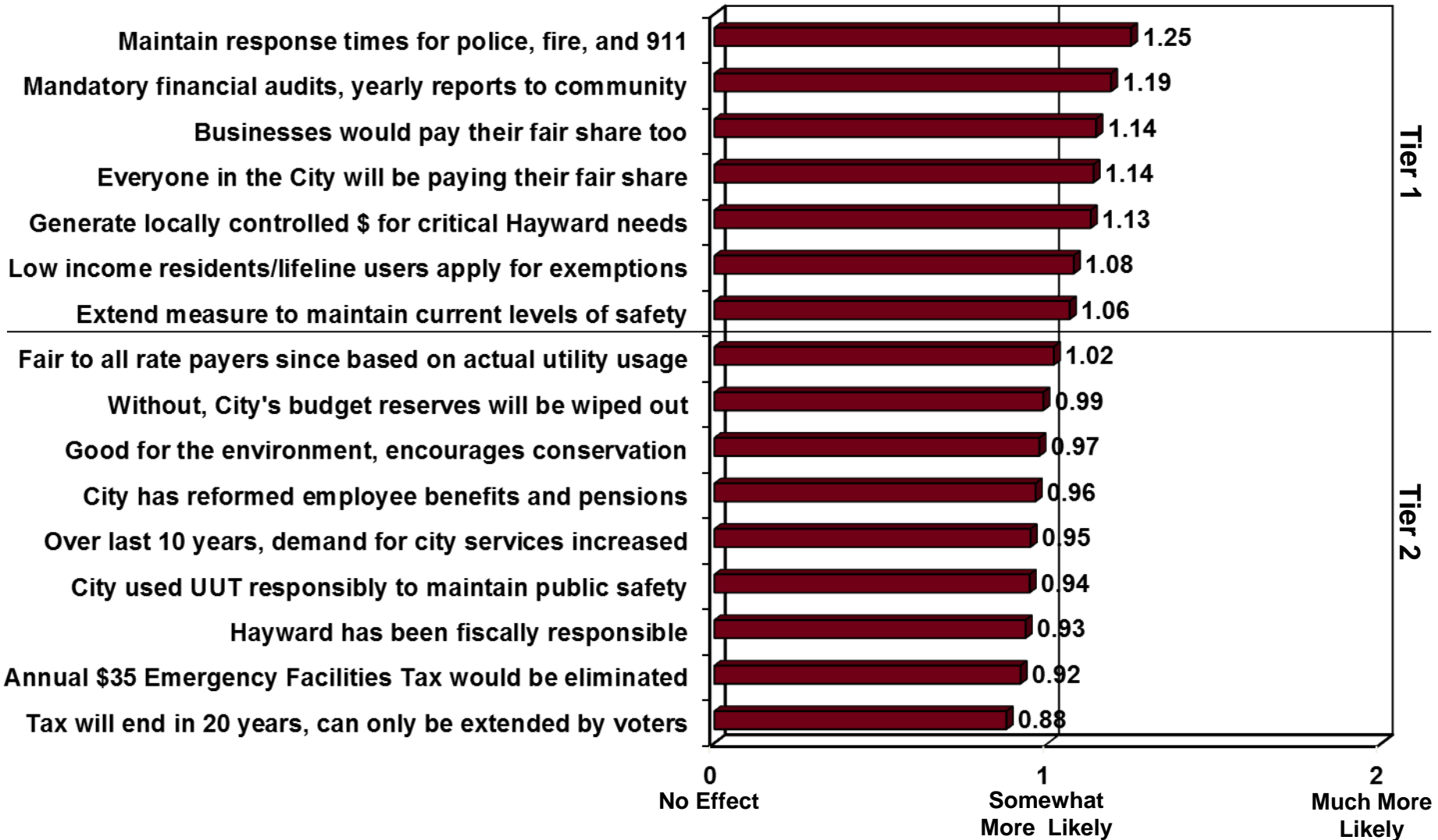
June 2016 (n=650)



Note: The above rating questions have been abbreviated for charting purposes, and responses were recoded to calculate mean scores: "Much More Likely" = +2, "Somewhat More Likely" = +1, "No Effect" = 0, "Somewhat Less Likely" = -1, and "Much Less Likely" = -2.

Q3. Influence of Supporting Statements

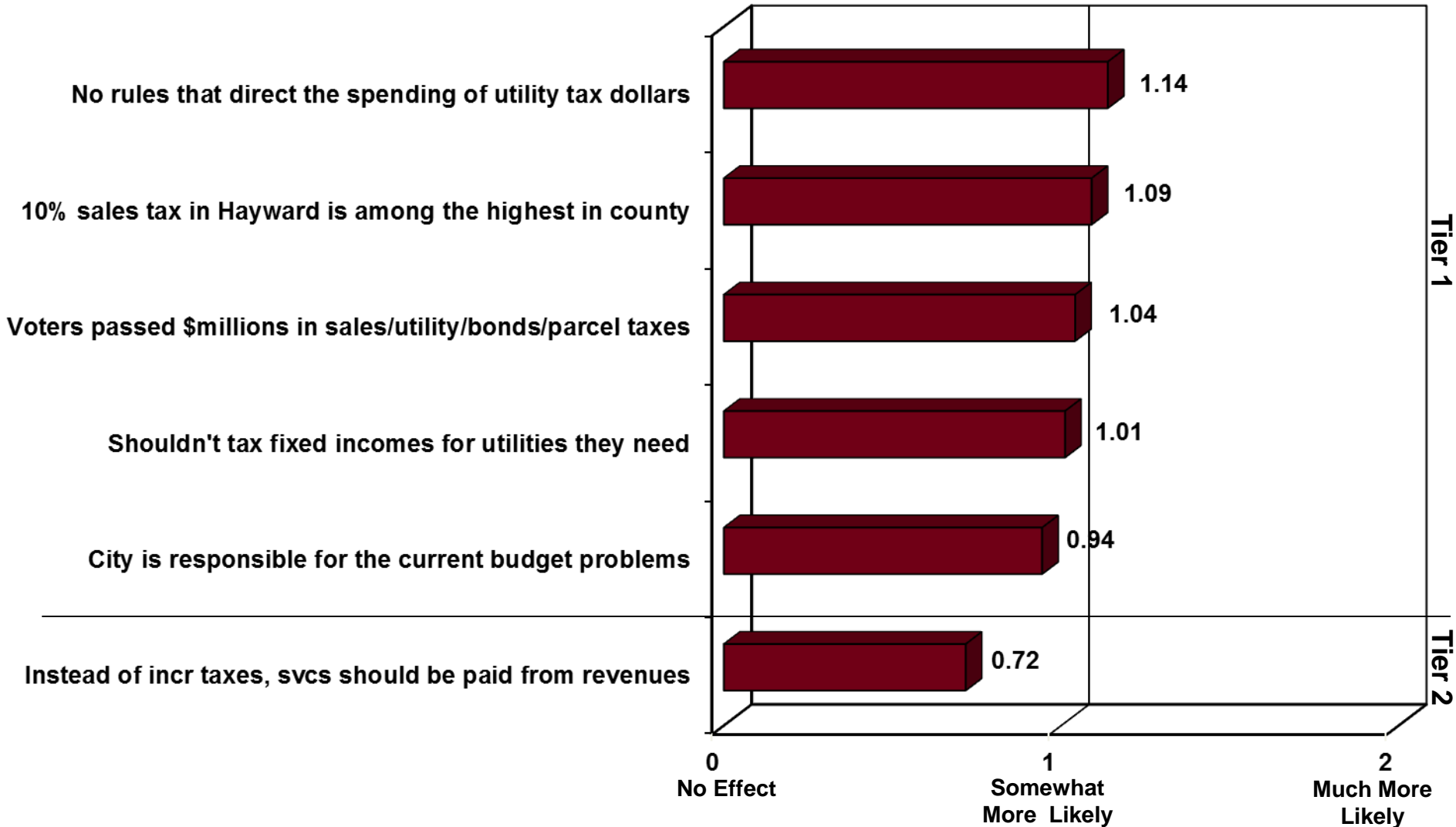
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Q4. Potential Opposition Statements

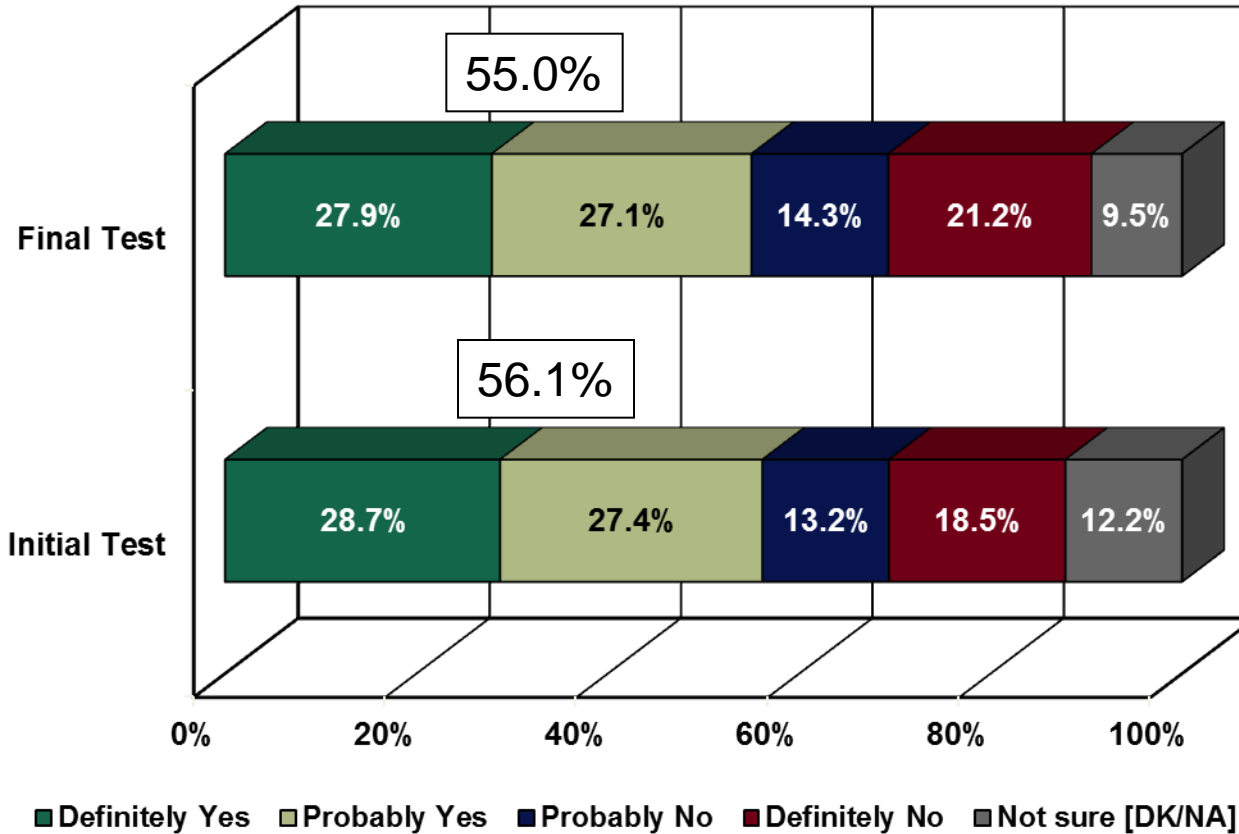
June 2016 (n=650)



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Q5. Informed Support

June 2016 (n=650)

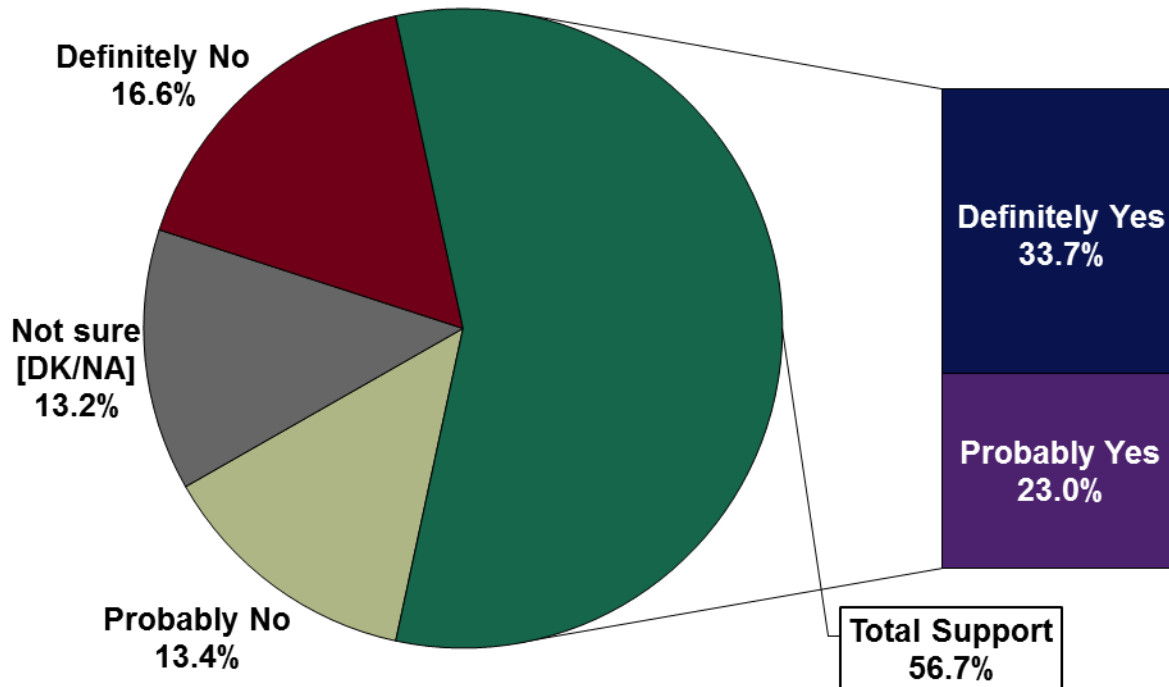


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Q6. Support for Alternate Measure: 6.25% for 10 Years Split Sample A (n=304)



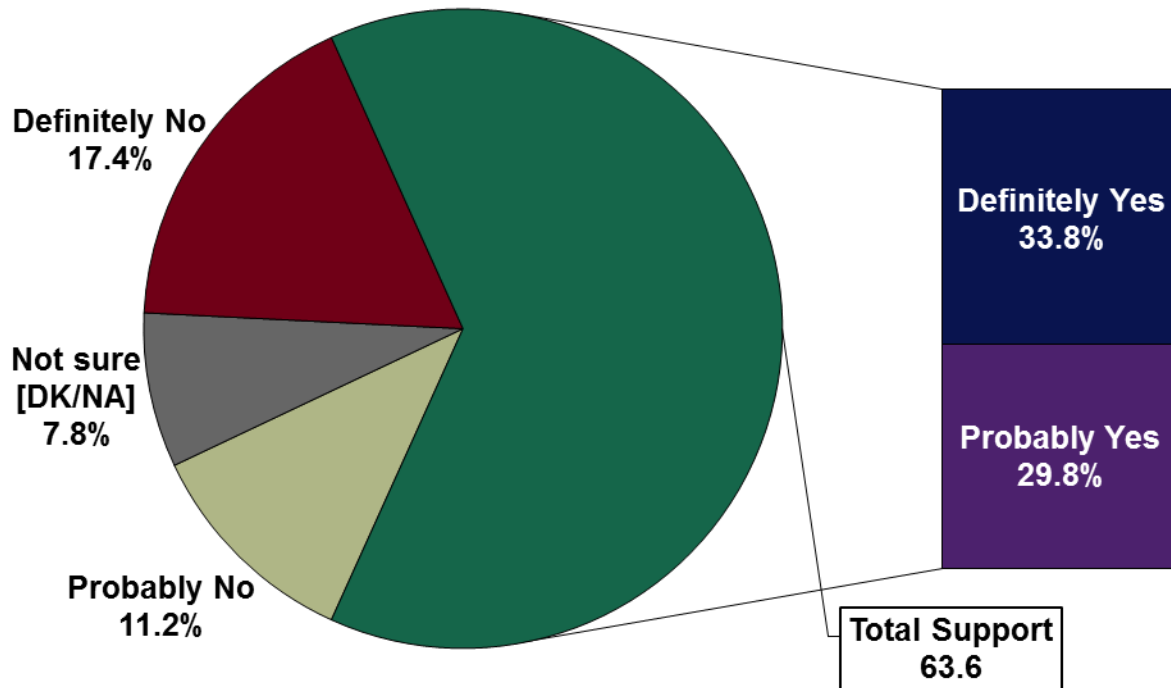
Instead of the measure just presented, an alternative measure might be presented to voters for a shorter time-period. Here's a summary of that measure:

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Q7. Support for Alternate Measure: 5.5% for 10 Years Split Sample B (n=346)



Instead of the measures just presented, an alternative measure might be presented to voters for a shorter time-period and a lower rate. Here's a summary of that measure:

To maintain City of Hayward services including:

- maintaining firefighters, paramedics, fire stations, and neighborhood police patrols;
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- preserving youth and anti-gang programs, and
- emergency and disaster preparedness;

shall the City of Hayward renew the existing Utility Users Tax ordinance at 5.5 percent on gas, electricity, video and telecommunications services, providing \$15 million annually, for 10 years, with exemptions available for low-income lifeline users; and all money dedicated to preserving Hayward city services?

Budget & Finance Committee Recommendation



- ▶ Consider renewal of current UUT at existing rate of 5.5% with sunset of 20 years (to go into effect following sunset of existing measure in 2019)
- ▶ Begin outreach efforts to get community feedback on the effectiveness of the City's management of the current UUT

Proposed Outreach Efforts



- ▶ Door to door community conversations
- ▶ Community-wide mailer: provide information and receive feedback
- ▶ Stakeholder conversations
- ▶ Online survey: www.haywardlistens.com

Next Steps



- ▶ Continue outreach process through February
- ▶ Tracking poll in mid-February
- ▶ February 23: Council work session to discuss outreach efforts and polling results
- ▶ March 1: possible Council action to place UUT renewal measure on ballot
- ▶ March 11: County deadline to place measures on the June ballot

Questions & Discussion

