



DATE: June 20, 2017

TO: Mayor and City Council

FROM: City Attorney and City Clerk

SUBJECT Adoption of an Ordinance Amending Certain Hayward Municipal Code Sections of Chapter 1, Chapter 2, Chapter 3, Chapter 4, Chapter 5, Chapter 6, Chapter 7, Chapter 8, Chapter 9, Chapter 10, and Chapter 11

RECOMMENDATION

That the Council adopts the Ordinance introduced on June 13, 2017.

BACKGROUND

The Ordinance was introduced by Council Member Mendall at the June 13, 2017, special meeting of the City Council with the following vote:

AYES: Council Members: Zermeño, Márquez, Mendall, Peixoto, Lamnin, Salinas
Mayor Halliday

NOES: None

ABSENT: None

ABSTAIN: None

The Ordinance was introduced with two amendments to Exhibit A.

- 1) On Page 7, retain the language in Section 2-1.10(a) and (b). The language will continue to read as follows:

SEC. 2-1.10 - COMPENSATION FOR MEMBERS OF THE CITY COUNCIL.

Note— (Amended by Ordinance 01-12, adopted September 25, 2001)

- (a) Each Council Member shall receive compensation for services rendered in an official capacity, an annual salary in the sum of twenty-five thousand dollars (\$25,000.00).
- (b) The Council of the City of Hayward does ordain as follows: The Mayor shall receive as compensation for services rendered in an official capacity, an annual salary in the sum of forty thousand dollars (\$40,000.00)

- 2) On Page 16, Section 4-1.58, change the word “proscribed” to “prescribed” such that the section reads as follows:

SEC. 4-1.58 - ABATEMENT NOTICE.

The enforcement officer shall cause the responsible person to be notified of a violation of this ordinance and shall direct the responsible person to abate the violation or appear before the enforcement officer to show cause why the violation should not be abated by the City at the property owner's expense.

The notice shall be **in a form prescribed by the City Council.**

Additionally, a portion of Section 11-5.12(c) on Page 62 was inadvertently omitted and is now recommended to read as follows:

SEC. 11-5.12 - PURPOSE AND INTENT.

The purpose of this article is to ensure the future health, safety, and general welfare of the residents of the City by:

- (a) eliminating non-stormwater discharges to the municipal separate storm sewer;
- (b) controlling the discharge to municipal separate storm sewers from spills, dumping, or disposal of materials other than storm water; and
- (c) reducing pollutants in storm water discharges to the maximum extent practicable.

The intent of this ordinance is to protect and enhance the water quality of watercourses, water bodies, and wetlands in a manner pursuant to and consistent with the Clean Water Act **and the current Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (Order No. R2-2015-0049), which is available at http://www.waterboards.ca.gov/rwqcb2/water_issues/programs/stormwater/Municipal/.**

FISCAL IMPACT

There is no fiscal impact.

PUBLIC CONTACT

The summary of the Ordinance was published in the Hayward Daily Review on Friday, June 16, 2017. Adoption at this time is therefore appropriate.

NEXT STEPS

The Hayward Municipal Code will be updated accordingly.

Prepared and Recommended by: Miriam Lens, City Clerk and Michael Lawson, City Attorney

Approved by:

A handwritten signature in black ink, appearing to read 'K. McAdoo', written in a cursive style.

Kelly McAdoo, City Manager