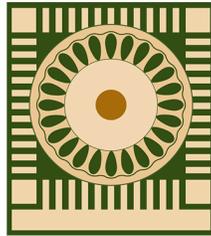


CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov



CITY OF
HAYWARD
HEART OF THE BAY

Agenda

Tuesday, June 25, 2019

7:00 PM

Council Chambers

City Council

CITY COUNCIL MEETING**CALL TO ORDER Pledge of Allegiance: Council Member Wahab****ROLL CALL****CLOSED SESSION ANNOUNCEMENT****PUBLIC COMMENTS**

The Public Comment section provides an opportunity to address the City Council on items not listed on the agenda or Information Items. The Council welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Council is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff.

ACTION ITEMS

The Council will permit comment as each item is called for the Consent Calendar, Public Hearings, and Legislative Business. In the case of the Consent Calendar, a specific item will need to be pulled by a Council Member in order for the Council to discuss the item or to permit public comment on the item. Please notify the City Clerk any time before the Consent Calendar is voted on by Council if you wish to speak on a Consent Item.

CONSENT

1. [MIN 19-086](#) Minutes of the City Council Meeting on June 4, 2019
Attachments: [Attachment I Draft Minutes of 6/4/2019](#)

2. [CONS 19-474](#) Adoption of an Ordinance Adding Chapter 12, Article 1, to the Hayward Municipal Code Regarding the Residential Rent Stabilization and Tenant Protection Ordinance
Attachments: [Attachment I Staff Report](#)
[Attachment II Summary of Ordinance](#)
[Attachment III Ordinance](#)
[Attachment III Exhibit A Revised RRS&TPO](#)

3. [CONS 19-466](#) Adopt a Resolution of Denial for a Proposed Cannabis Retail Dispensary at 1004 B Street (Assessor Parcel No. 428-0061-056-00) by Siavash Afshar on Behalf of Hayward Station (Applicant); Alfred J Antonini (Property Owner), Conditional Use Permit Application No. 201806005

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution Hayward Station](#)

4. [CONS 19-438](#) Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 4 to the Professional Services Agreement with CSG Consultants, Inc., (CSG) for Private Development Plan Check Review and Related Services

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)

5. [CONS 19-459](#) Authorize the City Manager to Negotiate and Execute a Contract Amendment with Chabot-Las Positas Community College District to Add an Additional \$22,000 for Outreach Work to be Completed in Summer 2019

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Summary of Completed Outreach](#)

PUBLIC HEARING

6. [PH 19-063](#) Public Tax and Equity Fiscal Responsibility Act (TEFRA) Hearing as Required by the Internal Revenue Code of 1986, and Adoption of a Resolution Approving the Issuance by California Statewide Communities Development Authority of Tax-Exempt Bonds to Finance the Acquisition, Construction and Development of the Maple & Main Apartment Project (Report from City Manager McAdoo)

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III 2019 Rent and Income Limits](#)

7. [PH 19-059](#) Introduction of an Ordinance to Establish a Soft Story Seismic Screening Program for Multifamily Residential Buildings and Voluntary Seismic Retrofit Standards for Soft Story Buildings (Report from Development Services Director Simpson)

Attachments: [Attachment I Staff Report](#)
[Attachment II Ordinance](#)

8. [PH 19-058](#) Approve a Resolution Updating the FY 2020 Master Fee Schedule with New Fees and Charges in the Maintenance Services Section Related to Facility Rentals in City Hall and the 21st Century Library and Learning Center and Accept the Proposed Changes to the Maintenance Services Section of the FY 2020 Master Fee Schedule (Report from Maintenance Services Director Rullman and Library Services Director Addleman)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Proposed Changes](#)

LEGISLATIVE BUSINESS

9. [LB 19-036](#) Adoption of Emergency Ordinance Establishing a Temporary Moratorium on Rent Increases Exceeding Five Percent of Current Rent on All Pre-1979 Units Except Single Family Homes and Condominiums (Report from City Manager McAdoo)

Attachments: [Attachment I Staff Report](#)
[Attachment II Ordinance](#)

10. [LB 19-034](#) Adoption of Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2020 (Report from Human Resources Director Collins)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III FY 2020 Salary Plan](#)

11. [LB 19-033](#) Adoption of Resolutions Approving Extensions of the Employment Agreements Between the City of Hayward and the City Attorney and City Clerk and Authorizing the Mayor to Execute Those Agreements on Behalf of the Council (Report from Human Resources Director Collins)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution City Attorney](#)
[Attachment III Resolution City Clerk](#)

CITY MANAGER'S COMMENTS

An oral report from the City Manager on upcoming activities, events, or other items of general interest to Council and the Public.

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Members can provide oral reports on attendance at intergovernmental agency meetings, conferences, seminars, or other Council events to comply with AB 1234 requirements (reimbursable expenses for official activities).

COUNCIL REFERRALS

Council Members may bring forward a Council Referral Memorandum (Memo) on any topic to be considered by the entire Council. The intent of this Council Referrals section of the agenda is to provide an orderly means through which an individual Council Member can raise an issue for discussion and possible direction by the Council to the appropriate Council Appointed Officers for action by the applicable City staff.

ADJOURNMENT

NEXT MEETING, July 2, 2019, 7:00 PM

PUBLIC COMMENT RULES

Any member of the public desiring to address the Council shall limit her/his address to three (3) minutes unless less or further time has been granted by the Presiding Officer or in accordance with the section under Public Hearings. The Presiding Officer has the discretion to shorten or lengthen the maximum time members may speak. Speakers will be asked for their name before speaking and are expected to honor the allotted time. Speaker Cards are available from the City Clerk at the meeting.

PLEASE TAKE NOTICE

That if you file a lawsuit challenging any final decision on any public hearing or legislative business item listed in this agenda, the issues in the lawsuit may be limited to the issues that were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing.

PLEASE TAKE FURTHER NOTICE

That the City Council adopted Resolution No. 87-181 C.S., which imposes the 90-day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.

****Materials related to an item on the agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, City Hall, 777 B Street, 4th Floor, Hayward, during normal business hours. An online version of this agenda and staff reports are available on the City's website. Written comments submitted to the Council in connection with agenda items will be posted on the City's website. All Council Meetings are broadcast simultaneously on the website and on Cable Channel 15, KHRT. ****

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400 or TDD (510) 247-3340.

Assistance will be provided to those requiring language assistance. To ensure that interpreters are available at the meeting, interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400.



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: MIN 19-086

DATE: June 25, 2019

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Minutes of the City Council Meeting on June 4, 2019

RECOMMENDATION

That the City Council approves the minutes of the City Council meeting on June 4, 2019.

SUMMARY

The City Council held a meeting on June 4, 2019.

ATTACHMENTS

Attachment I Draft Minutes of 6/4/2019



MINUTES OF THE CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, June 4, 2019, 7:00 p.m.

The meeting of the City Council was called to order by Mayor Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Márquez.

ROLL CALL

Present: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Lamnin, Wahab, Salinas
MAYOR Halliday
Absent: NONE

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 5:30 p.m., concerning three items: 1) public employment pursuant to Government Code 54957 regarding the City Attorney's annual evaluation; 2) conference with legal counsel pursuant to Government Code 54956.9(d)(1) regarding the AGG, et al. v. City of Hayward, et al., United States District Court Case No. 4:19-cv-00697 DMR; and 3) conference with real property negotiators pursuant to Government Code 54956.8 regarding City Center, 22300 Foothill Boulevard, Hayward, APNs: 415-0250-112-00, 415- 0250-111-02 and 415-0250-113-00. Mayor Halliday reported there was no reportable action related to Item 1 and City Attorney Lawson indicated there was no reportable action related to Items 2 and 3.

PRESENTATION

Mayor Halliday read a Proclamation declaring June 2019 as Elder Abuse Awareness Month in the City of Hayward in recognition of elders who have the right to live safely and securely in Hayward. Two proclamations were accepted on behalf of the Alameda County District Attorney's Office by Cheryl Poncini, Deputy District Attorney and Vanessa Baker, Adult and Aging Services Program Manager. Both representatives spoke about the services provided for the elderly.

Mayor Halliday recommended, with Council's concurrence, that Work Session Item No. 7 be heard after Public Hearing Item No. 13.

PUBLIC COMMENTS

Mayor Halliday asked that everyone respect each other's right to speak and read language from the Rules of Order and Decorum of the City Council.

Mr. Jim Drake, Hayward resident, spoke about the Conditions of Approval for Taqueria El Mezcal Restaurant regarding trees, and also the delay in opening the library.

Ms. Alicia Lawrence, Hayward Collective member, spoke in support of the Agustin Gonzalez family and noted the City must preserve the safety of diverse community members.

Mr. Charlie Peters, Clean Air Performance Professional representative, spoke about the quality of Hayward water and making the use of ethanol and gasoline voluntary.

Mr. Frank Runninghorse read a statement from the Oscar Grant Committee about the Agustin Gonzalez's tragic incident and following related protests and requests for an independent investigation.

CONSENT

1. Minutes of the Special City Council Meeting on May 14, 2019 **MIN 19-076**

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the Special City Council Meeting on May 14, 2019.

2. Adoption of an Ordinance Amending the Zoning Map and Chapter 10, Article 1 (Zoning Ordinance) and Article 2 (Parking Regulations) of the Hayward Municipal Code Related to a Comprehensive Update of Industrial District Regulations **CONS 19-377**

Staff report submitted by City Clerk Lens, dated June 6, 2019, was filed.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the following:

Ordinance 19-10, "An Ordinance Amending the Zoning Map and Chapter 10, Article 1 (Zoning Ordinance) and Article 2 (Parking Regulations) of the Hayward Municipal Code Related to a Comprehensive Update of the Industrial District Regulations"

3. Adoption of an Ordinance Amending Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code by Rezoning Certain Property to Planned Development District in Connection with Zone Change and Vesting Tentative Map Application No. 201603891 to Accommodate 19 Single-Family Homes at 29080 Fairview Avenue **CONS 19-415**

Staff report submitted by City Clerk Lens, dated June 6, 2019, was filed.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the following:

Ordinance 19-11, "An Ordinance Amending Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code by Rezoning



MINUTES OF THE CITY COUNCIL MEETING

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Certain Property to Planned Development District in Connection with Zone Change and Vesting Tentative Map Application No. 201603891 to Accommodate 19 Single-Family Homes at 29080 Fairview Avenue”

4. Authorization for the City Manager to Execute a Three-year Agreement with the Alameda County Probation Department for Delinquency Prevention Network (Local Service Center) Services Provided by the Hayward Police Department’s Youth and Family Services Bureau and Appropriation of \$237,500 Annually, for a Total of \$712,500 **CONS 19-379**

Staff report submitted by Police Chief Koller, dated June 6, 2019, was filed.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the resolution:

Resolution 19-117, “Resolution Authorizing the City Manager to Execute an Agreement with the Alameda County Probation Department for Delinquency Prevention Network (Local Service Center) Services Provided by the Youth and Family Services Bureau of the Hayward Police Department”

5. Authorize the City Manager to Execute a Professional Services Agreement with Kimley-Horn and Associates, Inc. and Appropriate \$150,000 from the Measure BB, Fund 212 for Completion of the Hayward Boulevard Safety Improvements Feasibility Study **CONS 19-422**

Staff report submitted by Public Works Director Ameri, dated June 6, 2019, was filed.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the resolution:

Resolution 19-118, “Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Hayward Boulevard Safety Improvements Feasibility Study”

Resolution 19-119, “Resolution Appropriating Funds from the Local Transportation Fund (Fund 212) to the Hayward Boulevard Safety Improvements Feasibility Study”

6. Adoption of a Resolution Approving an Adjustment to the Bid Process Schedule for the Trash Capture Device Installation on Arf Avenue **CONS 19-424**

Staff report submitted by Public Works Director Ameri, dated June 6, 2019, was filed.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the resolution:

Resolution 19-120, “Resolution Changing the Submittal Deadline for Bids for the Arf Avenue Trash Capture Device Installation Project, Project No. 07675, and Call for Bids”

WORK SESSION

7. Hayward Police Department 2018 Year-End Report (Report from Police Chief Koller) **WS 19-037**

Staff report submitted by Police Chief Koller, dated June 6, 2019, was filed.

Hayward Police Chief Koller, Police Captain Matthew and Youth and Family Services Bureau Counselor Dr. Young, Police Lieutenant Cantrell, provided a synopsis of the staff report.

Mayor Halliday opened the public comments section at 8:25 p.m.

The following speakers spoke about District Attorney O’Malley’s investigation report which found insufficient evidence to prosecute Hayward police officers Phillip Woolley and Michael Clark for the death of Agustin Gonzalez; and requested an independent unbiased investigation, accountability, transparency, and justice. There was also recommendation for further mental health and de-escalation training for police officers and consideration of a Citizen Oversight Committee.

- Ms. Melissa Nold, civil rights attorney
- Ms. Jessica Aquino, mother of Agustin Gonzalez’s two children
- Ms. Rachel Schenkel, medical student representing Do No Harm Coalition
- Ms. Irene Palacios
- Ms. Jessica Aguallo Hurtado, Brown Beret National Organization representative
- Mr. Stan Woods, Oscar Grant Committee representative and Oakland resident
- Mr. Craig Emery, Concord resident
- Ms. Samantha Watts, cousin of Agustin Gonzalez
- Ms. Rosaura Mendoza, Hayward Collective organizer and Hayward resident
- Ms. Rebecca
- Ms. Cynthia Nunes, cousin of Agustin Gonzalez
- Ms. Wanda Johnson, mother of Oscar Grant



MINUTES OF THE CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, June 4, 2019, 7:00 p.m.

Ms. Megan C, cousin of Agustin Gonzalez
Ms. Beatrice Johnson (Aunt B)
Mr. Cephus Johnson (Uncle Bobby)
Ms. Cynthia Canto, aunt of Agustin Gonzalez
Ms. Herminia Gutierrez, Hayward resident
Ms. Jessica Hernandez, Hayward resident and family member of Agustin Gonzalez
Mr. Steve Jacobson with Oscar Grant Committee
Mr. Danny Rey, family member of Agustin Gonzalez
Ms. Lindsay Williams

Mayor Halliday called for a recess at approximately 9:30 p.m. and reconvened the meeting at 9:33 p.m.

Mr. Lacey Amodei, Hayward resident
Ms. Jacqueline Gonzalez
Ms. Michael Kerr
Ms. Araceli Orozco, Hayward resident
Mr. Gilbert Espinoza, Hayward resident
Mr. Dwight Ost
Ms. Nayeli Marquez
Mr. Keanu Estrada
Ms. Marilyn Thurman
Ms. Karla Gonzalez, mother of Agustin Gonzalez
Ms. Angelita Gonzalez

Ms. Marnelle Tomson, Hayward resident, noted Kimberlee Burks was an advocate for homeless individuals who had passed away, and requested an independent investigation in memory of Kimberlee Burks.

Mayor Halliday closed the public comments section at 10:03 p.m.

Members of the City Council offered condolences to family members of deceased Agustin Gonzalez.

Discussion ensued among Council Members and City staff regarding: the Commission on Accreditation for Law Enforcement Agencies (CALEA) accreditation; Police Community Advisory Panel recommended by the Community Task Force and community involvement; ongoing criminal investigation about the Gonzalez case and Internal Affairs investigation on police policies; increase in mental health and de-escalation training; ICAT (Integrating Communications, Assessment, and Tactics) training; transient encampments abated through District Command and the Homeless Liaison Officer; data on cannabis; and staff development.

Members of the City Council provided the following suggestions: consider additional Zero electric motorcycles for the entire fleet; expand services provided for the youth to the adult population; consider Youth and Family Services Bureau (YFSB) programs to connect families with service providers; provide data on response time of Police calls for service to scene; pursue mental health trainings provided by CIT International Conference, Alameda County Behavioral Health Services, POST (California Police Officer Standards and Training), and NAMI California Annual Conference; expand from six to 12 months the success rate for preventing arrest or re-arrest after completion of services provided through YFSB programs; provide data related to tagging calls to legitimate calls in the call center; provide data on discretionary stops to address concerns with racial profiling; provide data on each district command related to calls for service; provide data on efforts partnering with non-profit agencies to address situations with homeless individuals; provide data on applications received by gender and educational background related to recruitment efforts; consider engaging faculty from Chabot College and/or California State University East Bay to create pathways for recruitment; strengthen efforts in school resources and connecting people to them.

The Police Department was acknowledged for all its successes, particularly related to services provided through YFSB programs, efforts to achieve a sanctuary city status, CALEA re-accreditation, community engagement and commitment efforts, interagency efforts and innovations, and overall recruitment efforts.

LEGISLATIVE BUSINESS

8. Approval of Actions Necessary for the City of Hayward to Enter into a Purchase and Sale Agreement with 37 Hayward, LLC for Purchase of the City Center Tower Property Located at 22300 Foothill Boulevard for a Purchase Price of \$5,200,000 and Up to an Additional \$100,000 in Associated Costs (Report from Deputy City Manager Ott) **LB 19-030**

Staff report submitted by Deputy City Manager Ott, dated June 6, 2019, was filed.

Deputy City Manager Ott provided a synopsis of the report.

Mayor Halliday opened the public comments section at 7:36 p.m.

Mr. Kim Huggett, Hayward Chamber of Commerce President, urged the Council to support staff's recommendation.

Mayor Halliday closed the public comments section at 7:38 p.m.

It was moved by Council Member Zermeño, seconded by Council Member Salinas, and carried unanimously, to approve the resolution:



MINUTES OF THE CITY COUNCIL MEETING

Council Chambers

777 B Street, Hayward, CA 94541

Tuesday, June 4, 2019, 7:00 p.m.

Resolution 19-121, "Resolution Approving the Acquisition of Property Located at 22300 Foothill Boulevard (APN 415-250-112), Authorizing the City Manager to Negotiate and Execute a Purchase and Sale Agreement with 37 Hayward, LLC, and Finding that the Acquisition is Exempt from Review under the California Environmental Quality Act Pursuant to Sections 15061 and 15301 of the California Environmental Quality Act Guidelines"

Resolution 19-122, "Resolution Appropriating \$3,300,000 from the Route 238 Corridor Lands Development Fund (Fund 411) and \$2,000,000 from the General Fund (Fund 100) for a Total of \$5,300,000 for the Purchase of Real Property Located at 22300 Foothill Boulevard (APN 415-250-112)"

PUBLIC HEARING

9. Adopt Resolutions to Approve the Engineer's Report, Reconfirm Base Maximum Assessment Amount, Confirm the Assessment Diagram and Fiscal Assessment, Order the Levy and Collection of Fiscal Assessments, and Approve Funding Recommendations and Appropriate Special Revenue Funds for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 16, for Fiscal Year 2020 (Report from Maintenance Services Director Rullman) **PH 19-039**

Staff report submitted by Maintenance Services Director Rullman, dated June 6, 2019, was filed.

Maintenance Services Director Rullman announced the report and introduced Management Analyst II Blohm who provided a synopsis of Public Hearing No. 9, Public Hearing No. 10, and Public Hearing No. 11, and responded to a question regarding public comments.

There being no public comments, Mayor Halliday opened and closed the public hearing at 7:45 p.m. for Public Hearing 9, Public Hearing 10, and Public Hearing 11.

It was moved by Council Member Zermeño, seconded by Council Member Márquez, and carried unanimously, to approve the resolution:

Resolution 19-123, "Resolution Approving the Engineer's Report, Reconfirming Base Maximum Assessments, Confirming the Assessment Diagrams and Fiscal Assessments, and Ordering Levy and Collection of Fiscal Assessments for Fiscal Year 2020 for the Landscaping and Lighting District No. 96-1, Zones 1-16"

Resolution 19-124, "Resolution Approving Funding Recommendations and Appropriating Special Revenue Funds for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 16 for Fiscal Year 2020"

10. Adopt Resolutions to Approve the Engineer's Report, Reconfirm Maximum Base Assessment Rate, Confirm the Assessment Diagram and Fiscal Assessment, Order the Levy and Collection of Fiscal Assessments, and Approve Funding Recommendations and Appropriate Revenue Funds for Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane - for Fiscal Year 2020 (Report from Maintenance Services Director Rullman) **PH 19-040**

Staff report submitted by Maintenance Services Director Rullman, dated June 6, 2019, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Márquez, and carried unanimously, to approve the resolution:

Resolution 19-125, "Resolution Approving the Engineer's Report, Reconfirming Maximum Base Assessment Rate, Confirming the Assessment Diagram and Fiscal Assessment, and Ordering Levy and Collection of Fiscal Assessments for Fiscal Year 2020 for Maintenance District No. 1: Storm Drainage Pumping Station and Storm Drain -Pacheco Way, Stratford Road, and Ruus Lane"

Resolution 19-126, "Resolution Approving Funding Recommendations and Appropriating the Special Revenue Funds for Maintenance District No. 1 For Fiscal Year 2020"

11. Adopt Resolutions to Approve the Engineer's Report, Reconfirm Maximum Base Assessment Rate, Confirm the Assessment Diagram and Fiscal Assessment, Order the Levy and Collection of Fiscal Assessments, and Approve Funding Recommendations and Appropriate Revenue Funds for Maintenance District No. 2 - Eden Shores Storm Water Buffer and Facilities, for Fiscal Year 2020 (Report from Maintenance Services Director Rullman) **PH 19-041**

Staff report submitted by Maintenance Services Director Rullman, dated June 6, 2019, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Márquez, and carried unanimously, to approve the resolution:



MINUTES OF THE CITY COUNCIL MEETING

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Tuesday, June 4, 2019, 7:00 p.m.

Resolution 19-127, "Resolution Approving the Engineer's Report, Confirming the Assessment Diagram and Fiscal Assessment, and Ordering Levy and Collection of Assessments for Fiscal Year 2020 for Maintenance District No. 2: Eden Shores Water Buffer Zone and Pre-Treatment Pond"

Resolution 19-128, "Resolution Approving Funding Recommendations and Appropriating the Special Revenue Funds for Maintenance District No. 2 For Fiscal Year 2020"

12. Public Hearing to Consider the Formation of Benefit Zone No. 17 of the Consolidated Landscaping and Lighting Assessment District No. 96-1 for the Parkside Heights Property (Report from Development Services Director Simpson) **PH 19-052**

Staff report submitted by Development Services Director Simpson, dated June 6, 2019, was filed.

Mr. Kyle Tankard, Senior Consultant with SCI Consulting Group, provided an overview for Public Hearing Item No. 12 and Public Hearing Item No. 13.

There being no public comments, Mayor Halliday opened and closed the public comments section at 7:49 p.m.

City Clerk Lens announced there was one ballot from property owner Pulte Home Co LLC and the owner had voted Yes to approve the formation of the property into Benefit Zone No. 17 of the Landscaping and Lighting Assessment District 96-1.

It was moved by Council Member Mendall, seconded by Council Member Lamnin, and carried unanimously, to approve the resolution:

Resolution 19-129, "Resolution Approving the Engineer's Report, Confirming Diagram and Assessment and Ordering Levy of Assessment for Fiscal Year 2019-20 for the Formation of Benefit Zone No. 17 of the City of Hayward Landscaping and Lighting Assessment District No. 96-1 for the Parkside Heights Property"

13. Public Hearing to Consider the Formation of Benefit Zone No. 18 of the Consolidated Landscaping and Lighting Assessment District No. 96-1 for the SoHay Properties (Report from Development Services Director Simpson) **PH 19-053**

Staff report submitted by Development Services Director Simpson, dated June 6, 2019, was filed.

There being no public comments, Mayor Halliday opened and closed the public comments section at 7:52 p.m.

City Clerk Lens announced there was one ballot from property owner SoHay, Hayward L.P. and the owner had voted Yes to approve the formation of the property into Benefit Zone No. 18 of the Landscaping and Lighting Assessment District 96-1.

It was moved by Council Member Mendall, seconded by Council Member Lamnin, and carried unanimously, to approve the resolution:

Resolution 19-130, "Resolution Approving the Engineer's Report, Confirming Diagram and Assessment and Ordering Levy of Assessment for Fiscal Year 2019-20 for the Formation of Benefit Zone No. 18 of the City of Hayward Landscaping and Lighting Assessment District No. 96-1 for the SoHay Properties"

CITY MANAGER'S COMMENTS

There were none.

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Wahab announced this was the first day of a three-day Muslim festival, Eid al-Fitr, marking the end of the fasting month of Ramadan, and wished "Eid Mubarak" to those who celebrate.

COUNCIL REFERRALS

14. Consider an Item for Discussion on a Future City Council Agenda Regarding Officer Involved Use of Deadly Force Being Subject to an Independent Investigation **RPT 19-303**

Referral memorandum submitted by Council Member Aisha Wahab, dated June 6, 2019, was filed.

Council Member Wahab spoke about the referral memorandum, clarification about the memorandum ensued, and City staff responded to questions posed by City Council members.

Mayor Halliday opened the public comments section at 10:58 p.m.

The following individuals spoke in support of an independent investigation for the Agustin Gonzalez case and an independent investigation policy. A speaker urged for the investigator to not be paid by the Police Officers Association.



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Tuesday, June 4, 2019, 7:00 p.m.

Ms. Andrea Cambra, friend of the Agustin Gonzalez family
Ms. Emily Messick
Ms. Karla Gonzalez, mother of Agustin Gonzalez
Mr. Agustin Gonzalez, father of Agustin Gonzalez
Ms. Cynthia Nunes, cousin of Agustin Gonzalez
Ms. Nayeli Marquez, submitted a card but did not speak
Uncle Bobby
Aunt B
Mr. Michael Kerr
Ms. Jessica Nunes
Ms. Lindsay Williams
Mr. Pat Koonse

Mayor Halliday closed the public comments section at 11:16 p.m.

Council Member Wahab offered a motion to move the referral memorandum directing staff to work on a policy for an independent investigation for the use of deadly force with a modification that the first use of the policy be for the Agustin Gonzalez case.

Council Member Márquez seconded the motion.

Members of the City Council asked clarifying questions and addressed public members.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried unanimously, to approve the referral memorandum with a modification that, should the policy be approved, the first use of the policy would be used for the Agustin Gonzalez case.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 11:44 p.m., in memory of Ms. Priscilla Robertson and Ms. Kimberlee Burks.

Ms. Priscilla Robertson was a registered nurse for Kaiser, lived in Hayward for over forty years, and sang the national anthem at the beginning of the July 8, 2008 Council meeting.

Ms. Kimberlee Burks was born at St. Rose Hospital, was an advocate for addressing homelessness in Hayward, helped individuals find resources and opportunities for self-sufficiency, was a peer advocate at Hayward CAN and the Downtown Streets Team, and was a Travel Trainer with Community Resources for Independent Living (CRIL).

Mayor Halliday asked City staff to work with both families to plant trees in memory of Kimberlee Burks and Priscilla Robertson.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: CONS 19-474

DATE: June 25, 2019

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Adoption of an Ordinance Adding Chapter 12, Article 1, to the Hayward Municipal Code Regarding the Residential Rent Stabilization and Tenant Protection Ordinance

RECOMMENDATION

That the Council adopts the Ordinance introduced on June 18, 2019.

SUMMARY

This item entails adoption of an Ordinance adding Chapter 12, Article 1 to the Hayward Municipal Code, introduced on June 18, 2019, by Council Member Márquez.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Notice of Summary of Ordinance
Attachment III	Ordinance
Attachment III	Exhibit A - Revised Chapter 12, Article 1 Residential Rent Stabilization and Tenant Protection



DATE: June 25, 2019

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Adoption of an Ordinance Adding Chapter 12, Article 1, to the Hayward Municipal Code Regarding the Residential Rent Stabilization and Tenant Protection Ordinance

RECOMMENDATION

That the Council adopts the Ordinance introduced on June 18, 2019.

SUMMARY

This item entails adoption of an Ordinance adding Chapter 12, Article 1 to the Hayward Municipal Code, introduced on June 18, 2019, by Council Member Márquez.

BACKGROUND

The Ordinance was introduced by Council Member Márquez at the June 18, 2019, regular meeting of the City Council with the following vote:

AYES: COUNCIL MEMBERS: Zermeño, Márquez Mendall, Lamnin, Wahab, Salinas
MAYOR Halliday

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

The motion included amendments to the Ordinance, which have been summarized in the table below. The Ordinance also has a couple of formatting edits to ensure numerical consistency. Attachment III (Exhibit A) contains the amendments shown in bold and underlined red font.

SECTION	CORRECTION	LANGUAGE CHANGE
Section 7(b)	Corrected incorrect section reference in second paragraph.	5(b)(2) to 7(b)(2) 5(b)(3) to 7(b)(3)
Section 7(j)(4)		(4) The Landlord and Tenant may submit a written statement and documentary evidence in preparation for the arbitration to the Rent Review Officer at least seven (7) days prior to the arbitration hearing. Requests for translation services during the mediation <u>arbitration</u> shall be submitted to the Rent Review Officer at least five (5) days prior to the scheduled mediation <u>arbitration</u> hearing.
Section 7(j)(6)	Corrected ambiguity related to burden of proof placing burden solely on landlords.	For Tenant petitions, the burden of proof shall be on both Landlord and Tenant(s) .
Section 10	Corrected incorrect section reference.	5(b)(2) to 7(b)(2) 5(b)(3) to 7(b)(3) 5(b)(1) to 7(b)(1) 5(b)(4) to 7(b)(4) 5(b)(5) to 7(b)(5) 5(b)(6) to 7(b)(6) 5(b)(7) to 7(b)(7)
Section 11	Deleted requirement to pay annual interest on Security deposits, as communicated to stakeholders.	Security Deposits shall be collected by the Landlord and administered in accordance with state law.
Section 12(b)(5)	Deleted reference to reporting tenants to U.S. Immigration and Customs Enforcement if contacted by said agency.	(5) Influence or attempt to influence a Tenant to vacate a Rental Unit through fraud, intimidation or coercion, which shall include threatening to report a Tenant to U.S. Immigration and Customs Enforcement. though that prohibition shall not be construed as preventing communication with U.S. Immigration and Customs Enforcement if contacted by said agency
Section 12(j)(2)	Added the word “veteran” to section providing increased penalties.	(2) A defendant shall be liable for an additional civil penalty of up to five thousand (\$5,000) dollars for each violation of this Section committed against a person who is <u>a Veteran or</u> disabled within the meaning of California Government Code section 12926, et. Seq., or aged sixty-five or over.
Section 12(n)	Replaced the word “police” with “policy”.	(n) <u>Non-waiverability</u> . Any provision, whether oral or written, in or pertaining to a Rental Agreement whereby any provision of Section 12 is waived or modified, is against public police <u>policy</u> and void.

The next paragraph is provided in response to clarification of Administrative penalties enumerated in Section Section 12-1.18(b).

The administrative penalties provision for a landlord's failure to provide the required notices to tenants and/or the City are statutorily prescribed by state law. The language used in Section 12-1.18(b) (Failure to Provide Required Notices) was taken directly from California Government Code, Section 36900 et. seq. and is consistent with administrative penalties listed in other sections of the Hayward Municipal Code. The City is not permitted to increase the monetary amounts set by the state. However, the provision provides a mechanism for the City to pursue particularly egregious violations with a fine not to exceed \$1,000 or imprisonment by six (6) months, through the assistance of the District Attorney's Office. For purposes of this statute, imprisonment can equate to community service on public property within the City.

STRATEGIC INITIATIVES

This agenda item is a routine operational item and does not relate to one of the Council's Strategic Initiatives.

FISCAL IMPACT

There is no fiscal impact associated with this report.

PUBLIC CONTACT

The summary of the Ordinance was published in the Hayward Daily Review on Friday, June 21, 2019. Adoption at this time is therefore appropriate.

NEXT STEPS

The Hayward Municipal Code and other related documents will be updated accordingly.

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:



Kelly McAdoo, City Manager

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE
BY THE CITY COUNCIL OF THE CITY OF HAYWARD

ORDINANCE OF THE CITY OF HAYWARD, CALIFORNIA ADDING CHAPTER []
OF THE HAYWARD MUNICIPAL CODE REGARDING THE RESIDENTIAL RENT
STABILIZATION AND TENANT PROTECTION ORDINANCE

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

SECTION 1. The City of Hayward Municipal Code is hereby amended by the addition of Chapter ___ to be entitled "Residential Rent Stabilization and Tenant Protection Ordinance."

SECTION 2. The Rent Stabilization Ordinance, previously introduced on September 6, 1983 and adopted by the City Council on September 13, 1983 and the Emergency Just Cause for Protection Ordinance, adopted by the City on March 5, 2019, are hereby repealed and replaced with this newly adopted Residential Rent Stabilization and Tenant Protection Ordinance, as set forth in the companion Resolution to this Ordinance.

SECTION 3. FINDINGS AND PURPOSE.

SECTION 4. DEFINITIONS.

SECTION 5. RESIDENTIAL RENT INCREASE THRESHOLD.

SECTION 6. VACANCY RENT INCREASE

SECTION 7. THE RENT DISPUTE RESOLUTION PROCESS.

SECTION 8. SUBPOENA POWER.

SECTION 9. STANDARDS OF REVIEW.

SECTION 10. TENANT'S RIGHT OF REFUSAL.

SECTION 11. SECURITY DEPOSITS.

SECTION 12. PROHIBITION AGAINST RETALIATORY EVICTION AND
HARASSMENT AGAINST TENANTS

SECTION 13. JUST CAUSE FOR EVICTION

SECTION 14. PROHIBITION OF DISCRIMINATION RELATED TO SOURCE OF
INCOME

SECTION 15. INFORMATION TO BE SUPPLIED TO TENANT.

SECTION 16. INFORMATION TO BE SUPPLIED TO THE CITY OF HAYWARD.

SECTION 17. FEES.

SECTION 18. PENALTIES AND REMEDIES.

SECTION 19. SEVERABILITY. This ordinance shall be liberally construed to achieve its purposes and preserve its validity. If any provision or clause of this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the

provisions of this ordinance are declared to be severable and are intended to have independent validity.

SECTION 20. NONWAIVERABILITY.

SECTION 21. APPLICABILITY. In accordance with the provisions of Section 620 of the City Charter, this Ordinance shall become effective 30 days from and after the date of its adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the 18th day of June 2019, by Council Member Márquez.

This ordinance will be considered for adoption at the meeting of the Hayward City Council, to be held on June 25, 2019, at 7:00 p.m., in the Council Chambers, 777 B Street, Hayward, California. The full text of this Ordinance, including the Resolution, is available for examination by the public in the Office of the City Clerk.

Dated: June 21, 2019
Miriam Lens, City Clerk
City of Hayward

ORDINANCE NO._

ORDINANCE OF THE CITY OF HAYWARD, CALIFORNIA, ADDING CHAPTER 12
ARTICLE 1 TO THE HAYWARD MUNICIPAL CODE REGARDING THE
RESIDENTIAL RENT STABILIZATION AND TENANT PROTECTION
ORDINANCE

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

SECTION 1.

The City of Hayward Municipal Code is hereby amended by the addition of Chapter 12, Article 1 to be entitled “Residential Rent Stabilization and Tenant Protection Ordinance.”

SECTION 2.

The Rent Stabilization Ordinance, previously introduced on September 6, 1983 and adopted by the City Council on September 13, 1983 and the Emergency Just Cause for Protection Ordinance, adopted by the City on March 5, 2019, are hereby repealed and replaced with this newly adopted Residential Rent Stabilization and Tenant Protection Ordinance, attached hereto as Exhibit “A” and incorporated herein by reference.

SECTION 3. EFFECTIVE DATE.

In accordance with the provisions of Section 620 of the City Charter, this Ordinance shall become effective 30 days from and after the date of its adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the ____ day of ____, 2019, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward, held the ____ day of ____, 2019, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED: _____
Mayor of the City of Hayward

DATE: _____

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

**HAYWARD MUNICIPAL CODE
CHAPTER 12 – HOUSING**

**ARTICLE 1 - RESIDENTIAL RENT STABILIZATION AND TENANT
PROTECTION ORDINANCE**

SEC. 12-1.01	TITLE
SEC. 12-1.02	BACKGROUND
SEC. 12-1.03	FINDINGS AND PURPOSE
SEC. 12-1.04	DEFINITIONS
SEC. 12-1.05	RESIDENTIAL RENT INCREASE THRESHOLD
SEC. 12-1.06	VACANCY RENT INCREASE
SEC. 12-1.07	THE RENT DISPUTE RESOLUTION PROCESS
SEC. 12-1.08	SUBPOENA POWER
SEC. 12-1.09	STANDARDS OF REVIEW
SEC. 12-1.10	TENANT’S RIGHT OF REFUSAL
SEC. 12-1.11	SECURITY DEPOSITS
SEC. 12-1.12	PROHIBITION AGAINST RETALIATORY EVICTION AND HARASSMENT
SEC. 12-1.13	JUST CAUSE FOR EVICTION

SEC. 12-1.14	PROHIBITION AGAINST DISCRIMINATION RELATED TO SOURCE OF INCOME
SEC. 12-1.15	INFORMATION SUPPLIED TO TENANT
SEC. 12-1.16	INFORMATION SUPPLIED TO CITY
SEC. 12-1.17	FEES
SEC. 12-1.18	PENALTIES AND REMEDIES
SEC. 12-1.19	SEVERABILITY
SEC. 12-1.20	NONWAIVERABILITY
SEC. 12-1.21	APPLICABILITY

CHAPTER 12 – HOUSING**ARTICLE 1 – RESIDENTIAL RENT STABILIZATION AND TENANT PROTECTION****SEC. 12-1.01 – TITLE.**

This title shall be known and may be referred to and cited as the Residential Rent Stabilization and Tenant Protection Ordinance.

SEC. 12-1.02 – BACKGROUND.

The Rent Stabilization Ordinance, previously introduced on September 6, 1983 and adopted by the City Council on September 13, 1983 and the Emergency Just Cause for Protection Ordinance, adopted by the City on March 5, 2019, are hereby repealed and replaced with this newly adopted Residential Rent Stabilization and Tenant Protection Ordinance.

SEC. 12-1.03 - FINDINGS AND PURPOSE.

The City Council finds that a shortage of safe, stable, and affordable residential rental housing continues to exist in the City of Hayward which is evidenced by a low vacancy rate among such units throughout the City; that in order to retain or find adequate rental housing, many residents of the City of Hayward pay a substantial amount of their monthly income for Rent; that the present shortage of residential Rental Units and the prevailing Rent levels have a detrimental effect on the health, safety, and welfare of a substantial number of Hayward residents, particularly those senior citizens, persons in low and moderate income households, and persons on fixed incomes who reside in the City; that residential Tenants constitute approximately forty-nine percent (49%) of the residents in Hayward; that residential Tenants suffer great and serious hardship when forced to move from their homes; that the community is impacted by overcrowding and housing instability when rent increases outpace incomes; and that the welfare of all persons who live, work, or own Property in the City of Hayward depends in part on attracting and retaining persons who are willing to invest in residential rental Property in the City and ensuring that Hayward residents have access to affordable housing.

Among the purposes of this ordinance are therefore: preserving the approximately 1,000-1,600 Rental Units covered under the City's 1983 Residential Rent Stabilization Ordinance; providing relief to residential Tenants in the City by stabilizing Rent Increases as allowed by State law; to alleviate the hardship and displacement caused by serious housing shortages by establishing a mediation and arbitration program and by increasing Tenant protections; encouraging investment in new residential rental Property in the City; and assuring efficient Landlords both a Fair Return on their Property and rental income sufficient to cover the increasing cost of repairs, maintenance, insurance, employee services, additional amenities, and other costs of operation while the provisions of this ordinance are in effect.

SEC. 12-1.04 - DEFINITIONS.

(a) **"Arbitrator."** A person who is neither a Tenant as that term is defined in this ordinance nor who has an interest in residential rental Property that would require disqualification under the provisions of the Political Reform Act if such person were an elected state official and a person whom the Rent Review Officer determines meets one of the following criteria:

- (1) Completion of a Juris Doctor or equivalent degree from a school of law and completion of a formal course of training in arbitration which, in the sole judgment of the Rent Review Officer, provides that person with the knowledge and skills to conduct a rental dispute arbitration in a professional and successful manner; or
- (2) Completion of at least three arbitration proceedings for a Superior Court or other public entity that involved issues the Rent Review Officer considers similar to those raised in Rent dispute arbitrations.

(b) **"Banking" or "Banked Increase"** Any Rent Increase the Landlord chooses to delay imposing in part or in full, and which may be imposed at a later date, subject to the restrictions in this ordinance.

(c) **"Business Tax Declaration."** The annual declaration required to be filed in connection with a Landlord's obtaining or renewing a city business license for Rental Units. Any failure by a Landlord to file such a declaration, whether pursuant to an exemption or otherwise, shall not relieve a Rental Unit from being subject to the provisions of this ordinance.

(d) **"Capital Improvements."** Those improvements that materially add to the value of the Property and appreciably prolong its useful life or adapt it to new uses, benefit the Tenant, and which may be amortized over the useful remaining life of the improvement to the Property, including but not limited to improvements to, the seismic safety of the rental Property or increase the energy efficiency of the rental Property (including any improvement to allow a significantly more accurate allocation of utility costs), provided that in determining the cost of a capital improvement no consideration shall be given to any additional cost incurred for increased Property damage or improvements for ordinary repairs, replacements, and maintenance, and/or deterioration resulting from an unreasonable delay in the undertaking of completion or after a Notice of Violation by a government agency ordering repairs that has remained unabated for 90 or more days of any repair or improvement.

(e) **"Covered Rental Unit."** Any residential Rental Unit, other than a mobile home unit, and all Housing Services provided with such unit that is located in the City of Hayward and used or occupied by the payment of Rent.

Notwithstanding the foregoing, the following residential Rental Units are not deemed Covered Rental Units for the purpose of this ordinance:

- (1) Accommodations in any hospital, extended care facility, convalescent home, nonprofit home for the aged, or dormitory owned and operated by either an educational institution or a private organization which offers spaces in rooms for Rent in conjunction with the providing of services such as meals, cleaning services, and social programs.
- (2) Accommodations in motels, hotels, inns, tourist houses, rooming houses, and boarding houses; provided that such accommodations are not occupied by the same Tenant for thirty (30) or more continuous days.
- (3) Rental Units in a nonprofit cooperative that are owned, occupied, and controlled by a majority of the residents.
- (4) Rental Units whose Rents are controlled, regulated (other than by this ordinance), or subsidized by any governmental unit, agency or authority for term specified in written agreement with governmental unit, agency or authority. Upon termination of regulatory covenants or contracts that control, regulate, or subsidize the Rents of a Rental Unit, the Rental Units shall be subject to this ordinance.
- (5) Rental Units that are lawful and in compliance with the Hayward Municipal Code section 10-1.2740, et seq. (Accessory Dwelling Units), if the primary residence is occupied by the Property owner.
- (6) Rental Units located in a structure for which a certificate of occupancy is first issued after July 1, 1979.
- (7) Any residential real Property that is alienable separate from the title to any other dwelling unit or is a subdivided interest in a subdivision as specified in subdivision (b), (d) or (f) of Section 11004.5 of the California Business and Professions Code.
- (8) A condominium unit that has been sold separately by the subdivider to a bona fide purchaser for value. However, this ordinance shall apply to pre-1979 condominium units that remain unsold by the subdivider, unless and to the extent the Property has become owner-occupied for a period of at least a year. A subdivider who continues to Rent out the units and allows a public report for sale of subdivision interests to lapse may be regulated by this ordinance because they are no longer "alienable" for purposes of the statute preempting local regulation.
- (9) Rental Units exempt from Rent control pursuant to the Costa-Hawkins Rental Housing Act (California Civil Code § 1954.52).

- (f) **“Fair Return”** as defined in Section 9(a)(6)
- (g) **“Governmental-Utility Services.”** Services provided by a public agency, public utility, or quasi-public or utility, including but not limited to water, sewer, gas, electric, and rubbish removal.
- (h) **“Gross Income.”** The annual Rents collected from all occupied Rental Units as well as income from any other source related to the use or occupancy of the Rental Units, including income from facilities, garage or parking fees or other services if not included in Rent; utility costs paid directly to the Landlord by the Tenant if not included in the Rent.
- (i) **“Harassment.”** A knowing and willful act or course of conduct directed at a specific Tenant or Tenants which:
- (1) Would cause a reasonable person to fear the loss of use or occupancy of a Rental Unit or part thereof, or of any service, privilege or facility connected with such use or occupancy, without legitimate reason or legal justification; or
 - (2) Materially interferes with a Tenant's peaceful enjoyment of the use and/or occupancy of a Rental Unit; or
 - (3) A single act may constitute Harassment for purposes of determining whether a vacancy was voluntary. A course of conduct is a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.
- (j) **“Health Facility.”** means any facility, place or building that is organized, maintained, and operated for the diagnosis, care, and treatment of human illness, physical or mental, including convalescence and rehabilitation, and including care during and after pregnancy, or for any one or more of these purposes.
- (k) **“Housing Service.”** A service provided by the Landlord related to the use or occupancy of a Rental Unit, including but not limited to, insurance, repairs, replacement, maintenance, painting, lighting, heat, water, elevator service, laundry facilities, janitorial service, refuse removal, furnishings, parking, security service, and employee services.
- (l) **“Initial Rent.”** The Rent in effect on July 25, 2019 is the Initial Rent. If there was no Rent in effect on that date, the Initial Rent is the Rent charged on the first date that Rent was charged after that date. For tenancies that commenced after July 25, 2019, the Initial Rent is the rate of Rent charged on the date the tenancy begins.

(m) **"Landlord."** Any owner, lessor, or sublessor of real Property who receives or is entitled to receive Rent for the use or occupancy of any Rental Unit or portion thereof in the City of Hayward, and the designated representative, agent, or successor of such owner, lessor, or sublessor.

(n) **"Mediator."** A person whom the Rent Review Officer determines meets all of the following criteria:

- (1) Has received at least 24 hours of formal training in mediation;
- (2) Has mediated Rent disputes or has had other experience or training showing a capability to mediate the issues which arise in such disputes; and
- (3) Who is neither a Tenant as that term is defined in this ordinance nor has an interest in residential rental Property that would require disqualification under the provisions of the Political Reform Act if such person were an elected state official.

(o) **"Net Operating Income."** The revenue available to the Landlord after paying the normal Operating Expenses.

(p) **"Operating Expenses."** The costs of normal operations, including management, taxes and insurance, maintenance and other recurring costs.

(q) **"Property."** means a parcel of real Property, located in the City of Hayward, that is assessed and taxed as an undivided whole.

(r) **"Rent."** The total consideration, including any bonus, benefit, gratuity, demanded or received by a Landlord for or in connection with the use or occupancy of a Rental Unit, or the assignment of a lease for such a unit, including Housing Services or subletting, but excluding any amount demanded or received by a Landlord as a Security Deposit.

(s) **"Rental Agreement."** means an agreement, oral, written, or implied, between a Landlord and a Tenant for the use and/or occupancy of a Rental Unit.

(t) **"Rent Increase."** Any additional Rent demanded of or paid by a Tenant for a Rental Unit, including any reduction in Housing Services without a corresponding reduction in the amount demanded or paid for Rent; or a pro rata increase in costs of Housing Services apportioned to a Covered Rental Unit.

(u) **"Rent Review Officer."** The person or persons and/or entity designated by the City Manager to administer and enforce the provisions of this ordinance.

(v) **"Rental Unit."** Any building, structure, or part thereof, or appurtenant thereto, or any other rental Property Rented or offered for Rent for living or dwelling purposes, including houses, apartments, rooming or boarding house units, and other real properties used for living or dwelling purposes, together with all Housing Services

connected with the use or occupancy of such Property. For purposes of this ordinance a Rental Unit shall not include a mobile home or mobile home space.

(w) "Security Deposit." Any payment, fee, deposit or charge, including but not limited to an advance payment of Rent, used or to be used for any purpose, including but not limited to any of the following:

- (1) Compensation of a Landlord for a Tenant's default in the payment of Rent;
- (2) The repair of damages to the premises caused by the Tenant beyond ordinary wear and tear;
- (3) The cleaning of the Rental Unit, if necessary, upon termination of tenancy; provided, however, that the term Security Deposit shall not include any fee or charge pursuant to any mutual agreement for the Landlord at the request of the Tenant to make any structural, decorative, furnishing, or other similar alterations as long as such alterations are other than that cleaning or repairing for which the Landlord may charge the previous Tenant under California law.

(x) "Skilled Nursing Facility." A Health Facility or a distinct part of a hospital that provides, at a minimum, skilled nursing care and supportive care to patients whose primary medical need is the availability of skilled nursing care on an extended basis. Such facility must provide 24-hour inpatient care, an activity program, and medical, nursing, dietary, pharmaceutical services. Additionally, the facility must provide effective arrangements, confirmed in writing, through which services required by the patients but not regularly provided within the facility can be obtained promptly when needed.

(y) "Source of Income." All lawful, verifiable sources of income, or rental assistance from any federal, state, local, or nonprofit-administered benefit or subsidy program, or any financial aid from any rental assistance program, homeless assistance program, Security Deposit assistance program, or housing subsidy program, whether paid directly to the program participant, Landlord, or representative of either.

(z) "Tenant." A Tenant, subtenant, lessee, or sublessee, or any other person entitled by written or oral agreement to the use or occupancy of any Rental Unit or Covered Rental Unit.

(z) (aa) "Veteran." Any person who served in the active military, naval, or air service of the United States, or as a member of the National Guard who was called to and released from active duty or active services, for a period of not less than 90 consecutive days or was discharged from service due to a service-related disability. This includes veterans with other-than honorable discharges.

(aa) (bb) "Voluntarily Vacated." Shall mean a vacancy that results from the independent choice of the Tenant, without intimidation, pressure, or Harassment, but does not include tenant vacancy due to severe habitability issues as defined in Civil Code Sections 1941.1 et seq. and Health and Safety Code Sec 17920.3 and 17920.10. For

purposes of this section "abandonment" is defined as the Tenant's independent choice, without intimidation, pressure, or Harassment to relinquish all right and possession of the premises, with the intention of not reclaiming or resuming its possession or enjoyment, and the Landlord terminates the tenancy pursuant to Civil Code Section 1951.3. Abandonment is considered voluntary.

SEC. 12-1.05 - RESIDENTIAL RENT INCREASE THRESHOLD.

(a) From and after July 25, 2019 (the effective date of this Ordinance), a Rent Increase, including any increase of Housing Services, for use or occupancy of a Covered Rental Unit may be imposed once every twelve (12) months for an amount equal to or less than five percent (5%) of the existing total monthly Rent. Such an increase shall be known as the, "Rent Increase Threshold" and shall not be subject to Section 7 of this Ordinance.

- (1) A Rent Increase, including any increase of Housing Services, for any Covered Rental Unit that exceeds the five percent (5%) Rent Increase Threshold within a twelve (12) month period, shall be subject to Section 7 of this ordinance and a Tenant may file a petition for review of the Rent Increase in accordance with Section 7(c).
- (2) If a Landlord has imposed a Rent Increase during any twelve (12) month period between July 25, 2018 and July 25, 2019, the Landlord may increase no earlier than the anniversary date of the last Rent Increase.

(b) Exemptions to the Rent Increase Threshold:

- (1) A Rent Increase after the Covered Rental Unit has been Voluntarily Vacated;
- (2) A Rent Increase after lawful eviction;
- (3) The Rent Increase Threshold shall not apply if doing so would violate the terms of a written lease entered into on or before July 25, 2019. Otherwise, any provision, whether oral or written, in or pertaining to a Rental Agreement whereby any provision of Section 5 is waived or modified, is against public policy and void.
- (4) An increase for Governmental-Utility Service costs in accordance with Section 5(d).
- (5) An increase for Capital Improvement costs in accordance with Section 5(e).
- (6) An increase based on Banking in accordance with Section 5(f).

(c) **Limitations on Fees.** The following fees may not be charged to Tenants except as provided:

- (1) **Excess Replacement Fees.** No Landlord shall charge a Tenant a replacement fee for a key or security card that exceeds the actual replacement cost plus ten dollars (\$10.00) unless approved by Tenant petition.
- (2) **Excess Bounced Check Service Fees.** No Landlord shall charge a Tenant a service charge for a dishonored ("bounced") check that exceeds the amount allowed under California Civil Code Section 1719(a)(1), as amended. Landlord need not provide Tenant with a third-party invoice for this service charge.
- (3) **Late Payment Fees.** No Landlord shall charge a Tenant a fee for late payment of Rent exceeding a total of five percent (5%) of the monthly Rent for each payment of Rent that is three (3) or more days late.
- (4) **Application Screening Fees.** No Landlord shall charge a Tenant an application screening fee in excess of the amount allowed under California Civil Code Section 1950.6(b), as amended.

(d) **Governmental-Utility Service Pass Through.** A Landlord may only pass through costs of Governmental-Utility Services through a ratio utility billing system (RUBS) or similar unmetered allocation arrangement, pursuant to the terms of a written lease. However, costs for Governmental-Utility Service pursuant to this Section shall not be considered Rent, and shall not be increased when Rent Increases, nor shall they be considered Rent for purposes of calculating an increase under the Rent Increase Threshold in accordance with Section 5(a).

- (1) Within two (2) months receipt of a utility rate cost increase and/or any increase in utility services costs above one percent (1%) of the Tenant's existing Rent, upon request by a Tenant, the Landlord shall provide the Tenant(s) documentation supporting the level of increase, including at a minimum:
 - (i) Proof of the Governmental-Utility Service cost for the entire building showing the amount paid by the Landlord for each billing period for a twelve (12) month period prior to the increase in the Governmental-Utility Service;
 - (ii) Proof of the Governmental-Utility Service cost by month or billing period apportioned to each unit for a twelve (12) month period prior to the increase in the Governmental-Utility Service.
 - (iii) Billing notices or other equivalent documents from the agency imposing the increase reflecting the amount of increase in the Governmental-Utility Service cost for the entire building; and

- (iv) The RUBS or unmetered allocation arrangement calculations used by Landlord or third-party agency on behalf of the Landlord to apportion the increased costs among the Tenants.
- (2) In accordance with Section 7 of this ordinance, the Tenant may file a petition to initiate review of a Governmental-Utility Service upon the Landlord's failure to provide the Tenant with the documentation required in Section 5(d)(1) and when the Government-Utility Service increase in cost exceeds one percent (1%) of the Tenant's existing Rent.
- (3) Failure of the Landlord to follow the procedure set forth in this subsection shall be a defense in any action brought to recover possession of a Covered Rental Unit or to collect the disputed Governmental-Utility Service Pass Through costs.
- (e) **Capital Improvements.** A Landlord may impose a pass-through cost, in addition to a Rent Increase, to the extent authorized in a final decision by an Arbitrator on a Landlord capital improvement petition filed in accordance with this Section. Costs for Capital Improvements shall not be considered Rent and shall not be increased when Rent Increases, nor shall they be considered Rent for purposes of calculating an increase under the Rent Increase Threshold in accordance with Section 5(a).

(1) Limitations on Pass-through for Capital Improvements.

- (i) Must be a Capital Improvement as defined in Section 4(d).
- (ii) The Capital Improvement must have been completed and paid for prior to the filing of the petition for a final decision by an Arbitrator.
- (iii) A petition to impose a Capital Improvement pass-through of costs must be initiated by the Landlord within two (2) years of completion of the capital improvement work.
- (iv) The total costs passed through by the Landlord may not exceed fifty percent (50%) of the total amount paid by the Landlord; and
- (v) No Landlord may require a Tenant to pay any amount of any cost that is attributable to any period of time that the Tenant was not entitled to use and occupy the Covered Rental Unit; and
- (vi) No Landlord may require a Tenant to pay more than its share of the cost attributable to that Tenant's Covered Rental Unit that is permitted to be passed through to Tenant.

- (vii) Equipment otherwise eligible as a Capital Improvement will not be considered if a “use fee” is charged (i.e. coin-operated washer and dryers).

(2) Calculating Capital Improvements.

- (i) Capital Improvement costs must be amortized over the useful life of the improvement.
- (ii) Capital Improvements shall be given a useful life period of five (5) years or sixty (60) months and the total costs shall be amortized over that time period, unless the Rent Increase coupled with the Capital Improvement cost would exceed ten percent (10%) of the existing Rent for a Covered Rental Unit.
- (iii) When a capital improvement cost standing alone or a capital improvement cost coupled with a Rent Increase and Banking Increase would exceed ten percent (10%) or thirty percent (30%) in five years, the excess can only be recovered by extending the Capital Improvements amortization period in yearly increments sufficient to cover the excess. In addition, the Landlord must comply with the requirements to notice the Tenant of the extended amortization period with the initial Capital Improvement cost.
- (iv) For mixed-use structures, only the percent of residential square footage will be applied in the calculations. The same principle shall apply to Landlord-occupied Rental Units (i.e., exclusion of Landlord’s unit).
- (v) If a unit is occupied by an agent of the Landlord, this unit must be included when determining the average costs per unit. For example, if a building has ten (10) units, and one is occupied by a nonpaying manager, any Capital Improvement would have to be divided by (10), not nine (9), in determining the average Capital Improvement increase.)
- (vi) Where a Landlord is reimbursed for Capital Improvements (i.e. insurance, court-awarded damages, subsidies, etc.), this reimbursement must be deducted from such Capital Improvements before costs are amortized and allocated among the units.
- (vii) The dollar amount of the Capital Improvement charge shall be removed from the allowable Rent in the sixty-first month or at the end of an extended amortization period.

- (2)(3) Landlord Petition for Capital Improvements.
- (i) A Landlord must file a petition with the Rent Review Officer to schedule an arbitration for review of Capital Improvement costs in accordance with this Section and Section 7.
 - (ii) The Landlord must provide documentation of its costs in support of the petition for Capital Improvement. Undocumented labor costs provided by the Landlord cannot exceed 25% of the costs of materials.
- (i)(4) Landlord Petition of Capital Improvements for Provisional Decision by Arbitrator. A Landlord may file a petition of Capital Improvement costs in accordance with this Section and Section 7 with the Rent Review Officer to schedule an arbitration for a provisional decision prior to performing the Capital Improvement, which shall include a written proposal, cost estimates and other supporting documentation. A final decision by an Arbitrator shall not be considered until the Capital Improvement has been completed and the necessary documentation submitted.
- (4)(5) Failure of Landlord to Remove Capital Improvement Costs from Rent.
- (i) If an owner fails to reduce a Capital Improvement costs from Rent in the month following the end of the amortization period for such improvement and the Tenant pays any portion of such Capital Improvement costs after the end of the amortization period, the Tenant may recover interest on the amount overpaid.
 - (ii) The applicable rate of interest for overpaid Capital Improvements shall be the rate specified by law for judgements pursuant to California Constitution, Article XV and any legislation adopted thereto, and shall be calculated at simple interest.
- (f) **Landlord “Banked Increase”.**
- (1) A Landlord may bank all or part of its annual permissible Rent Increase up to five percent (5%) in accordance with the Rent Increase Threshold and use the Banked Increase at a later time. The Landlord may apply the unused Rent Increase to its current year in accordance with this Section.
 - (2) Limitations on Banking.
 - (i) Any Banked Increase that has not been imposed shall expire after 10 years.

- (ii) A Landlord shall add no more than a five (5) percent Banked Increase to the total of any current year Rent Increase not to exceed a total annual Rent Increase of ten (10) percent.

(3) Notice. The Landlord shall notice a Banked Increase concurrent with a Rent Increase pursuant to Section 15.

(4) A Tenant may file a petition for review of a Banked Increase in accordance with Section 5(g) and Section 7 of this ordinance. If a Tenant contests a Banked Increase in accordance with Section 5(g) and Section 7, the Landlord shall provide evidence of the rental history of the subject Covered Rental Unit.

(g) Petition Process

(1) Tenant Petitions. A Tenant may submit a petition to the Rent Review Officer in accordance with Section 7 on any one (1) or more of the following grounds:

- (i) The Landlord failed to provide notice of the Rent Increase, Banked Increase, or Governmental-Utility Services in accordance with Section 15.
- (ii) To request review of a Rent Increase in excess of the five percent (5%) Rent Increase Threshold in Section 5(a);
- (iii) To contest the Banked Increase calculations or a Banked Increase coupled with a Rent Increase in excess of ten (10%) percent;
- (iv) To request review of an increase in Governmental-Utility Services which exceeds one percent (1%) of the Tenant's existing Rent;
- (v) To request a reduction in Rent based on decreased Housing Services;
- (vi) To contest a Capital Improvement cost not subject to a final decision of an Arbitrator per section 5(e)(2) as an unauthorized or excessive pass through;
- (vii) To request review of a Rent Increase when the Covered Rental Unit has uncured health, safety, fire, or building violations.

(2) Landlord Petitions. There is hereby established a Landlord petition process. In accordance with Section 7 of this ordinance, a Landlord may submit a petition to the Rent Review Officer on any one (1) or more of the following grounds: (i) to request a Rent Increase in excess of the Rent Increase Threshold or in excess of a ten percent (10%) Rent Increase, inclusive of Banking and/or Capital Improvement costs to obtain a Fair Return; or (ii) to request a pass through of

Capital Improvement costs. The Landlord must provide notice to the Tenant(s) of the petition in accordance with Section 15.

SEC. 12-1.06 - VACANCY RENT INCREASE

(a) **Vacancy Rent Levels.** Commencing July 25, 2019, a Landlord may establish the Initial Rent rate for all new tenancies consistent with Civil Code Section 1954.50, et seq. as amended, and any ordinance enacted by the City Council consistent therewith, except where any of the following applies:

- (1) The previous tenancy has been terminated by the Landlord pursuant to Civil Code Section 1946, or; the previous tenancy has been terminated upon a change in terms of tenancy noticed pursuant to Civil Code Section 827, except a change permitted by law in the amount of Rent or fees or resulting from the owner's termination of or failure to renew a contract or recorded agreement with a Housing Authority or any other governmental agency that provided for a Rent limitation to a qualified Tenant of the unit. A tenancy shall be presumed to have terminated upon a change in terms of tenancy if the Tenant(s) vacate(s) the Rental Unit within twelve months of the Landlord's unilateral change in the terms of the Rental Agreement. Absent a showing by the Landlord that the Tenant(s) vacated for reasons other than the change in the terms of the Rental Agreement, the Initial Rental rate for the new tenancy shall be no greater than the most recent Rent (prior to the new tenancy).
- (2) A new tenancy begun within three years of the date that the owner terminated or failed to renew a contract or recorded agreement with a Housing Authority or any other governmental agency that provided for a Rent limitation to a qualified Tenant of the unit unless the new tenancy is exempted from this limitation pursuant to Civil Code Section 1954.53(a)(l)(B). During the three-year period, the rental rate for any new tenancy established in that vacated unit shall be at the same rate as under the terminated or nonrenewed contract or recorded agreement, increased by any subsequently authorized annual Rent Increases.

The Landlord has otherwise agreed by contract with a public entity to limit or otherwise restrict Rent levels in consideration for a direct financial contribution or any other forms of assistance specified in Chapter 4.3 (commencing with Section 65915) of Division 1 of title 7 of the Government Code.

- (3) The Covered Rental Unit has been cited in an inspection report by the appropriate government agency as containing serious health, safety, fire or building code violations as defined by Civil Code Sections 1941.1 et seq. and Health and Safety Code Section 17920.3 and 17920.10 excluding those caused by disasters or damages incurred by the Tenant or associated occupants, guests, or pets, the citation was issued at least sixty (60) calendar days prior to the date of the vacancy, and the cited violation had not been abated when

the prior Tenant vacated and has remained unabated for at least sixty (60) calendar days, unless the time for correction was extended by the agency that issued the citation.

- (4) The prior Tenant vacated the Property as a proximate result of the conduct by the Landlord such that the vacancy is non-voluntary, except for evictions for just cause as provided under Section 13 of this ordinance.

(b) **Re-Renting Following Voluntary Vacancy.** This ordinance does not impose limitations on the amount of Initial Rent a Landlord can charge upon the re-renting of a Covered Rental Unit that has been Voluntarily Vacated by the previous Tenant or terminated after a lawful eviction. However, all subsequent Rent Increases for a covered Rental unit shall be subject to the Rent Increase Threshold contained in Section 5(a) for the remainder of the new tenancy.

(c) **Re-Renting Following Nonvoluntary Vacancy.** Upon re-renting of a Covered Rental Unit which has not been Voluntarily Vacated, the Landlord may raise the Rent up to five (5%) regardless of the date of the last Rent Increase. A Rent Increase imposed pursuant to the provisions of this subsection shall establish a new anniversary date for the purpose of applying the provisions of Section 5 of this ordinance to the Covered Rental Unit. Except for the establishment of a new anniversary date, all provisions of this ordinance shall apply to a Covered Rental Unit re-rented pursuant to the provisions of this subsection.

SEC. 12-1.07 - THE RENT DISPUTE RESOLUTION PROCESS.

(a) **Tenant and Landlord Right to Contact Rent Review Officer.** A Tenant or Landlord may contact the Rent Review Officer for an explanation of the provisions of this ordinance.

(b) **Tenant Right to File a Petition.** A Tenant may file a petition to initiate review of a Rent Increase, including 1) the Landlord's failure to provide notice of the Rent Increase, Banked Increase, or increase in Government-Utility Service cost in accordance with Section 5(d) and Section 15; 2) to request review of a Rent Increase in excess of the five percent 5% Rent Increase Threshold; 3) to contest the Banking calculations or a Banked Increase coupled with a Rent Increase in excess of ten percent (10%); 4) to request review of an increase in costs of Governmental-Utility Services which exceeds one percent (1%) of the Tenant's existing Rent; 5) to request a reduction in Rent based on decreased Housing Services; 6) to contest a Capital Improvement cost as an unauthorized or excessive pass through; and 7) to request review of a Rent Increase when the Covered Rental Unit has uncured health, safety, fire, or building violations.

Upon the filing of a petition under Section ~~75~~(b)(2) or ~~75~~(b)(3), the Tenant will pay a Rent Increase equaling the Rent Increase Threshold. For all other petitions, the Rent Increase, Government-Utility Costs, or that portion of the demanded Rent or increase in Housing Services that is in dispute, is not effective and may not be collected until and to the

extent a settlement is reached during mediation, or if appealed in a timely fashion, awarded by an Arbitrator pursuant to the provisions of the ordinance, or until the petition is abandoned.

(c) **Tenant's Time to File a Petition.** Where applicable a Tenant filing a petition under this section shall do so within the following time limits:

- (1) Tenant receiving a notice of Rent Increase or Banking Increase and the accompanying notice required by Section 15 shall have thirty (30) days after service of such notices to file a petition for review of Rent;
- (2) Tenant receiving a notice of increase of Governmental-Utility Services as required by Section 5(d) and Section 15 shall have thirty (30) days after service of such notices to file a petition for review of the utility service.
- (3) Tenant receiving any information, documentation or notice in accord with Section 15 shall have thirty (30) days after the service of such information, documentation, or notice to file for a petition for review of Rent.
- (4) In instances where notice is not provided as required under Section 15 of the ordinance the Tenant shall file a petition for review of Rent within thirty (30) days after he or she knew of the alleged failure to comply with the requirements of the ordinance.

(d) **Meet and Confer.** Within ten (10) days after filing a petition to initiate review of a Rent Increase, the Tenant shall make a good faith attempt to contact the Landlord or the person designated by the Landlord at the time and place shown on the notice provided by the Landlord to discuss the Rent Increase. The Rent Review Officer will hold the petition for the ten (10) day meet and confer period. Unless the petition is withdrawn, the Rent Review Officer will accept the petition at the end of the ten (10) day period.

(e) **Landlord Right to File a Petition:** Landlord may submit a petition to the Rent Review Officer on any one or more of the following grounds:

- (1) To request a Rent Increase in excess of the Rent Increase Threshold or in excess of a ten percent (10%) Rent Increase, inclusive of Banking and/or Capital Improvement costs in order to obtain a Fair Return.
- (2) To request a pass through of Capital Improvement costs.

(f) **Landlord's Time for Filing a Petition:** A Landlord's petition for an increase in Rent to obtain a Fair Return may be filed at any time. A Landlord must submit a petition to request a pass through of Capital Improvement costs within two (2) years of completion of the capital improvement work.

(g) **Rent Review Officer Authority to Refuse to Accept Petitions.** The Rent Review Officer shall refuse to accept a petition of a Tenant or Landlord in the following instances:

- (1) Where the petition is not completely filled out;
- (2) Where from the face of the petition it is determined that the petition has not been filed in accord with Sections 7(b) and (c) for Tenant petitions; or
- (3) Where from the fact of the petition it is determined that the petition has not been filed in accord with Section 7(e) and (f) for Landlord petitions.

To the extent that a petition is not accepted, Tenant or Landlord will be provided a notice of refusal to accept a petition by the Rent Review Officer. Upon receiving a notice of refusal, Tenant or Landlord has seven days (7) to amend and resubmit petition to comply with the ordinance, which shall not count toward the thirty (30) day time limit for filing a petition.

(h) **Rent Review Officer Authority to Consolidate Petitions.** As soon as possible after a petition has been accepted, the Rent Review Officer shall, to the extent possible and consistent with the time limitations provided herein, consolidate similar petitions from Tenants at the same complex.

(i) **Mediation.** Upon, the Rent Review Officer's acceptance of a petition, mediations under this ordinance shall be conducted consistent with the following rules and procedures.

- (1) The Rent Review Officer shall provide the Tenant and Landlord a notice of receipt and acceptance of the petition, and this notice shall be served either in person, ordinary mail, or electronic correspondence.
- (2) The Rent Review Officer shall assign a Mediator and set a date for a mediation no later than thirty (30) days after the acceptance of the petition, unless the Rent Review Officer determines that additional time is required under the circumstances. The Rent Review Officer shall notify the Landlord and Tenant(s) in writing of the date, time, and place of the mediation hearing at least fourteen (14) days prior to the mediation hearing and this notice shall be served either in person, ordinary mail, or electronic correspondence. To the extent possible, the Rent Review Officer shall consider the work schedules of the Tenant(s) and Landlord when selecting a date and time for the mediation.
- (3) The parties may agree to waive mediation and proceed directly to arbitration. Written notice of the intent to waive mediation must be filed at least seven (7) days before the mediation hearing. Upon receipt of a

waiver, the Rent Review Officer shall assign an Arbitrator and schedule the arbitration hearing in accordance with Section 7(j).

- (4) For Landlord petitions, the Landlord may unilaterally waive mediation and proceed to arbitration. Written notice of the intent to waive mediation must be filed at least (7) days before the mediation hearing. Upon receipt of a waiver, the Rent Review Officer shall assign an Arbitrator and schedule the arbitration hearing in accordance Section 7(j).
- (5) Rent Review Officer may grant postponements of the mediation hearing of up to twenty-one (21) days for good cause. The parties, with concurrence of the Mediator and Rent Review Officer, may agree in writing to additional continuances.
- (6) With input from stakeholders and community members, the Rent Review Officer may adopt procedures for the conduct of mediation hearings.
- (7) Mediation is a voluntary collaborative process where in the Landlord and Tenant(s) who have a disagreement regarding the Rent Increase, can develop options, consider alternatives, and develop a consensual agreement. The role of the Mediator is to facilitate open communication to resolve dispute in a non-adversarial and confidential manner.
- (8) The Landlord shall submit a written response to the Tenant's petition, including documentary evidence to the Rent Review Officer at least five (5) days prior to the scheduled mediation hearing. The Landlord and Tenant(s) must appear at the mediation and offer oral and documentary evidence. Both the Landlord and the Tenant(s) may designate a representative or representatives with decision making authority to appear on their behalf at the hearing. Requests for translation services during the mediation shall be submitted to the Rent Review Officer at least five (5) days prior to the scheduled mediation hearing.
- (9) If the Landlord and Tenant(s) agree to a level of Rent Increase, the Mediator shall prepare a memorandum of agreement for the signature of the Landlord and the Tenant(s). This agreement shall constitute a legally enforceable contract.
- (10) Should the parties fail to agree to a level of Rent Increase, or the Mediator determines that the parties have reached an impasse, the Mediator may refer the cases to the Rent Review Officer for arbitration.

(j) **Arbitration Hearing.** Arbitrations under this ordinance shall be conducted consistent with the following rules and procedures:

- (1) Within twenty-one (21) days of receipt of a landlord petition, mediation waiver or the date the mediation hearing was held, the Rent Review Officer shall appoint an Arbitrator to hear the dispute. If possible, the Rent Review Officer shall not select the same person to arbitrate the dispute as mediated the dispute. The arbitration hearing shall be held no more than thirty (30) days after the Arbitrator is assigned. The Landlord and Tenant(s) shall be notified immediately in writing by the Rent Review Officer of the date, time, and place of the arbitration hearing and this notice shall be served either in person, ordinary mail, or electronic correspondence. To the extent possible, the Rent Review Officer shall consider the work schedules of the Tenant(s) and Landlord when selecting a date and time for the arbitration.
- (2) The Arbitrator may grant postponements of the arbitration hearing one time from the initial arbitration hearing date for not more than twenty-one (21) days for good cause.
- (3) The Arbitrator may adopt procedures for the conduct of arbitration hearings. Both the Landlord and the Tenant(s) may designate a representative to appear for them at the hearing. Such designation shall be in writing.
- (4) The Landlord and Tenant may submit a written statement and documentary evidence in preparation for the arbitration to the Rent Review Officer at least seven (7) days prior to the arbitration hearing. Requests for translation services during the **arbitration mediation** shall be submitted to the Rent Review Officer at least five (5) days prior to the scheduled **arbitration mediation** hearing.
- (5) The Arbitrator may require either party to a Petition to provide any books, records, and papers deemed pertinent. If the Arbitrator finds good cause to believe that a building or other inspection would assist in resolving the issues raised by the Petition, the Arbitrator may conduct an inspection and/or request the City to conduct an inspection. The Tenant may request the Arbitrator to order such an inspection prior to the date of the hearing. All documents required under this subsection shall be made available to the parties involved prior to the hearing.
- (6) The Arbitrator shall hold a hearing de novo at which both oral and documentary evidence may be presented. The parties to the arbitration shall have the right to examine documents and cross-examine witnesses. For Landlord petitions, the burden of proof that the amount of the Rent Increase is allowed by this ordinance or is necessary to provide the Landlord a Fair Return shall be on **both** the Landlord **and Tenant(s)**. For

Tenant petitions, the burden of proof shall be on Landlord. The final decision shall be based on the preponderance of evidence provided.

- (7) The Arbitrator shall render his or her written decision within twenty (20) days of the close of the hearing by mail to the Rent Review Officer who shall forthwith distribute copies of the decision by mail to the Landlord and Tenant(s). The Arbitrator shall determine the amount of the Rent Increase if any, which is reasonable based upon all the provisions of this ordinance, the evidence presented by the parties, and any previous decisions which are found relevant and persuasive.
- (8) The Arbitrator may order relief in the form of a decrease in Rent for any period of time that the Tenant has endured a reduction in services without a corresponding reduction in Rent. The Arbitrator may additionally order that the rental rate may be restored to its former level if the Landlord fixes, repairs, or otherwise cures the reduction in services by a date to be determined by the Arbitrator.
- (9) In order to grant any party the time within which to obtain a stay or judicial review from a court of law, the decision of the Arbitrator shall not be final and binding upon the Landlord and all Tenant(s) until thirty (30) days after it has been mailed to the Landlord and Tenant(s). However, where a valid and timely application for correction has been filed pursuant to subsection (7), the Arbitrator's decision shall not be final or binding until thirty (30) days after the Arbitrator's denial of the application or correction of the award has been mailed to the Landlord and Tenant(s). Any sum of money determined by the decision of the Arbitrator to be due to Landlord by Tenant or to Tenant by Landlord shall constitute a debt and, subject to the provisions of Section 7(k) of this ordinance, may be collected in any manner provided by law for the collection of debts.
- (10) Not later than thirty (30) days after the date of the mailing of the decision, the Arbitrator, upon written application of a party or on his or her own motion, may correct the decision upon the grounds that it contains a misstatement or omission of a material fact or issue. Application for such correction shall be made not later than ten (10) days after the date of mailing of the decision. Upon receiving such application, the Rent Review Officer shall mail a copy of the application to all of the other parties to the arbitration. Any party to the arbitration may make a written objection to such application. The objection shall be made not later than ten (10) days after the mailing of the copy of the application by the Rent Review Officer. Upon receipt the Rent Review Officer shall mail a copy of the objection to all of the other parties to the arbitration. The Arbitrator shall either deny the application or correct the award. The denial or correction shall be in writing and shall be distributed by mail to the parties.

(k) **Effect of Arbitration Decision.**

- (1) If a final decision by an Arbitrator finds that a proposed increase or any portion thereof that was previously inoperative is justified, the Tenant shall pay the amount found justified to the Landlord within thirty (30) days after the decision is final. Tenant's failure to pay the full justified amount shall be deemed failure to pay rent under the existing Rental Agreement.
- (2) If a final decision by an Arbitrator finds that an increase or any portion thereof is not justified, the Landlord shall refund any amount found to be unjustified, but that had been paid, to the Tenant within thirty (30) days after the decision becomes final; if such refund is not made within thirty (30) days, the Tenant may withhold the amount from the next Rent(s) due until the full amount of the refund has been made; except that, in the event that the tenancy of Tenant is terminated for any reason prior to full credit to him against Rent, the balance of the credit due the Tenant shall be paid to him by the Landlord within thirty (30) days from the date of the termination of his tenancy.
- (3) Any sum of money that under the provisions of this section is the obligation of the Landlord or Tenant, as the case may be, shall constitute a debt and, subject to the foregoing provisions of this section, may be collected in any manner provided by law for the collection of debts.

SEC. 12-1.08 - SUBPOENA POWER.

Subpoenas, including subpoenas duces tecum, requiring a person to attend a particular time and place to testify as a witness, may be issued in connection with any dispute pending before a Mediator or Arbitrator, and shall be issued at the request of the Rent Review Officer, a Mediator, Arbitrator, or a party. Subpoenas shall be issued and attested by the City Clerk in the name of the City. A subpoena duces tecum shall be issued only upon the filing with the City Clerk of an affidavit showing good cause for the production of the matters and things described in the subpoena, specifying the exact matters or things desired to be produced, setting forth in full detail the materiality thereof to the issues involved in the proceeding, and stating that the witness has the desired matters or things in his or her possession or under his or her control, and a copy of such affidavit shall be served with the subpoena. However, Landlord shall provide the Rent Review Officer reasonable time, but not to exceed seven (7) days, to contact the Landlord and the individual required to attend before a subpoena or subpoena duces tecum is issued. Any subpoena or subpoena duces tecum issued pursuant to the provisions of this ordinance may be served in person or by certified mail, return receipt requested, and must be served at least five (5) days before the hearing for which the attendance is sought. Service by certified mail shall be complete on the date of receipt. Notwithstanding any other provision of this ordinance, any time limits set forth in this ordinance shall be extended for such time as is necessary, but not

longer than five (5) days, if a subpoena has been served and five (5) days have not elapsed since the service.

Any subpoena or subpoena duces tecum issued pursuant to the provisions of this ordinance shall be deemed issued by and in the name of the City Council.

SEC. 12-1.09 - STANDARDS OF REVIEW.

(a) The Arbitrator shall consider all relevant factors when evaluating Rent Increases above the 5% Rent Increase Threshold or a Landlord petition in compliance with Section 7(e), including following:

- (1) Unavoidable increases in maintenance and Operating Expenses, including the reasonable value of the Landlord's labor. Factors to be considered, include but are not limited to:
 - (i) Year to year comparison of annual operating budget and financial statements; and
 - (ii) Operating Expense documentation.

- (2) Application of Banking Rent Increases when owner chooses to delay imposing part or in full an annual Rent Increase not to exceed a total Rent Increase of ten percent (10%). Factors to be considered, include but are not limited to:
 - (i) The rental history of the unit or the complex of which it is a part;
 - (ii) The presence or absence of past increases; and
 - (iii) The frequency of past Rent Increases.

- (3) Verification of the Governmental-Utility Services cost increase. Factors to be considered, include but are not limited to:
 - (i) The percentage of the utility rate costs increase above one percent (1%) of the Tenant's existing Rent.
 - (ii) The allocation of the increased Government-Utility Service costs among Tenants including any increase or decrease in the number of Tenants in the Covered Rental Unit.
 - (iii) Whether the cost increase is the result of irresponsible or wasteful use of utilities by the Tenant

- (iv) Whether the Landlord provided the Tenant(s) documentation supporting the level of increase in accordance with Sections 5(d) and 15.
- (4) Capital Improvement of the Covered Rental Units, including the reasonable value of the Landlord's labor and financing costs. Factors to be considered, include but are not limited to:
- (i) Improvement completed;
 - (ii) Landlord's petition made within two (2) years of completion of Capital Improvement work;
 - (iii) No more than Fifty percent (50%) pass through costs requested;
 - (iv) Distinguished from ordinary repair or maintenance;
 - (v) For the primary benefit, use, and enjoyment of the Tenant;
 - (vi) Permanently fixed in place or relatively immobile and appropriated to the use of the Property;
 - (vii) Not coin-operated nor for which a "use fee" or other charge is imposed on Tenants for its use; and
 - (viii) Cost-factored and amortized in accordance with section 5(e).
- (5) Other financial information which the Landlord is willing to provide.
- (6) A Landlord's fair rate of return on investment based on the following calculations:

Fair Return Standard. A Fair Return is the Initial Year Net Operating Income adjusted by the percentage increase in the Consumer Price Index since the Initial Year. "Net Operating Income" is the Gross Income from a Covered Rental Unit net of Operating Expenses. Debt service and Capital Improvement costs are not included in calculating Net Operating Income.

Initial Year. The "Initial Year" is the 2018 calendar year, provided that where the Rent for Covered Rental Units has been set in a prior Fair Return decision regarding a petition pursuant to this Part, in which case the calendar year that was the Current Year in the prior determination may be used as the Initial Year for the purposes of reviewing a subsequent Fair Return petition.

Current Year. The Current Year is the most recent calendar year preceding the submission of a petition pursuant to Section 7.

Calculation of Consumer Price Index. The percentage increase in the CPI shall be determined by comparing the monthly CPI for All Urban Consumers for all items for the San Francisco-Oakland-Hayward metropolitan area as reported by the U.S. Bureau of Labor Statistics, for December of the comparison year to the monthly CPI for December 2018 (i.e., 285.550), or the monthly CPI for December of the Current Year in cases that the Initial Year was determined through a subsequent petition, whichever is later. In the event a successor index to the CPI-U index for all urban consumers for all items for the San Francisco-Oakland-Hayward metropolitan area is established by the Bureau of Labor Statistics, this calculation method may be updated accordingly in the Regulations.

(b) **Grounds for Denial.** The Arbitrator shall consider all relevant factors when evaluating whether to deny a Rent Increase, including but not limited to the following:

- (1) Landlord allows violations of the City of Hayward Housing Code or other applicable state and local statutes to persist. Landlord may remedy noncompliance by addressing any and all state and local code violations prior to the commencement of the arbitration proceedings.
- (2) Landlord failed to pay the Rent program service fee. Landlord may remedy such non-compliance by paying any and all outstanding fees prior to the commencement of the arbitration proceedings.
- (3) Landlord failed to provide Tenant notice of a Rent Increase, Banked Increase, or costs imposed for Government-Utility Services in accordance with Section 15.

(c) **Grounds for a Reduction of Rent.** The Arbitrator shall consider all relevant factors when evaluating whether to reduce Rent, including but not limited to the following:

- (1) Landlord allows violations of the City of Hayward Housing Code or other applicable state and local statutes to persist. Landlord may remedy noncompliance by addressing any and all state and local code violations prior to the commencement of the arbitration proceedings.
- (2) Any reduction of Housing Services since the last Rent Increase.

SEC. 12-1.10 - TENANT'S RIGHT OF REFUSAL.

A Tenant may refuse to pay the portion of a Rent Increase in excess of the Rent Increase Threshold which is in violation of this ordinance, provided a petition has been filed under Section 75(b)(2) or 75(b)(3) and either no final decision has been reached by agreement, mediation, or arbitration or the increase has been determined to violate the provisions of this ordinance. A Tenant may refuse to pay any Rent Increase which is in

violation of this ordinance, provided a petition has been filed under Section ~~75~~(b)(1), ~~75~~(b)(4), ~~75~~(b)(5), ~~75~~(b)(6), or ~~75~~(b)(7) and either no final decision has been reached by agreement, mediation, or arbitration, or the increase has been determined to violate the provisions of this ordinance. Such refusal to pay shall be a defense in any action brought to recover possession of a Rental Unit or to collect the Rent Increase.

SEC. 12-1.11 - SECURITY DEPOSITS.

~~(a) Landlords shall pay annual interest in accordance with the provisions of this section on all Security Deposits of more than one year's duration with interest accruing from the first day a tenancy begins, and shall not impose or collect any handling, service, or other charges in connection therewith. The payment shall be prorated on a monthly basis upon termination of any tenancy of more than one year's duration. Otherwise, the payment shall be made on an annual basis beginning upon the first anniversary of the tenancy and may be made by direct payment to the Tenant within ten calendar days of each anniversary date or by crediting the same against the next month's Rent payment. A Landlord violating the provisions of this section shall be liable to the Tenant for three times the amount of interest wrongfully uncredited or unpaid and a Tenant may bring an action in the appropriate court to collect such penalty.~~

~~Security Deposits shall be collected by the Landlord and administered in accordance with state law.~~

~~(b) The interest rate to be paid on Security Deposits shall be set annually by the Rent Review Officer each November. Said interest rate shall be based upon the Federal Reserve Bank Monthly Survey of Selected Accounts and shall equal the latest September percentage for the average rate paid on personal savings accounts for Bank Insurance Fund (BIF) insured savings banks or any successor or alternate survey the Rent Review Officer determines is comparable to the Federal Reserve Bank Monthly Survey. Landlords and Tenants may obtain this rate by contacting the Rent Review Office after November 1st of each year. In cases where the year between anniversary dates of a tenancy spans periods in which more than one interest rate percentage applies, each rate shall be utilized to calculate the interest paid on the Security Deposit depending upon the number of months or, if less than a full month, days to which each rate applies.~~

SEC. 12-1.12 - PROHIBITION AGAINST RETALIATORY EVICTION AND HARASSMENT AGAINST TENANTS

(a) **Applicability and Exemptions.** Section 12 of this Ordinance shall apply to all Rental Units, including all Covered Rental Units, in the City of Hayward. However, Section 12 shall not apply to the following types of Rental Units:

- (1) Accommodations in any hospital, extended care facility, convalescent home, nonprofit home for the aged, or dormitory owned and operated by either an

educational institution or a private organization which offers spaces in rooms for Rent in conjunction with the providing of services such as meals, cleaning services, and social programs.

- (2) Accommodations in motels, hotels, inns, tourist houses, rooming houses, and boarding houses; provided that such accommodations are not occupied by the same Tenant for thirty (30) or more continuous days.
- (3) Rental Units in a nonprofit cooperative that are owned, occupied, and controlled by a majority of the residents.
- (4) Rental Units in a residential Property where the owner of record occupies a unit in the same Property as his or her principal residence and regularly shares in the use of kitchen or bath facilities with the Tenants of such Rental Units. For purposes of this section, the term owner of record shall not include any person who claims a homeowner's Property tax exemption on any other real Property in the State of California.

(b) Prohibition Against Retaliatory Evictions and Harassment. No Landlord or an agency acting on behalf of a Landlord, shall do any of the following, in bad faith:

- (1) Interrupt, terminate, or fail to provide Housing Services required by contract State, County or municipal housing, health or safety laws, or threaten to do so;
- (2) Fail to perform repairs and maintenance required by contract or by State, County, or municipal housing, health, or safety laws, or threaten to do so;
- (3) Failure to exercise due diligence in completing repairs and maintenance once undertaken or fail to follow appropriate industry repair, containment or remediation protocols designed to minimize exposure to noise, dust, lead paint, mold, asbestos, or other building materials with potentially harmful health impacts;
- (4) Abuse the Landlord's right of access into a Rental Unit as that right is provided by law;
- ~~(5) Influence or attempt to influence a Tenant to vacate a Rental Unit through fraud, intimidation or coercion, which shall include threatening to report a Tenant to U.S. Immigration and Customs Enforcement; though that prohibition shall not be construed as preventing communication with U.S. Immigration and Customs Enforcement if contacted by said agency;~~
- (6) Refuse to accept or acknowledge receipt of a Tenant's lawful Rent payment, except as such refusal may be permitted by state law after a notice to quit has been served on the Tenant and the time period for performance pursuant to the notice has expired;

- (7) Interfere with a Tenant's right of privacy, including but not limited to the Tenant's residence or citizenship status or social security number, except as required by law or, in the case of a social security number, for the purpose of obtaining information for the qualifications for a tenancy, and not release such information except as required or authorized by law;
- (8) Offer payments to a Tenant to vacate more than once in six (6) months, after the Tenant has notified the Landlord in writing the Tenant does not desire to receive further offers of payments to vacate;
- (9) Substantially and directly interfere with a Tenant's right to quiet and enjoyment of a Rental Unit as that right is defined by California law;
- (10) A Tenant's exercise of their right to file a petition under this ordinance.
- (11) Verbal or physical abuse or intimidation.

(c) **Retaliation Prohibited.** Retaliation against a Tenant because of the Tenant's exercise of right under the Ordinance is prohibited. Retaliation claims may only be brought in court and may not be addressed administratively. A court may consider the protections afforded by Section 12 in evaluating a claim of retaliation.

(d) **Evictions.** Nothing in this section shall be construed as to prevent a Landlord from lawfully evicting a Tenant pursuant to state law or Section 13 (Just Cause for Eviction) of this Ordinance.

(e) **Rent Increases.** Nothing in this section shall be construed as to prevent a Landlord from lawfully increasing a Tenant's Rent pursuant to state law or the City of Hayward's Residential Rent Stabilization and Tenant Protection Ordinance.

(f) **Repairs and maintenance.** Nothing in this section shall be construed as requiring different timeliness or standards for repairs or maintenance, as required by contract or State, County, or municipal housing, health, and safety laws, or according to appropriate industry protocols.

(g) **Notice to Tenant.** Notice must be provided by Landlords to all Tenants of Rental Units in accordance with Section 15 of this ordinance. If Rental Units subject to Section 12 of this ordinance are located in a building with an interior common area that all the building's Tenants have access to, the Landlord must post a notice in at least one such common area in the building via a form prescribed by the Rent Review Officer.

(h) **General Remedies.** Violations of Section 12 (Prohibition Against Retaliatory Eviction and Harassment Against Tenants) may be enforced by civil remedies as set forth in this section or as otherwise specifically set out in Section 18.

- (1) **Tenant's Notice Requirement.** Before a Tenant may file a civil suit alleging a violation of Section 12(b)(1), (2), (3), (6), (9), or (13) of this ordinance, the Tenant

must first notify the Landlord or his or her designated agent regarding the problem. If the allegation is a violation of Section 12(b)(1), (2), (3), (6), (9), or (13), the Tenant must allow 15 days for the Landlord to correct the problem, unless the Landlord notifies the Tenant that the repairs will take more than 15 days and provides a reasonable time period for completion. If the repair takes more than 15 days, the Tenant may file the civil suit if the Landlord does not take reasonable steps to commence addressing the problem or the Landlord does not follow through to complete the repairs with reasonable diligence.

- (2) In addition to the remedies provided in the Section, a violator is liable for such costs, expenses, and disbursements paid or incurred by the City in abatement and prosecution of the violation.
- (3) This Section is not to be construed to limit an aggrieved person's right to bring legal action for a violation of any other laws concerning housing discrimination, or other standards or rights, nor is exhaustion of remedies under this Section a prerequisite to the assertion of any other such right.

(i) **Civil Remedies.**

- (1) Enforcement by a Tenant. An aggrieved Tenant may bring a civil action for injunctive relief or damages, or both, for any violation of Section 12(b) or (c).
- (2) Enforcement by City Attorney. The City Attorney may enforce Section 12(b) or (c) through civil action for injunctive relieve or damages, or both, when a party against whom enforcement is sought has a pattern and practice of violating Section 12 (Prohibition Against Retaliatory Eviction and Harassment Against Tenants). The City Attorney may also request that an administrative citation or civil penalty be issued by the City. The City Attorney has the sole discretion to determine the cases appropriate for enforcement by the City Attorney's Office.

(j) **Damages.**

- (1) An award of actual damages may include an award for mental and/or emotional distress and/or suffering, or for minimum damages in the sum of one thousand (\$1,000) dollars, whichever is greater, and whichever other relief the court deems appropriate. The amount of actual damages awarded to a prevailing plaintiff shall be trebled by the Court outside of the presence, and without the knowledge of, the jury, if any, if a defendant acted in knowing violation of, or in reckless disregard of, the provision of this Section.
- (2) A defendant shall be liable for an additional civil penalty of up to five thousand (\$5,000) dollars for each violation of this Section committed against a person who is a Veteran or disabled within the meaning of California Government Code section 12926, et. Seq., or aged sixty-five or over.

(k) **Injunctive Relief.** Any person who commits an act, proposes to commit an act, or engages in any pattern and practice which violates Section 12 (b) or (c) may be enjoined

therefrom by any court of competent jurisdiction. An action for injunction under this subsection may be brought by any aggrieved Tenant, by the City Attorney (for pattern and practice), or by an aggrieved Tenant who will fairly and adequately represent the interest of the protected class.

(l) Attorney's Fees and Costs

(1) An Action by the City Attorney. In any administrative, civil, or special proceeding brought pursuant to Section 12, the City may, at the initiation of the proceeding, seek an award of attorney's fees. If the City seeks an award of attorney's fees, the award shall be made to the prevailing party. Provided, however, that no award may be made to the prevailing party that exceeds the amount of reasonable attorney's fees incurred by the City in the action or proceeding. Court costs may be awarded to a prevailing party pursuant to state law.

(2) Action by Tenant. In any civil action brought pursuant to Section 12 (Prohibition Against Retaliatory Eviction and Harassment Against Tenants), the prevailing Tenant is entitled to recover the Tenant's reasonable attorney's fees. A defendant Landlord may recover reasonable attorney's fees if the complaint brought by the Tenant is determined by a Court to be wholly without merit or frivolous. Court costs may be awarded to the prevailing party pursuant to state law.

(3) Costs of Investigation. In the event the City Attorney brings an administrative, civil, or special proceeding pursuant to Section 12, the City Attorney may recover its costs of investigation.

(m) The Rent Review Officer shall develop the notice form to implement Section 12(g). Any changes to the initial notice form shall be effective thirty (30) days after they are made available to the public at the office of the City's Housing Division, unless the City Manager, or his or her designee, makes a determination that an earlier date is necessary. All notice forms required by Section 12 are vital communication documents and shall be translated and distributed.

(n) **Non-waiverability.** Any provision, whether oral or written, in or pertaining to a Rental Agreement whereby any provision of Section 12 is waived or modified, is against public policy and void.

SEC. 12-1.13 - JUST CAUSE FOR EVICTION

(a) **Applicability.** Section 13 of this ordinance shall apply to all Rental Units, including where a notice to vacate/quit any such Rental Unit has been served as of the effective date of this Residential Rent Stabilization and Tenant Protection Ordinance but where any such Rental Unit has not yet been vacated or an unlawful detainer judgment has not been issued as of the effective date of this ordinance. The application of Section 13 includes residential

Rental Units that are not included within the definition of Covered Rental Units. However, Section 13 shall not apply to the following types of Rental Units:

- (1) Accommodations in any hospital, extended care facility, convalescent home, nonprofit home for the aged, or dormitory owned and operated by either an educational institution or a private organization which offers spaces in rooms for Rent in conjunction with the providing of services such as meals, cleaning services, and social programs.
- (2) Accommodations in motels, hotels, inns, tourist houses, rooming houses, and boarding houses; provided that such accommodations are not occupied by the same Tenant for thirty (30) or more continuous days.
- (3) Rental Units in a nonprofit cooperative that are owned, occupied, and controlled by a majority of the residents.
- (4) Rental Units in a nonprofit facility that has the primary purpose of providing short term treatment, assistance, or therapy for alcohol, drug, or other substance abuse and the housing is provided incident to the recovery program, and where the client has been informed in writing of the temporary or transitional nature of the housing at its inception.
- (5) Rental Units in a nonprofit facility which provides a structured living environment that has the primary purpose of helping homeless persons obtain the skills necessary for independent living in permanent housing and where occupancy is restricted to a limited and specific period of time of not more than 24 months and where the client has been informed in writing of the temporary or transitional nature of the housing at its inception.
- (6) Rental Units in a residential Property where the owner of record occupies a unit in the same Property as his or her principal residence and regularly shares in the use of kitchen or bath facilities with the Tenants of such Rental Units. For purposes of this section, the term owner of record shall not include any person who claims a homeowner's Property tax exemption on any other real Property in the State of California.
- (7) Affordable housing acquisition and rehabilitation development projects that receive a subsidy or funding from a federal, state or local agency for the purpose of substantially rehabilitating a Property and converting the Rental Units to affordable rental housing subject to regulatory controls that impose Rent limitations, including but limited to low-income housing tax credits under Section 42 of the Internal Revenue Code of 1986. The exemption only applies in connection with, or related to a conversion, which includes such time as an award of the subsidy or funding is made by the federal, state or local agency and to units that are not occupied by Tenants meeting the eligibility requirements of the program under which such subsidy or funding is made.

(b) **Just Cause for Evictions.** No Landlord shall endeavor to recover possession, issue a notice terminating tenancy nor shall its renewal be refused, unless the Landlord is able to prove the existence of one of the following grounds:

- (1) The Tenant has failed to pay Rent to which the Landlord is legally entitled pursuant to the lease or Rental Agreement and under the provisions of state or local law, unless the Tenant has withheld Rent pursuant to applicable law.
- (2) The Tenant has continued, after written notice to cease, to substantially violate any of the material terms of the Rental Agreement, except the obligation to surrender possession on proper notice as required by law, and provided that such terms are reasonable and legal and have been accepted in writing by the Tenant or made part of the Rental Agreement.
- (3) The Tenant has willfully caused or allowed substantial damage to the premises beyond normal wear and tear and has refused, after written notice, to pay the reasonable costs of repairing such damage and cease damaging said premises.
- (4) The Tenant has refused to agree to a new Rental Agreement upon expiration of a prior Rental Agreement, but only where the new Rental Agreement contains provisions that are substantially identical to the prior Rental Agreement, and is not inconsistent with local, state, and federal laws.
- (5) The Tenant has continued, following written notice to cease, to be so disorderly as to destroy the peace and quiet of other Tenants or occupants of the premises.
- (6) The Tenant has, after written notice to cease, refused the Landlord access to the unit as required by state or local law.
- (7) The Landlord, after having obtained all necessary permits from the City of Hayward, seeks in good faith to undertake substantial repairs which are necessary to bring the Property into compliance with applicable codes and laws affecting the health and safety of Tenants of the building or where necessary under an outstanding notice of code violations affecting the health and safety of Tenants of the building, and where such repairs cannot be completed while the Tenant resides on the premises. Where the Landlord recovers possession under this subsection, the Tenant must be given the right of first refusal to re-occupy the unit upon completion of the required work.

- (8) The Landlord, after having obtained all necessary permits from the City of Hayward, seeks in good faith to recover possession of the Rental Units, in order to remove the Rental Unit from the market by demolition.
- (9) The Landlord seeks in good faith to recover possession for his or her own use or occupancy as his or her principal residence, or for the use and occupancy as a principal residential by the Landlord's spouse or domestic partner or by the Landlord's or the Landlord's spouse's child, parents, brother, sister, grandparents, or grandchildren. For the purposes of this subsection, the term Landlord shall be defined as the owner of record holding at least a fifty-one percent (51%) interest in the Property and shall not include a lessor, sublessor, or agent of the owner of record. The Landlord may not recover possession under this subsection if a comparable unit is already vacant and available in the Property.
- (10) A Landlord or lessor seeks in good faith to recover possession of the Rental Unit for his or her occupancy as a principal residence and has the right to recover possession of the unit for his or her occupancy as a principal residence under an existing Rental Agreement with the current Tenants.
- (11) The Tenant is convicted of using the Rental Unit for any illegal purpose.
- (12) The Tenant has used or allowed the use of the Rental Unit, or any other area owned or controlled by the Landlord, for the manufacture, sale, distribution, possession, or use of a controlled substance as defined in state law.
- (13) The Tenant has continued, after written notice to cease, to violate legal and reasonable written rules and regulations generally applicable to all tenancies within the premises provided that such terms have been accepted in writing by the Tenant.
- (14) The lawful termination of the Tenant's employment by the Landlord, where such employment was an express condition of, or consideration for, the tenancy under a written Rental Agreement, the notice of termination is given as provided in Section 1946 of the California Civil Code.
- (15) The Tenant has threatened, either verbally or in writing, to commit a crime which would result in death or great bodily harm to a Tenant, guest, manager, owner, or other person on the premises, for which a report has been filed with the Hayward Police Department.

(c) **Notice of Termination.** The Landlord shall serve on the Tenant a written notice setting forth the reasons for the termination with specific facts to permit a determination of the date, place and circumstances concerning the reason. This notice shall be given in the manner prescribed by California Code of Civil Procedure Section 1162 and may be combined with a written notice of termination of tenancy or as a separate written notice.

A Landlord's failure to specify in the notice either one or more grounds for eviction authorized by state or federal law or good cause as listed above in subsections 1 through 15 in the written notice, notice of termination or the notice to quit, and in the complaint for possession shall be a defense of any action for possession of a Rental Unit covered by the terms of this Ordinance.

(d) **Notice of Ordinance.** Notice of the Just Cause for Eviction section, of the Residential Rent Stabilization and Tenant Protection Ordinance shall be given in accordance with Section 13. This notice shall be given in the manner prescribed by California Code of Civil Procedure Section 1162.

SEC. 12-1.14 - PROHIBITION OF DISCRIMINATION RELATED TO SOURCE OF INCOME

- (a) **Purpose and Intent.** It is the purpose and intent of this Section to ensure that Landlords in the City of Hayward cannot discriminate against any person based on that person's Source of Income. The California Fair Employment and Housing Act (FEHA), as amended from time to time, makes it unlawful for the owner of any housing accommodation to discriminate against any person based on certain factors, including the person's Source of Income. FEHA defines Source of Income as "lawful, verifiable income paid directly to a Tenant or paid to a representative of a Tenant [excluding a Landlord]." This Section defines Source of Income more broadly to include Rent assistance from any federal, state, local, or nonprofit administered benefit or subsidy program, among other sources. Under this Section, Landlords retain their right to reject prospective Tenants for other lawful reasons consistent with federal, state, and local laws.
- (b) **Applicability.** Section 14 of this ordinance shall apply to all Rental Units, including Covered Rental Units. However, Section 14 shall not apply to any tenancy in which the owner or any member of his or her family resides within the same residential building as the Tenant and the owner or family member share a bathroom or a kitchen facility with the Tenant or prospective Tenant.
- (c) **Prohibited Activity.** It is unlawful for any person to do any of the following acts, wholly or in part, based on a person's Source of Income (except as may be necessary to comply with any program requirements related to Source of Income).
- (1) To refuse to enter into or renew an agreement for tenancy;
 - (2) To interrupt or terminate any tenancy;

- (3) To falsely represent that a Rental Unit is not available for tenancy
 - (4) To require inclusion in the terms of an agreement for tenancy any clause, condition, or restriction; or restriction; or
 - (5) To restrict a Tenant's access to facilities or services on real Property associated with the tenancy or refuse repairs or improvements to real Property associated with the tenancy.
- (d) It is unlawful for any person to make, print, publish, advertise, or disseminate in any way, or cause to be made, printed, published, advertised, or disseminated in any way, any notice, statement, or advertisement with respect to a Rental Unit, or with respect to financing related to a Rental Unit, which indicates discrimination based on a person's Source of Income.
- (e) It is unlawful for any person to use a financial or income standard for entering into or renewing a tenancy that does either of the following:
- (1) Fails to account for any Tenant's or prospective Tenant's entire Source of Income'; or
 - (2) Fails to account for the aggregate Source of Income of Tenants residing together or proposing to reside together, or the aggregate Source of Income of Tenants or prospective Tenants and their cosigners or proposed cosigners, on the same basis as the aggregate Source of Income of married persons residing together or proposing to reside together.
- (f) **Effect on Other Laws.** Nothing in this Section shall be deemed to permit a transaction in real Property that is otherwise prohibited by any applicable law.
- (g) **Enforcement and Remedies.**
- (1) An aggrieved person claiming a violation of this section may file an action against a person in a court of competent jurisdiction for a violation(s) that is alleged to have occurred on or after July 25, 2019, within one year after discovery of the alleged violation. An aggrieved person may seek an injunction under this section.
 - (2) Enforcement by City Attorney. The City Attorney may enforce Section 14 through civil action for injunctive relieve or damages, or both, when a party against whom enforcement is sought has a pattern and practice of violating Section 14. The City Attorney may also request that an administrative citation or civil penalty be issued by the City. The City Attorney has the sole discretion to determine the cases appropriate for enforcement by the City Attorney's Office

- (3) The court may award monetary damages to an aggrieved person who proves a violation of this Section. If the court determines that a violation occurred during a tenancy, then the court shall award to the individual whose rights are violated three (3) times the amount of one month's Rent that was being charged for the Rental Unit at the time of violation. If the court determines that a violation occurred prior to a tenancy, then the court shall award to the individual whose rights are violated three (3) times the amount of one month's Rent that the Landlord advertised for the Rental Unit at the time of the violation. The court may award punitive damages, as well as attorneys' fees and costs of action.
- (4) An Action by the City Attorney. In any administrative, civil, or special proceeding brought pursuant to Section 14, the City may, at the initiation of the proceeding, seek an award of attorney's fees. If the City seeks an award of attorney's fees, the award shall be made to the prevailing party. Provided, however, that no award may be made to the prevailing party that exceeds the amount of reasonable attorney's fees incurred by the City in the action or proceeding. Court costs may be awarded to a prevailing party pursuant to state law.
- (5) This Section is not to be construed to limit an aggrieved person's right to bring legal action for a violation of any other laws concerning housing discrimination, or other standards or rights, nor is exhaustion of remedies under this Section a prerequisite to the assertion of any other such right.

SEC. 12-1.15 - INFORMATION TO BE SUPPLIED TO TENANT.

- (a) **Applicability:** Section 15, shall apply to all Rental Units, including Covered Rental Units, unless otherwise specified.
- (b) The City Manager may adopt or amend regulations for the administration and implementation of the Residential Rent Stabilization and Tenant Protection Ordinance. The Rent Review Officer, with the approval of the City Attorney, may adopt forms and notices to facilitate the administration and implementation of the Residential Rent Stabilization and Tenant Protection Ordinance. All forms and notices called for in this Section shall be adopted by the Rent Review Officer unless otherwise indicated.
- (c) **Notice of the Residential Rent Stabilization and Tenant Protection Ordinance to Tenant – Covered Rental Units Only.**
- (1) Within 30 days after the effective date of this ordinance, each Landlord shall post a written notice and maintain such posting, on a form approved by the Rent Review Officer, of the applicability of Section 5 of the Residential Rent Stabilization and Tenant Protection Ordinance in a conspicuous location within each building containing one (1) or more Covered Rental Units. The

Landlord shall have complied with this requirement by posting a Notice of the Residential Rent Ordinance in the same location as a notice to Tenants posted in accordance with subsections (1) or (2) of California Civil Code Section 1962.5(a).

- (2) Within 30 days after the effective date of this ordinance, each Landlord shall notify all current Tenant(s) of the applicability of Section 5 of the Residential Rent Stabilization and Tenant Protection Ordinance for a Covered Rental Unit. The Landlord shall have complied with the affirmative obligation to notify a Tenant under this Section by providing (1) written notice that the Covered Rental Unit is subject to this ordinance and, (2) a current copy of the Residential Rent Stabilization and Tenant Protection Ordinance or City informational notice or handbook for Tenants of Covered Rental Units ("Informational Notice"), if such notice is available from the City of Hayward.
- (3) Each Landlord shall notify the Tenant of the applicability of Section 5 of the Residential Rent Stabilization and Tenant Protection Ordinance prior to entering an oral or written Rental Agreement for a Covered Rental Unit. The Landlord shall have complied with the affirmative obligation to notify a Tenant under this Section by providing (1) written notice that the Covered Rental Unit is subject to this ordinance and, (2) a copy of the current City informational notice or handbook for Tenants of Covered Rental Units ("Informational Notice"), if such notice is available from the City of Hayward, to the Tenant upon entering an oral or written Rental Agreement for the Covered Rental Unit.

(d) Notice of a Rent Increase to Tenants – Covered Rental Units Only.

Whenever the Landlord serves a notice of Rent Increase, the Landlord shall at the same time and in the same manner serve the Tenant with a notice that sets forth all of the following information:

- (1) The amount of the current Rent and the Rent Increase both in dollars and as a percentage of existing Rent and a statement of the following:
 - (i) That the Landlord considers the Rent Increase consistent with the five percent (5%) Rent Increase Threshold set forth in Section 5(a) of this ordinance; or
 - (ii) The Landlord considers the Rent Increase coupled with a Banked Increase and/or any approved Capital Improvement costs not to exceed ten percent (10%) to be consistent with the permissible threshold under this ordinance; or
 - (iii) Identify the reason for the increase above five percent (5%) or ten percent (10%), inclusive of Banking and/or any approved Capital Improvement costs; and documentation supporting the level of

increase desired. Such documentation shall include at a minimum: the rental history of the unit if the Landlord considers Section 5(c) or (d) as providing authorization for the increase; a summary of the unavoidable increases in maintenance and Operating Expenses; or other relevant information that supports the level of Rent Increase desired.

- (3) The address and telephone number of the Rent Review Officer and the fact that the Tenant is encouraged to contact the Officer for an explanation of the provisions of this ordinance;
- (4) The name, address, and telephone number of the person whom the Tenant must attempt to contact within ten (10) days after filing a petition to satisfy the provisions of Section 7(d) of this ordinance and the best time(s) to attempt that contact; and
- (5) A copy of the petition form prepared by the Rent Review Office which initiates the process established by this Ordinance.

(e) Notice of Increase in Governmental Utility Costs – Covered Rental Units Only. Within two (2) months receipt of a utility rate cost increase and/or any increase in utility services costs above one percent (1%) of the Tenant’s existing Rent, upon request by the Tenant, the Landlord shall provide the Tenant(s) documentation supporting the level of increase in accordance with Section 5(d). Failure of the Landlord to comply with Section 5(d) shall be a defense in any action brought to recover possession of a Covered Rental Unit or to collect the disputed Governmental-Utility Service pass through costs.

(f) Notice of Just Cause Protections and the Prohibition of Retaliatory Evictions and Harassment Against Tenants- All Rental Units.

Within 30 days after the effective date of this ordinance, each Landlord shall notify all current Tenants of the applicability of Section 12 and Section 13 of the Residential Rent Stabilization and Tenant Protection Ordinance for all Rental Units, including Covered Rental Units. The Landlord shall have complied with the affirmative obligation to notify a Tenant under this Section by providing (1) written notice that the Rental Unit is subject to this ordinance and, (2) a current copy of the Residential Rent Stabilization and Tenant Protection Ordinance or City informational notice or handbook regarding the City’s Prohibition of Retaliatory Evictions and Harassment Against Tenants, if such notice is available from the City of Hayward.

Each Landlord shall notify the Tenant of the applicability of Section 12 and Section 13 of this ordinance prior to re-renting a Rental Unit. The Landlord shall have complied with the affirmative obligation to notify a Tenant under this

Section by providing (1) written notice that the Rental Unit is subject to this ordinance and, (2) a current copy of the Residential Rent Stabilization and Tenant Protection Ordinance or City informational notice or handbook regarding the City's Prohibition of Retaliatory Evictions and Harassment Against Tenants, if such notice is available from the City of Hayward.

(g) Acknowledgment of Receipt of Notice-All Rental Units.

The Landlord and Tenant shall execute a single document stating that the information, documents, or notices required by Section 15 have been received by the Tenant. The original of the document acknowledging receipt of information, documents, or notices required by this section shall be retained by the Landlord and a copy thereof provided to the Tenant. In the event a Tenant fails or refuses to execute the document required herein within ten (10) days after the Landlord's request that the Tenant do so, the Landlord shall prepare a declaration under penalty of perjury stating that the information, documents, or notices required by this section have been delivered to the Tenant, the date the Landlord requested the Tenant to sign the joint document acknowledging receipt, and the date the declaration was executed.

(h) Failure to Provide Notice of Rent Increase - Covered Rental Units Only.

A Landlord's failure to provide a Tenant the information, documents, or notices required by this section shall not be entitled to collect any Rent Increase otherwise authorized by this ordinance from that Tenant nor to any Rent Increase that might otherwise be awarded by an Arbitrator and such failure by the Landlord shall be a defense in any action brought by the Landlord to recover possession of a Covered Rental Unit or to collect any Rent Increase from the Tenant. A Landlord may cure the failure to serve any notice or the obligation to provide information to a Tenant which is required under this ordinance by giving such notice or information before initiating an action for possession of the unit or collecting any Rent Increase otherwise authorized hereunder.

SEC. 12-1.16 - INFORMATION TO BE SUPPLIED TO THE CITY OF HAYWARD.

- (a) **Applicability:** Section 16, shall apply to all Rental Units, including Covered Rental Units.
- (b) The regulations adopted by the City Manager for the implementation and administration of Section 16 may address the contents and submissions regarding of Landlords, including the deadline for submissions.
- (c) **Copy of Notice of Termination and Rent Increase Notices to the City of Hayward.** From the effective date of this ordinance, each Landlord shall

provide the City with a true and correct copy of any and all Notices of Termination and/or Rent Increase notices within thirty (30) days after a Tenant of a Rental Unit or Covered Rental Unit has been served with the notice. Notices of Termination may be served on the City's Rent Review Office in person, by mail, or an electronic platform designated by the City's Rent Review Office.

(d) Failure to Serve Notice of Termination and/or Rent Increase Notices on City.

The City Manager or his or her designee, at his or her discretion, may immediately issue a citation for each violation of Section 16(c). There is no requirement for a first warning in order for the City Manager, or his or her designee, to issue this citation. The penalty for violations of Section 16(c) shall be issued in accordance with Section 18 of this Ordinance. The City Manager, or his or her designee, shall give notice of a violation of this section by issuing a citation to any Landlord identified by the City Manager, or his or her designee, within thirty (30) days of the violation. The citation shall also give notice of the right to request an administrative hearing to challenge the validity of the citation and the time for requesting that hearing.

The request for the hearing shall be filed in accordance with the time frames set forth in Hayward Municipal Code Section 1-7.06 and 1-7.07 for appeals. The hearing shall be conducted in accordance with the provisions of Hayward Municipal Code Section 1-7.00, et seq.

SEC. 12-1.17 - FEES.

(a) **Applicability.** This section shall apply to Landlords for all Rental Units, including Covered Rental Units, subject to this ordinance.

(b) The costs of administration of this ordinance shall be reimbursed in full to the Rental Housing Program Fund by imposition of a Rent stabilization administration fee chargeable against all Rental Units, including Covered Rental Units.

(c) The fees imposed by this section shall be paid annually. The time and manner of payment, delinquency status, and assessment and collection of penalties for delinquent payment of the fees imposed by this section shall be as provided in Article 1 of Chapter 8 of the Hayward Municipal Code. The City Manager and Rent Review Officer shall recommend to the City Council the amount of such fee and time for payment and the City Council shall adopt such fee by resolution.

(d) For Covered Rental Units, the Landlord who pays these fees may pass through to the Tenant up to 50 percent of those fees assessed against a Covered Rental Unit. The remaining 50 percent of the fees assessed against a Covered Rental Unit shall not be passed on in any way to Tenants. A Landlord failing to pay fees required by this section shall not be entitled to collect any Rent Increase for a Covered Rental Unit otherwise authorized by this ordinance from the Tenant nor to any increase

that might otherwise be awarded by an Arbitrator, and such failure by the Landlord shall be a defense in any action brought by the Landlord to recover possession of a Covered Rental Unit or to collect any Rent Increase from the Tenant. A Landlord may cure the failure to pay the fees required by this section by paying such fees before initiating an action for possession of a unit or collecting any Rent Increase otherwise authorized hereunder.

If the Landlord elects to pass on a percentage of the fee, the Landlord shall send a notice to the Tenant in substantially the following form:

NOTICE TO TENANTS

Pursuant to the provisions of Section 17 of the City of Hayward's Residential Rent Stabilization and Tenant Protection Ordinance No. __C.S., as amended, Landlords are required to pay an administration fee to the City on an annual basis to defray the costs of administering the ordinance. The fee is charged against each Rental Unit subject to the ordinance in the City. The ordinance further provides that Landlords may collect up to 50 percent of this fee from the Tenants of a Rental Unit by assessing the fee to the Tenants as a Governmental-Utility Services cost pursuant to Section 5(d) of the ordinance.

The Rent stabilization fee imposed for __ reflects costs incurred during the calendar year of _____. The fee for this year is _____ per Rental Unit. The Landlord has paid the full amount of the fee to the City and has decided to exercise the option to collect a portion of the fee from the Rental Unit Tenants. Your 50 percent share of this fee is _____. Please remit the full amount of _____ to _____ by an acceptable form of payment _____ with your next Rent payment.

SEC. 12-1.18 - PENALTIES AND REMEDIES.

In addition to those penalties and remedies set forth elsewhere in this ordinance, the following penalties and remedies shall apply.

(a) **Receipt of Rent to Which Landlord is Not Entitled.** Any Landlord who demands, accepts, receives, or retains any money as Rent from a Tenant to which the Landlord is not entitled under the provisions of this ordinance shall be liable to the Tenant for any actual damages, attorneys' fees, and costs incurred by the Tenant as a consequence thereof. The Landlord shall also be liable in a civil action for a civil penalty of five hundred dollars (\$500.00) or, if greater, three (3) times the amount of money the Landlord accepted, received, or retained in violation of the provisions of this ordinance, upon a showing that the Landlord has acted willfully or with oppression, fraud, or malice. In any

civil action filed under the authority of this section, the court shall give the Arbitrator's findings the weight to which they are legally entitled.

(b) Failure to Provide Required Notices. Except as provided hereinafter, any Landlord who fails to provide a Tenant with any information, documentation, or notice required by the provisions of this ordinance shall be guilty of an infraction. The first conviction of a Landlord of any provision of this ordinance requiring giving information, documentation, or notice in a twelve (12) month period shall be punishable by a fine of not more than one hundred dollars (\$100.00), the second conviction by a fine of not more than two hundred dollars (\$200.00), and the third by a fine of not more than five hundred dollars (\$500.00). Any Landlord who has been convicted of three (3) or more infractions for violating any provision of this ordinance requiring giving information, documentation, or notice in a twelve (12) month period shall be guilty of a misdemeanor punishable by a fine of not more than one thousand dollars (\$1,000.00) or by six (6) months imprisonment, or both for each additional such violation.

(c) Failure to Provide the City of Hayward Notices. Except as provided hereinafter, any Landlord who fails to provide the City with any information, documentation, or notice required by the provisions of this ordinance shall be guilty of an infraction. The first conviction of a Landlord of any provision of this ordinance requiring giving information, documentation, or notice in a twelve (12) month period shall be punishable by a fine of not more than one hundred dollars (\$100.00), the second conviction by a fine of not more than two hundred dollars (\$200.00), and the third by a fine of not more than five hundred dollars (\$500.00). Any Landlord who has been convicted of three (3) or more infractions for violating any provision of this ordinance requiring giving information, documentation, or notice in a twelve (12) month period shall be guilty of a misdemeanor punishable by a fine of not more than one thousand dollars (\$1,000.00) or by six (6) months imprisonment, or both for each additional such violation.

SEC. 12-1.19 - SEVERABILITY. This ordinance shall be liberally construed to achieve its purposes and preserve its validity. If any provision or clause of this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable and are intended to have independent validity.

To the extent that this ordinance presents an actual and impermissible conflict with state or federal law, the state or federal law will govern.

SEC. 12-1.20 - NONWAIVERABILITY.

Any provision, whether oral or written, in or pertaining to a Rental Agreement whereby any provision of this ordinance is waived or modified, is against public policy and void.

SEC. 12.1.21 - APPLICABILITY.

In accordance with the provisions of Section 620 of the City Charter, this Ordinance shall become effective 30 days from and after the date of its adoption.



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: CONS 19-466

DATE: June 25, 2019

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT

Adopt a Resolution of Denial for a Proposed Cannabis Retail Dispensary at 1004 B Street (Assessor Parcel No. 428-0061-056-00) by Siavash Afshar on Behalf of Hayward Station (Applicant); Alfred J Antonini (Property Owner), Conditional Use Permit Application No. 201806005

RECOMMENDATION

That the City Council adopts a Resolution (Attachment II) that contains findings for denial for Conditional Use Permit Application No. 201806005.

SUMMARY

On May 28, 2019, the City Council held a public hearing on a Conditional Use Permit to establish a boutique, cannabis retail dispensary within a vacant building at 1004 B Street in Downtown Hayward. The Council took public testimony from the applicant and one individual who was opposed to the use, discussed the proposal, and directed staff to return with findings for denial.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: June 25, 2019

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Adopt a Resolution of Denial for a Proposed Cannabis Retail Dispensary at 1004 B Street (Assessor Parcel No. 428-0061-056-00) by Siavash Afshar on Behalf of Hayward Station (Applicant); Alfred J Antonini (Property Owner), Conditional Use Permit Application No. 201806005.

RECOMMENDATION

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SUMMARY

On May 28, 2019, the City Council held a public hearing on a Conditional Use Permit to establish a boutique, cannabis retail dispensary within a vacant building at 1004 B Street in Downtown Hayward. The Council took public testimony from the applicant and one individual who was opposed to the use, discussed the proposal, and directed staff to return with findings for denial.

BACKGROUND

In 2015, the State of California enacted a comprehensive regulatory framework (AB 243, AB 266, SB 643) for the licensing and enforcement of cultivation, manufacturing, retail sale, transportation, storage, delivery, and testing of medicinal cannabis in California. The legislation was collectively known as the Medical Cannabis Regulation and Safety Act (MCRSA).

On November 8, 2016, the voters of the state adopted Proposition 64, the Adult Use of Marijuana Act (AUMA), which legalized adult cannabis use, possession, and cultivation for non-medicinal purposes and created a regulatory framework for non-medicinal cannabis businesses. The intent of MCRSA and AUMA was to establish a comprehensive regulatory system for cultivation, production, and sale of cannabis and cannabis products, thereby weakening the illicit market for cannabis.

On June 15, 2017, the State enacted Senate Bill 94, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), which consolidated provisions of MCRSA into the regulatory framework of the AUMA, thereby creating a unified regulatory scheme for

medicinal and adult use cannabis. MAUCRSA specifically authorizes local jurisdictions to adopt and enforce local ordinances to regulate cannabis businesses licensed pursuant to state law, including local zoning and land use requirements, business license requirements, and requirements related to reducing exposure to second hand smoke, or to completely prohibit the establishment or operation of one or more types of businesses licensed pursuant to MAUCRSA.

On October 30, 2017¹ and November 28, 2017², respectively, the City Council enacted regulatory and land use ordinances authorizing cannabis businesses within the City of Hayward subject to compliance with local and state regulations. At the October 2017 meeting, the Council also established a request for proposal process by which the City would select commercial cannabis businesses. The process involved four stages to help differentiate applicants who meet the City's desired set of qualifications. These stages include:

1. Criminal Background Investigation
2. Competitive Scoring and Ranking
3. Proposer Interviews
4. City Council Approval

The RFP process commenced on December 8, 2017, with applications due on January 12, 2018. At that time, the City received 77 total applications for commercial cannabis companies. Four of these applications did not meet the background check requirements of the City's cannabis program; however, 73 applications were then sent to a neutral, third party reviewer hired by the City to evaluate and score the proposals. Following an independent review by the outside consultants and interviews by key City staff, the City Manager recommended to City Council the award of commercial cannabis licenses to eleven commercial operators for land use activities that include cultivation, manufacturing, distribution, testing labs, delivery, and retail. Once selected, applicants had six months to file their land use applications. The applicant, Hayward Station, was one of the eleven companies selected for a commercial cannabis permit and is the first retail dispensary to file for license review and approval in the City.

On March 19, 2019, the City Council adopted Ordinance Nos. 19-06 and 19-07, reducing the overconcentration buffer between retail dispensaries from 1,000 feet to 500 feet; and, giving authority to waive or reduce the 600-foot buffer between commercial cannabis uses and sensitive uses, subject to special findings³. It is essential to note that the reduction in overconcentration did not amend the regulations related to the total number of retail

¹ October 30, 2017 City Council Meeting Materials & Video
<https://hayward.legistar.com/MeetingDetail.aspx?ID=570110&GUID=1F62F795-56FA-4667-9BD1-E5FDA22CB8C5&Options=info&Search=>

² November 28, 2017 City Council Meeting Materials & Video
<https://hayward.legistar.com/MeetingDetail.aspx?ID=573134&GUID=C82D348A-0412-4741-854C-23697F2AE444&Options=info&Search=>

³ March 19, 2019 City Council Meeting Materials & Video
<https://hayward.legistar.com/MeetingDetail.aspx?ID=680215&GUID=4249ED39-B6F2-4823-AC4D-DD7B8718F8D4&Options=info&Search=>

dispensaries permitted within the City, which is set at a maximum of three pursuant to City Council Resolution No. 17-158. Rather, the regulations were intended to relax distance requirements in the Downtown area where lots are smaller and uses are closer to each other by design.

On May 9, 2019, the Planning Commission held a public hearing to consider the proposed CUP and voted 6:0:1 to recommend approval of the project.⁴ One member of the public spoke against the use in this location. The Commissioners expressed concerns about issues of compatibility between the use and all-age events that are held Downtown and felt that a typical retail, restaurant, or office use would be preferred in the proposed historic building. However, they felt that the proposed security measures and design measures to screen the interior would minimize nuisances related to the use.

On May 28, 2019, the City Council held a public hearing to consider the proposed project, took public testimony from one member of the public, asked clarifying questions, and discussed the proposed project. Clarifying questions included questions about: the applicant's community benefits proposal; whether there would be obvious cannabis-related signage on the building; whether the City's Social Host Ordinance would cover cannabis use; and, whether the business owners considered placing the entrance on Main Street versus B Street, among others. Discussion focused on: standardizing the community benefit requirements for cannabis businesses; whether there are other appropriate zoning districts for cannabis retail uses; and if the proposed location, and Downtown Hayward, is an appropriate location for cannabis retail dispensaries.

Following the discussion, a motion to approve the cannabis dispensary with amendments to the conditions of approval to require that the applicant provide one percent of gross receipts annually as the specified community benefit and a requirement to remit taxes on a quarterly basis failed. A subsequent motion passed 4:2:1⁵ directing staff to return with findings for denial based on concerns related to proximity of the proposed cannabis dispensary to sensitive uses; the inappropriateness of the proposed site due to its location at the intersection of two major pedestrian corridors at the center of Downtown Hayward; and, the determination that the proposed project would not be in harmony with applicable City policies and standards.

ECONOMIC IMPACT

As described in the previous staff report, development of the vacant and underutilized site with the proposed use would have resulted in establishment of a new retail use that would draw customers from the larger region to shop in Downtown Hayward. Disapproving the use

⁴ May 9, 2019 Planning Commission Materials and Video

<https://hayward.legistar.com/LegislationDetail.aspx?ID=3936270&GUID=FBCA81ED-430B-47F3-AA24-14C5931D9483&Options=&Search=>

⁵ May 28, 2019 City Council Materials and Video

<https://hayward.legistar.com/LegislationDetail.aspx?ID=3956880&GUID=3EA30AA5-ADF0-49EB-88A7-BD714E2ABCF5&Options=&Search=>

without having a certain tenant to occupy the space represents an opportunity cost, which is defined as the loss of potential gain from other alternatives when one alternative is chosen.

FISCAL IMPACT

Denial of the proposed retail dispensary represents an opportunity cost in the loss of potential sales tax revenues, tenant improvement and other permit fees, annual renewal of the cannabis permit, and any revenues that would have been directed to community benefits as a result of establishing the use in that location.

STRATEGIC INITIATIVES

This agenda item is a routine operational item and does not specifically relate to the Council's Strategic Initiatives.

PUBLIC CONTACT

On November 16, 2018, an initial Notice of Application Receipt for the project application was sent to 244 addresses including property owners, residents, and businesses within a 300-foot radius of the project site. Between November 16 and December 3, 2018, following submittal of the CUP application, the applicant walked the area around the project site to introduce the proposed project.

On May 17, 2019, a Notice of Public Hearing for the City Council meeting was sent to property owners, residents, and businesses within 300-feet of the project site and published in The Daily Review newspaper.

NEXT STEPS

The applicant may look into establishing the business at alternative locations in Hayward.

Prepared by: Leigha Schmidt, Senior Planner

Recommended by: Laura Simpson, Development Services Director

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-___

Introduced by Council Member _____

RESOLUTION DENYING A CONDITIONAL USE PERMIT FOR A CANNABIS RETAIL DISPENSARY AT 1004 B STREET; SIAVASH AFSHAR ON BEHALF OF HAYWARD STATION/ALFRED J ANTONINI (APPLICANT/OWNER)

WHEREAS, on November 14, 2018, Siavash Afshar, on behalf of Hayward Station, submitted Conditional Use Permit No. 201806005, to establish a cannabis retail dispensary at 1004 B Street, Assessor Parcel Numbers (APN) 428-0061-056-00; and

WHEREAS, in 2015, the State of California enacted a comprehensive regulatory framework (AB 243, AB 266, SB 643) for the licensing and enforcement of cultivation, manufacturing, retail sale, transportation, storage, delivery and testing of medicinal cannabis in California. The legislation was collectively known as the Medical Cannabis Regulation and Safety Act (MCRSA); and

WHEREAS, on November 8, 2016, the voters of the state adopted Proposition 64, the Adult Use of Marijuana Act (AUMA), which legalized adult cannabis use, possession and cultivation for non-medicinal purposes and created a regulatory framework for non-medicinal cannabis businesses. The intent of MCRSA and AUMA was to establish a comprehensive regulatory system for cultivation, production and sale of cannabis and cannabis products, thereby weakening the illicit market for cannabis; and

WHEREAS, on June 15, 2017, the State enacted Senate Bill 94, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), which consolidated provisions of MCRSA into the regulatory framework of the AUMA, thereby creating a unified regulatory scheme for medicinal and adult use cannabis. MAUCRSA specifically authorizes local jurisdictions to adopt and enforce local ordinances to regulate cannabis businesses licensed pursuant to state law, including local zoning and land use requirements, business license requirements, and requirements related to reducing exposure to second hand smoke, or to completely prohibit the establishment or operation of one or more types of businesses licensed pursuant to MAUCRSA; and

WHEREAS, on October 30, 2017 and November 28, 2017, the City Council enacted regulatory and land use Ordinance Nos. 17-13 and 17-15, respectively, authorizing cannabis businesses within the City of Hayward subject to compliance with local and state laws; and

WHEREAS, on October 30, 2017, the City Council adopted Resolution No. 17-158, imposing a limit of three cannabis retail dispensaries within the City of Hayward. The proposed dispensary would be the first to be established within the city limits; and

WHEREAS, on March 20, 2018, the City Council adopted Ordinance No. 18-03, establishing a commercial cannabis tax for all products associated with medical or adult use of cannabis; and

WHEREAS, between December 2017 and January 2018, the City conducted a Request for Proposals (RFP) process and received 77 applications to establish commercial cannabis companies with the City, and issued commercial cannabis permits to eleven companies, one of which was the Applicant; and

WHEREAS, on March 19, 2019, the City Council adopted Ordinance Nos. 19-06 and 19-07, reducing the overconcentration buffer between retail dispensaries from 1,000 feet to 500 feet; and, authority to waive or reduce the 600-foot buffer between commercial cannabis uses and sensitive uses, subject to special findings; and

WHEREAS, on April 26, 2019, notice of the Planning Commission public hearing was mailed to all property owners and residents within 300 feet of the project site as well as those who requested such notice; and was published in The Daily Review; and

WHEREAS, on May 9, 2019, the Planning Commission held a duly noticed public hearing on the proposed project and voted 6:0:1 to recommend City Council approval of the project; and

WHEREAS, on May 17, 2019, notice of the City Council public hearing was mailed to all property owners and residents within 300 feet of the project site as well as those who requested such notice; and was published in The Daily Review; and

WHEREAS, on May 28, 2019, the City Council held a public hearing and accepted public testimony on the proposed project and voted 2:4:1 directing staff to return with a Resolution with findings for denial at a subsequent meeting.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby adopts the following findings:

CONDITIONAL USE PERMIT

- A. The proposed use is desirable for the public convenience or welfare;

The proposed retail cannabis dispensary is desirable for the public convenience and welfare in that cannabis retail sales are a burgeoning retail category that would contribute to the sales tax base in Hayward and attract a regional clientele to the area. However, establishment of a cannabis retailer in a prominent building at the center of Downtown Hayward is not consistent with applicable Specific Plan regulations related to activating street frontages.

- B. The proposed use will not impair the character and integrity of the zoning district and surrounding area;

The proposed commercial cannabis dispensary will occupy a relatively large building at a prominent corner in the center of Downtown Hayward. The B and Main street corridors support a significant amount of pedestrian traffic, including students and children, and the intersection of those streets is arguably the heart of Downtown Hayward. The storefronts along these major corridors are intended to support open, transparent frontages. In fact, the applicable Downtown Main Street with Required Shop Frontage Downtown Specific Plan designation calls for transparency at the storefront to activate the street frontages outside of the building. While the proposed use is a retail use, it would be inappropriate to display the age-restricted cannabis products at the street frontage and it would be inconsistent with General Plan policies and applicable Specific Plan regulations to close off the storefront and not allow views into the substantial ground floor glazing. Thus, the proposed use and design would impair the character and integrity of the applicable zoning district and surrounding area.

- C. The proposed use will not be detrimental to the public health, safety, or general welfare; and

The proposed cannabis retail dispensary will not be detrimental to the public health, safety or general welfare in that it will operate within the permit requirements and regulations established by State, County and local laws. The applicant has provided an Odor Plan to ensure that cannabis odors cannot be detected outside of the building, and a detailed Security Plan.

The proposed dispensary is also subject to the City's Cannabis Ordinance, which contains operating and performance standards for establishments that handle cannabis and cannabis related products. The applicant's Business and Security Plan were reviewed and evaluated by an independent consultant and determined to include procedures and protocols to ensure public safety and those security measures were incorporated into the conditions of approval for the project. Further, the applicant and all employees associated with the business are subject to an extensive background check by the City's Police Department. However, the proposed use is inappropriate in the specific location.

- D. The proposed use is in harmony with applicable City policies and the intent and purpose of the zoning district involved.

The applicable Downtown Main Street Zone permits retail uses, including cannabis retail dispensaries provided that the specific location is appropriate. However, the proposed location and building is inappropriate for the proposed use due to the prominent location of the building along a major pedestrian thoroughfare in the Downtown core. Specifically, the display of cannabis products in a prominent manner and in a traditional storefront setting as called for in the General Plan and in the

applicable Specific Plan designation is not appropriate in that cannabis and related products are highly sensitive due to their recent legalization, and in that it is only available for purchase by individuals that are 21 and older (18 and older with a medical marijuana card).

CANNABIS ORDINANCE

- A. The proposed cannabis use will not be detrimental to the public health, safety, or general welfare in that the cannabis operation is situated in an appropriate location where sensitive land uses will not be adversely impacted;

The proposed commercial cannabis dispensary will not be detrimental to the public health, safety or general welfare in that the facility will operate within the permit requirements established by the City and to obtain the necessary State permits. However, the proposed location and building is inappropriate for the proposed use due to the prominent location of the building along a major pedestrian thoroughfare in the Downtown core. Specifically, the display of cannabis products in a prominent manner and in a traditional storefront setting as called for in the General Plan and in the applicable Specific Plan designation is not appropriate in that cannabis and related products are highly sensitive due to their recent legalization, and in that it is only available for purchase by individuals that are 21 and older (18 and older with a medical marijuana card).

- B. Appropriate measures have been taken to address nuisances related to odor, noise, exhaust, and waste related to the cannabis operation;

Physical and operational safeguards are in place to ensure the cannabis retail dispensary will operate at the proposed location without impacts to other properties. The proposed project includes an Odor Mitigation Plan and robust Security Plan including but not limited to installation of cameras inside and outside of the building and in the parking lot, provision for on-site security guards, ID scanners, and employee background checks among other safety and security measures.

- C. The cannabis operation is designed to be safe, secure and aesthetically compatible with the surrounding area; and

Physical and operational safeguards are in place to ensure this cannabis retail dispensary will operate at the proposed location in a safe and secure fashion. However, the proposed commercial cannabis dispensary will occupy a relatively large building at a prominent corner in the center of Downtown Hayward. The B and Main street corridors support a significant amount of pedestrian traffic, including students and children, and the intersection of those streets is arguably the heart of Downtown Hayward. The storefronts along these major corridors are intended to support open, transparent frontages. However, the proposed storefront design would be closed off and screened and thus aesthetically incompatible with the surrounding area and the applicable Downtown Main Street with Required Shop Frontage Downtown Specific

Plan designation which calls for storefront transparency to activate the street frontages outside of the building.

- D. The cannabis operation will not place a burden on the provision of public services disproportionate to other industrial or commercial uses.

It is likely that sales of cannabis and cannabis related products to the public will result in some impact on public services but that those impacts can be minimized and managed by strong and present on-site management, adherence to the comprehensive Security and Safety Plan and conditions of approval prohibiting loitering and on-site consumption. In addition, the applicant is subject to an annual review and inspection of the proposed dispensary by the City's Code Enforcement Division, Police Department and Fire Department as part of the cannabis permit renewal. Further, as conditioned, any excessive calls for service, including nuisance and code violations, may result in the revocation of the commercial cannabis permit and/or the conditional use permit.

- E. The required 600-foot setback for sensitive uses may be reduced if it is found that the public convenience and necessity will be served by an alternate distance requirement, and that alternative measures to assure public health and safety are in place with respect to the commercial cannabis business.

There are sensitive uses that serve youth, as defined by State Law, within 600 feet of the project site including High Scores Arcade, an interactive museum of classic arcade games approximately 290 feet east of the project site; and Stellar Prep, a tutoring center for high school aged children approximately 400 feet west of the project site. As noted in findings above, the proposed location and structure are inappropriate for the proposed use due to the prominent location of the building along a major pedestrian thoroughfare in the Downton core. While an alternate distance could be permitted for a less prominent building and location, such reductions are not appropriate in this instance where the prominent nature of the location and building make it nearly impossible to avoid if one is visiting Downtown Hayward.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward, based on the foregoing findings, hereby rejects Conditional Use Permit Application 201806005, for a cannabis retail dispensary at 1004 B Street.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: CONS 19-438

DATE: June 25, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 4 to the Professional Services Agreement with CSG Consultants, Inc., (CSG) for Private Development Plan Check Review and Related Services.

RECOMMENDATION

That Council adopts the attached resolution authorizing the City Manager to execute Amendment No. 4 to the Professional Services Agreement (Agreement) with CSG for Private Development Plan Check Review and Related Services.

SUMMARY

A fourth amendment to the Agreement with CSG for the review of grading plans, subdivision maps, improvement plans, and other services is needed due to the continued high level of private development activities in the City. The amendment will extend the Agreement by one year to June 30, 2020 and will increase the Agreement amount by \$200,000 for a not-to-exceed amount of \$880,000. The additional cost was approved as part of the FY20 Operating Budget.

ATTACHMENTS

Attachment I Staff Report
Attachment II Resolution



DATE: June 25, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 4 to the Professional Services Agreement with CSG Consultants, Inc., (CSG) for Private Development Plan Check Review and Related Services

RECOMMENDATION

That Council adopts the attached resolution authorizing the City Manager to execute Amendment No. 4 to the Professional Services Agreement (Agreement) with CSG for Private Development Plan Check Review and Related Services.

SUMMARY

A fourth amendment to the Agreement with CSG for the review of grading plans, subdivision maps, improvement plans, and other services is needed due to the continued high level of private development activities in the City. The amendment will extend the Agreement by one year to June 30, 2020 and will increase the Agreement amount by \$200,000 for a not-to-exceed amount of \$880,000. The additional cost was approved as part of the FY20 Operating Budget.

BACKGROUND

Public Works staff is responsible for reviewing grading plans, subdivision maps, improvement plans, and soils and geological reports for private development projects. Due to staff vacancies and significant private development workload, the City entered into an Agreement with CSG on November 18, 2016, to provide these services on a temporary basis. On September 19, 2017, Council approved Amendment No. 1, increasing the original \$75,000 Agreement amount by an additional \$425,000, for a total Agreement amount of \$500,000, and extending the Agreement to June 30, 2018. Amendment No. 2, which was approved on May 22, 2018, increased the total of the Agreement to \$680,000 and extended the Agreement to December 31, 2018. Amendment No. 3, which was approved on January 8, 2019, extended the Agreement to June 30, 2019.

DISCUSSION

The current Agreement with CSG for Development Review Services expires on June 30, 2019 and due to the extended need for CSG services, the Agreement amount of \$680,000 has been nearly expended. Staff anticipates that these services will be required through the end of

FY2020. Staff requests approval of Amendment No. 4 to extend the term of the Agreement to June 30, 2020 and to increase the Agreement amount by \$200,000.

ECONOMIC IMPACT

This agreement facilitates timely development in the City, which impacts the local economy.

FISCAL IMPACT

This amendment would increase the Agreement's not-to-exceed amount from \$680,000 to \$880,000 for Development Review Services. An increase to the Public Works – Engineering and Transportation Administration budget in the amount of \$200,000 for this amendment was approved in the FY2020 Budget. Staff anticipates that if the entire \$200,000 is utilized, approximately \$110,000 will be offset by charges to developers. The remaining \$90,000 will have an impact on the General Fund but is expected to be offset through the continued economic development of the City.

STRATEGIC INITIATIVES

This agenda item is a routine operational item and does not relate to one of the Council's Strategic Initiatives.

SUSTAINABILITY FEATURES

No sustainability features are associated with this item.

PUBLIC CONTACT

No public contact has been made related to this amendment.

NEXT STEPS

If Council approves this request, the City Manager will execute an amendment to the Agreement with CSG to extend the term to June 30, 2020 and to increase the Agreement amount to \$880,000.

Prepared by: Kathy Garcia, Deputy Director of Public Works

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 4 TO THE AGREEMENT WITH CSG CONSULTANTS, INC. FOR PLAN CHECK REVIEW AND RELATED SERVICES ASSOCIATED WITH THE CITY OF HAYWARD DEVELOPMENT REVIEW

WHEREAS, the aforesaid parties have entered into that certain Agreement dated the 18th day of November 2016, entitled "Agreement for Professional Services between the City of Hayward and CSG CONSULTANTS, Inc.", for temporary Development Review Services; and

WHEREAS, the City and Consultant amended that certain Agreement with Amendment No. 1 dated the 19th day of October 2017 increasing the Agreement to \$500,000 and extending the termination date to June 30, 2018; and

WHEREAS, the City and Consultant amended that certain Agreement with Amendment No. 2 dated the 6th day of June 2018 increasing the agreement to \$680,000 and extending the termination date to December 31, 2018; and

WHEREAS, the City and Consultant amended that certain Agreement with Amendment No. 3 dated the 8th day of January 2019 extending the termination date to June 30, 2019; and

WHEREAS, the City and the Consultant desire to further amend the Agreement in certain respects; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to negotiate and execute, on behalf of the City of Hayward, an amendment to the agreement with CSG CONSULTANTS, for additional services not-to-exceed \$880,000 associated with the City of Hayward temporary Development Review Services and extending the term to June 30, 2020.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: CONS 19-459

DATE: June 25, 2019

TO: Mayor and City Council

FROM: City Manager

SUBJECT

Authorize the City Manager to Negotiate and Execute a Contract Amendment with Chabot-Las Positas Community College District to Add an Additional \$22,000 for Outreach Work Completed in Summer 2019

RECOMMENDATION

That the City Council adopts a resolution (Attachment II) to add an additional \$22,000 to the community engagement contract with Chabot-Las Positas Community College District to continue the Tennyson Thrives outreach work during summer 2019.

SUMMARY

On August 29, 2018, this City executed an agreement with Chabot College not to exceed \$65,000 to conduct outreach work in the Hayward community, primarily related to Tennyson visioning. Staff is recommending that Council authorize the City Manager to negotiate and execute a contract amendment to extend the outreach work contract through August 15, 2019 and increase the amount by \$22,000. This funding will be used to pay for student interns and costs associated with providing summer events. There are sufficient funds to cover the increased amount in the FY19 Tennyson Corridor Outreach Project budget. Staff will return to Council in early fall with an evaluation and proposal for Council to consider that would continue the partnership with Chabot College through the end of FY2020.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Summary of Completed Outreach



DATE: June 25, 2019

TO: Mayor and City Council

FROM: City Manager

SUBJECT: Authorize the City Manager to Negotiate and Execute a Contract Amendment with Chabot-Las Positas Community College District to Add an Additional \$22,000 for Outreach Work to be Completed in Summer 2019

RECOMMENDATION

That the City Council adopts a resolution (Attachment II) to add an additional \$22,000 to the community engagement contract with Chabot-Las Positas Community College District to continue the Tennyson Thrives outreach work during summer 2019.

SUMMARY

On August 29, 2018, this City executed an agreement with Chabot College not to exceed \$65,000 to conduct outreach work in the Hayward community, primarily related to Tennyson visioning. Staff is recommending that Council authorize the City Manager to negotiate and execute a contract amendment to extend the outreach work contract through August 15, 2019 and increase the amount by \$22,000. This funding will be used to pay for student interns and costs associated with providing summer events. There are sufficient funds to cover the increased amount in the FY19 Tennyson Corridor Outreach Project budget. Staff will return to Council in early fall with an evaluation and proposal for Council to consider that would continue the partnership with Chabot College through the end of FY2020.

BACKGROUND AND DISCUSSION

In May 2018, City Council approved \$50,000 in the FY2019 budget for outreach work associated with Tennyson vision planning and \$20,000 for outreach work associated with implementing neighborhood improvement grants. The intention for this funding was to continue the partnership work with the Chabot College Student Initiative Center that had begun under a FY2018 grant from the Davenport Institute for Public Engagement. On August 29, 2018, this City executed an agreement with Chabot College to conduct outreach work related to Tennyson visioning, neighborhood improvement grants, and the State's Water Resources Disadvantaged Community Involvement Program. The contract is not to exceed \$65,000 and is set to terminate June 30, 2019. Of the \$65,000, \$40,000 is from the City's budget and \$22,500 is covered by a grant from the California Department of Water Resources.

The Chabot Student Initiative Center has completed the outreach deliverables in the existing contract, which are summarized in Attachment III. These include designing, advertising, and conducting a variety of outreach activities in the Tennyson Corridor, using data from empathy interviews to conduct visioning ideation sessions and charrettes, and assisting community groups to implement projects through the City's Neighborhood Improvement Program.

Staff is recommending that Council authorize the City Manager to negotiate and execute a contract amendment to extend the outreach work contract through August 15, 2019 and increase the amount by \$22,000, for a total amount not to exceed \$87,000. There are sufficient funds to cover the increased amount in the FY2019 Tennyson Corridor Outreach Project budget, which is project TC001 of Fund 401. This funding will be used to pay for student interns and costs associated with providing summer events, including a second annual Palma Ceia Fest. In addition, the funding will be used to support outreach work to stakeholders involved with the South Hayward Youth and Family Center to inform and engage them in the progress of that project.

Staff will return to Council in early fall with a comprehensive evaluation of the 20-month outreach partnership with Chabot College and a proposal for Council to consider that would continue the partnership through the end of FY2020.

FISCAL IMPACT

There will be no impact to the General Fund as a result of this action. There are sufficient funds in the Tennyson Corridor project in the City's FY 2019 Operating Budget to cover the cost of this contract increase.

STRATEGIC INITIATIVES

This action supports the Tennyson Corridor Strategic Initiative. The purpose of the Tennyson Corridor Strategic Initiative is to develop an attractive, cohesive, thriving Tennyson Corridor through thoughtful engagement of residents, businesses and community partnerships. This agenda item supports the following Goal and Objective:

- Goal 1: Work with the community to create a community Vision Plan for the Tennyson Corridor and catalyst sites to serve as a foundation for long-term planning and policies
- Objective 1: Work to understand community needs and desires for the Corridor.

Prepared and Recommended by: Mary Thomas, Management Analyst

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT AMENDMENT WITH CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT TO INCREASE THE PROFESSIONAL SERVICES AGREEMENT FOR OUTREACH IN SOUTH HAYWARD BY \$22,000, FOR A TOTAL NOT TO EXCEED AMOUNT OF \$87,000

WHEREAS, The City of Hayward has partnered the Chabot College Student Initiative Center to conduct community outreach in South Hayward for Tennyson Visioning and other topics since January 1, 2018; and

WHEREAS, on August 29, 2018, this City executed an agreement with Chabot College not to exceed \$65,000 to conduct outreach work through the 2018-2019 school year and the City recognizes the value of continuing this work during summer months.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is authorized and directed to negotiate and execute a contract amendment to increase the Professional Services Agreement between the City and Chabot-Las Positas Community College District for Community Engagement and Outreach in South Hayward by \$22,000 for a total not to exceed amount of \$87,000.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

TENNYSON THRIVES



A **COLLABORATION** BETWEEN **CHABOT COLLEGE**,
CITY OF HAYWARD, AND **THE COMMUNITY**



TABLE OF CONTENTS

- 2 INTRODUCTION
- 3 TIMELINE
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- 20 PROTOTYPING A WOW PROJECT
- 21 PATTERNS OF PARTNERSHIP



INTRODUCTION

THE PAST

In the Spring of 2018, the City of Hayward hosted the Davenport Institute training: Chabot staff and students met with over 30 Hayward staff members to develop plans for the Tennyson Corridor.

Spurred on by that invigorating first training, Chabot's Student Initiative Center (SIC) staff and students worked together through the Spring to conduct community outreach and interview research to learn about the aspirations and challenges of South Hayward community members. Chabot students interviewed over 150 community members and 50 stakeholders.

This research and outreach was trended and presented in different ways for the City, community members, and stakeholders. The first presentation was the Needles in the Haystack Art Exhibition: Chabot students displayed over 75 community-inspired art pieces at Hayward City Hall. In addition, Chabot students populated a Hayward GIS map under 4 categories: Stories, Histories, Assets, Aspirations. Students also generated reports and wrote essays on their research and interviews.

In the Summer of 2018, the SIC and Chabot students trended out interviews and other data using the Opportunity Area that Mary Thomas developed. This data guided students as they then developed community projects and initiative proposals. Their proposals were focus grouped at several public events with South Hayward community members.

In the Fall of 2018, Chabot student groups created prototypes to test over 30 project proposals that align with the city's Tennyson Thrives goals, including: linkage to Opportunity Areas; soliciting community member support; building on successes of other communities. The projects have been shared and vetted during several events over the last months, and we are excited to take this work the next stage--implementing community projects, with community input.

THE FUTURE

There are several reasons that Chabot's Student Initiative Center (and Chabot itself) are uniquely positioned to take this work to the next level. First, and most crucially, many of our students live in South Hayward. They know their communities intimately, and they have access to its members. As such, our students act as "cultural brokers"--shuttling between community and college. In addition, as we have demonstrated and piloted over the last 6 semesters, it is an effective and powerful approach to leverage our students' enthusiasm by having them engage in Project Based Learning in service of the community. This is a very sustainable way to do the work of supporting the community--if for no other reason than every semester we have access to a few hundred students who are excited by PBL and its implementation in South Hayward. Thirdly, students (and we who work in the SIC) LOVE doing this work; it makes them--and us-- feel empowered, useful, and inspired.

In the course of doing this work, we have developed a process with the guidance of Mary Thomas for engaging community and activating city resources and expertise. We continue to refine our process.

SIC PBL TIMELINE

- Hosts a Summer Learning Institute. 22 faculty and staff attended from across the disciplines.
- Develops instructional materials to support PBL
- Publishes PBL materials of SIC's website
- Continues to develop PBL units with instructors throughout the summer.
- Receives funding from BSI to pilot PBL with Basic Skills classes
- Hosts Flex Day. 12 attendees from across the disciplines.
- Meets with SLI and Flex Day attendees to develop PBL units
- Supports 14 teachers doing PBL units
- SIC staff provides regular classroom check ins and PBL support for faculty
- Hosts Palma Ceia Pumpkin Patch where students showcased their projects for the City of Hayward
- Organizes Kickball event at Weekes Park
- Displays student projects in Geography, Health, and Business classes
- Collaborates with students, faculty, and staff to create PBL curricula for the Sustainability Center
- The Grinch Movie Night
- Hosts Music Video and Arts festival to showcase student projects
- Continues to work with faculty and staff across the curriculum to develop PBL units for Spring semester



Palma Ceia Pumpkin Patch



The Grinch Movie Night



Summer Learning Institute



Palma Ceia Pumpkin Patch



Team Building Exercise



Team Building Exercise



Ice Breaker Exercise



Students working on their PBL project

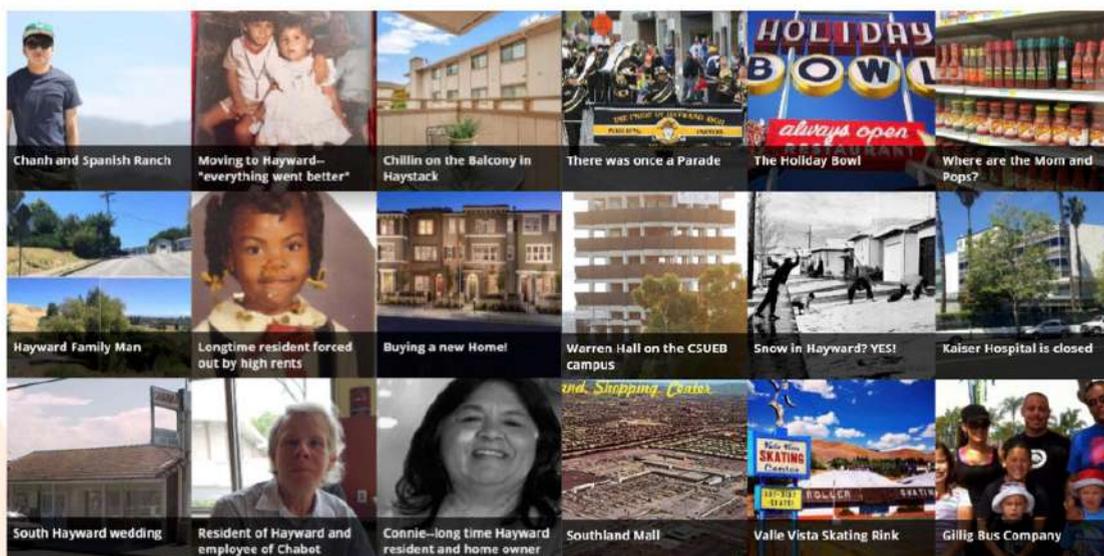
**TIMELINE:
SPRING 2018**

The Chabot College Student Initiative Center
in partnership with
The City of Hayward
presents

"Needles in the HayStack" A Community Art Exhibit

Join us for this community-inspired art exhibit at Hayward City Hall. The art is the culmination of interviews with dozens of community members of South Hayward, as well as with 50 community-based organizations. See and interact with over 75 art pieces that unveil the dreams, aspirations, and concerns of South Hayward residents.

Hayward City Hall, 777 B Street
Exhibit Open: May 21-25 | 8 AM - 5 PM
Reception: May 22 | 6:30-8 PM



Tennyson Thrives is a collaborative effort between community members, the City of Hayward, and the Chabot College Student Initiative Center to create and implement a dynamic Vision Plan for the neighborhoods along the Tennyson Corridor.

Learn more at www.Hayward-ca.gov/TennysonThrives



**NEEDLES IN
THE HAYSTACK
ART EXHIBIT**

Palma Ceia Fest

An Eco-Friendly Event † Un Evento Ecologico

TIMELINE:
SUMMER 2018

Family
Friendly
Ideal Para
Familias

Free
Gratis

Food
Games
Comida
Juegos

Chabot College and the City of Hayward present:

The First Annual Palma Ceia Fest
at Palma Ceia Park
on July 28th from 11:00-2:00PM.



Have fun with your neighbors! Share your
dreams and vision for your community!
¡Diviértete con los vecinos! ¡Comparta tus
sueños y visiones para la comunidad!



www.hayward-ca.gov/TennysonThrives

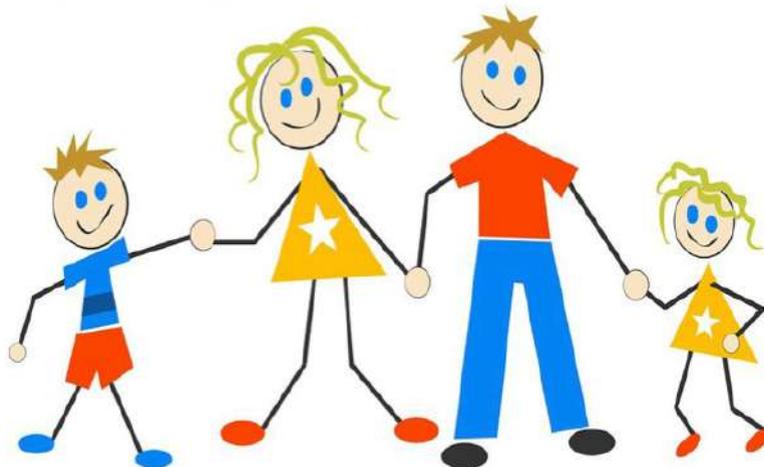
PALMA CEIA
FEST

**TIMELINE:
FALL 2018**

In collaboration with Chabot College and the City of Hayward-
Hayward's *NEW* Mom's Group brings you the ...

First Annual

HAYWARD FAMILY PUMPKIN PATCH



Come enjoy a community Pumpkin Patch!

Saturday, October 27, 2018 1-4 PM

Palma Ceia Park

JOIN US FOR THIS FUN FREE EVENT!

For more information or questions, contact the *NEW* Hayward Mom's Group-Questions? Information: haywardmomsgroup2018@gmail.com

**PALMA CEIA
PUMPKIN PATCH**

CHABOT COLLEGE & CITY OF HAYWARD
PRESENTS

TIMELINE:
FALL 2018

• **MOVIE NIGHT** •

THE GRINCH!



CHABOT COLLEGE BUILDING 2300
25555 HESPERIAN BOULEVARD, HAYWARD, CA
94545

MAP ON
OTHER SIDE



**FREE
ADMISSION**



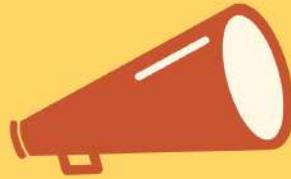
**FREE
FOOD**



**ACTIVITIES
& MORE**

**COMMUNITY
MOVIE NIGHT**

**TIMELINE:
FALL 2018**



**CHABOT COLLEGE Y LA CUIDAD DE
HAYWARD PRESENTA:**

KICKBALL

**Jugar kickball, Comida es Gratis,
Para la familia**

**SABADO NOVIEMBRE 17
DE 12PM- 3PM
WEEKES PARK, HAYWARD, CA**

Por favor de vestirse comodo

**Divertanse!
Aprende Acerca De Tennyson Thirves
Initiative!
Comparte tus sueños y tus visiones
para la comunidad!**

**KUMMUNITY
KICKBALL**



TIMELINE:
SPRING 2019

IN COLLABORATION WITH CHABOT
COLLEGE, THE CITY OF HAYWARD, AND
THE MAYORQUIN FAMILY:

SMOOTHIE DAYS!



GET TO KNOW YOUR
NEIGHBORS WHILE
ENJOYING FREE SMOOTHIES!

SUNDAY, APRIL 28TH, 2019
SATURDAY, MAY 11TH, 2019
SATURDAY, JUNE 15TH, 2019

9AM - NOON

PALMA CEIA PARK, HAYWARD

*Learn more about the Tennyson Thrives Initiative and
Neighborhood Improvement Grant Program.*



SMOOTHIE
DAYS

**PARTICIPATION
SIGN-UP SHEET**

Project Title: SCREEN ON GREEN

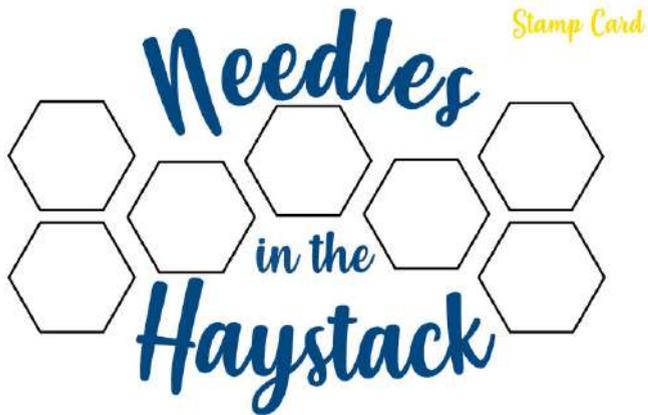
Name	Contact Info	Student Name: I would help create this project	I would attend
Cina Artis	Onabeena777@gmail		✓
Dolores Angel	angel.dolores@icloud.com		✓
Angelito Angel	ANGEL, ANGELO @ icloud.com		✓
Akiya Sutton	Santossutton@icloud.com	✓	
Erik Pearson	erik.pearson@hayward-ca.gov	✓	
Clarice Barkley	782 8298		
Julia Ojastro	julina_05@yahoo.com		✓
Michael Christopher	mcchristopher@att.net		✓
Sose Rodriguez	soseusoch@gmail.com		✓
Monica	monicaq123@gmail.com		✓
Meyling Lezana	mlezama14@yahoo.com		✓
Donella Deza	dollbrag@gmail.com		✓

Project Title: Lingua Doc.

Student Name: Margarita Felix-Quinter

Name	Contact Info	I would help create this project	I would attend
Denisse Orozco	denissevalentin@icloud.com	Yes	Yes
Jessica Solorzano	Solorzanoj29@gmail.com		Yes
Manuela Mayorguin	b.ochos2299@gmail.com		
MANIK BALA	MANIKANDANBS@GMAIL.COM		✓
Theresa Piser	theresmpiser@gmail.com		✓
Mary Thomas	mary.thomas@hayward-ca.gov		partnering as a city worker
Maria Luiza de Matos	malube54@gmail.com	yes	Yes
Natalie Santos	Natalie.Miles20@gmail.com		yes
Meyling L	Meylinglezana@yahoo.com		Yes
Angela Andrews	Angela.L.Andrews@gmail.com		✓
Norma Barragan			
Azuena Zamora			

STAMP CARDS





FOOD PANTRY



Pick up free groceries
or preorder a bag!



SPRING DATES



2/22 • 3/20 • 4/19 • 5/17

11:30 AM - 1:00 PM

CESAR CHAVEZ PLAZA

(between the cafeteria and pool)



HOW TO PREORDER EACH MONTH



- 1) Email freshchabot@gmail.com by 10 AM on the day of the pantry with your first and last name and phone number
- 2) Pick up your bag from **Room 2302** by **3:30 PM** on the day of the pantry

FRESH LIFE & FOOD PANTRY

COMMUNITY PROJECTS

In the course of implementing the Tennyson Thrives Initiative, Chabot students and faculty have used Lean Methodology to engage the community and prototype projects that could be developed into city programs. These projects were focus grouped and tested as MVPs at community events. Students developed value and growth hypotheses to test their projects and determine how they can be scaled. Below is sampling of popular projects that have been tested and vetted by the community:



LITTLE LIBRARIES

The Little Libraries Project is where we create boxes filled with books and place it outside as a public good. This weatherproof-box has a door where community members can easily access books to read without the need of a library card. We will focus on books for elementary school children and books for adults that will be coming through the parks with their children. It will be filled with multi-language books. The Little Libraries Project relies on a trust system-- "You take one, please leave one." If a community member takes a book, they are expected to leave one book back into the box.

GRANDPARENTS CLUB

This project represents the work and dedication of Chabot students as well as their passion and for others in the community, especially for older adults. According to numerous studies in the Bay Area, the elderly suicide rate has increased in the last few years. The main reason for this new phenomenon is the lack of emotional support and desolation as well as the lack of dedication and attention that our older population receive from our community. Therefore, this group of students have created this project as part of a possible solution to face the suicide rate in our community. Grandparents Club will host events and activities to support our elderly community.

OUT OF THE BOX: HOMELESS CARE PACKAGES

Care packages will consist of hygiene products, apparel, food, and fun activities. Packages will be distributed once a month at homeless shelter and highly populated homeless areas of Hayward. We would also like to host events where community members can create and distribute care packages together. Other events will include poetry readings, theater, and art shows hosted by the homeless community.



SMOOTHIE DAYS

It has been the dream of the Mayorquin Family to reopen the snack shack at Palma Ceia Park to serve coffee and donuts to community members on weekends. Smoothie Days where community members can enjoy free donuts, coffee, and smoothies while focus grouping community proposed projects. This project is currently being piloted with the support of Chabot's Student Initiative Center. The first three dates for Smoothie Days include: April 28, May 11, and June 15.

YARD TO TABLE

For the last 5 years, the SIC team has presided over a demonstration garden at Chabot College. One of the goals of this work is to link up with the many community experts in South Hayward who have an interest in developing gardens in their homes. We envision working with residents to help them create sustainable gardens in their yards. Our larger dream is to support the creation of a network of South Hayward residents who support each other's efforts to become home gardeners. We see real possibilities of synergistic contact between Chabot's garden and gardens that are developed in South Hayward neighborhoods

CREEK DAYLIGHTING

One of the most ambitious project proposals that Chabot students and the SIC have considered is Creek Daylighting. The Student Initiative Center has a long history of developing and supporting projects and organizations that seek to improve our natural world and environmental systems. Our work with City of Hayward around water needs keeps circling back to this project. Recently, the SIC team met with Elisa Wilfong to discuss the possibilities of collaborating on this project.



KUMMUNITY KICKBALL

Our goal is to establish the first South Hayward Kickball League. We've studied the Tennyson Thrives GIS map and we've learned from interviewing community members that many recreational activities and sports leagues have left South Hayward. Our mission is to bring back some of those activities beginning with Kickball. We chose Kickball because it is friendly sport at all ages and because the it is a low cost sport compared to other sports like Hockey or Baseball.

CULTURAL FESTIVALS AND CENTERS

Our goal is to create several small Cultural Centers in the parks in South Hayward. These centers are aimed at celebrating the diversity of South Hayward community members. These small centers will be about the size of three classrooms and will consist of makerspaces, kitchens, bathrooms, and housing spaces. These centers will also house local events to bring the community together. Many of the projects students have proposed could be programs in the center. For example, the Moms Club, Grandparents Club, and Food Pantries can be hosted in the Cultural Centers.

MOMS' CLUB

Brings the community together by hosting community events and outreach opportunities sponsored by a new Mom's Group for the mothers of Hayward. These opportunities will encourage community members to work together in aiding a bigger cause by bringing them together to participate in things like a December toy drive, serving Thanksgiving Dinner to the homeless people in the community, a Spring Egg Hunt and much more. Our goal is to ultimately assist the community in supporting each other in life's daily struggles. We will achieve this by hosting weekly playgroups where moms can get together and talk about their week. We will sponsor monthly community events that will utilize the community's assets like parks and community centers for the members of the community to get together and get to know their neighbors.



LINGUA DOC

Lingua Doc will focus on translating government and legal documents and make them accessible to all who need them. The community in Hayward is very diverse and we want to make people feel included in this community and overcome the language barrier. In one of the interviews conducted with La Familia’s CEO, Aaron Ortiz said that the older population in Hayward tends to feel that they get a lack of resources due to the language barrier. This means that they can’t communicate effectively with others so it makes navigating the system very difficult. We understand that not being able to read and fill out important documents would be a big hassle in someone’s life, therefore, we know that Lingua Doc will help our community.

MOVIE NIGHT

Community members have stated that they believe South Hayward lacks community. Movie Night brings together families living in South Hayward to watch kid-friendly movies. Movie Night will be innovative because we will do icebreakers and community builders before each movie so that community members may get to know each other. We will also show short films and documentaries before the feature film that inspire and make community members think about how they can improve their neighborhoods.

FOOD OASIS: FARMERS MARKET

Our project is to create a source of affordable healthy food to the community members of South Hayward. We want to provide an opportunity for farmers to sell their produce to the community members of South Hayward. What makes our project innovative is we would leverage the knowledge of community members and farmers to teach community members about growing produce, composting, and cooking. We would partner with South Hayward Parish to host cooking demos at the market.



NEIGHBOR OUTDOORS

Students from Chabot Community College are interviewing hundreds of community members and displaying this data through maps and other modes. Through these interviews, the students have found that community members often don't feel a sense of neighborhood identity or connection. This project will seek to bring these individual neighbors "out from behind doors" to have a conversation through art about the collective identity, culture, and aspirations of their shared Neighborhoods. This project will identify twelve visual artists and eight music groups. We will then host twelve block parties in twelve neighborhoods during summer of 2019. The visual artists will each be assigned to a neighborhood, where they will attend the block party, follow up with interviews, and work with Chabot students and the Hayward Historical Society to get a feel for their assigned neighborhood.

DEPAVING

South Hayward community members have goals and aspirations in regards to their view of an ideal neighborhood and would work together alongside the city of Hayward to make these dreams come true. South Hayward community members have long had the desire to have a sense of safety and a closer connection between their neighbors. Moreover, they aspire to have better access to healthy food options and greener spaces. The Depave project would not only satisfy some of the concerns community members have, but also cover three opportunity areas -- engaged and well resourced communities, unique neighborhood identities, and green and resilient environments. Depaving would provide more green spaces for the community and combat the effects of pollution and climate change.

325

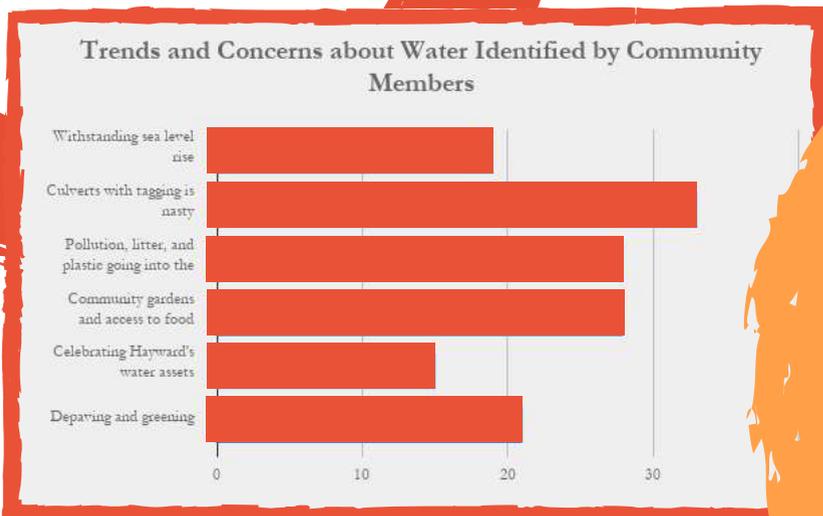
**SOUTH HAYWARD
COMMUNITY MEMBERS
HAVE BEEN INTERVIEWED**

75

**STAKEHOLDERS HAVE BEEN
INTERVIEWED AND CONSULTED**

12

**PUBLIC EVENTS /
PRESENTATIONS CHABOT
STUDENTS HAVE HOSTED
AND PARTICIPATED IN**



850

**CHABOT STUDENTS
HAVE DEVELOPED
AND WORKED ON
THE TENNYSON
THRIVES INITIATIVE**

STATISTICS

PROTOTYPING A WOW PROJECT

There are myriad ways to awaken our students' innate capacity, and leveraging this capacity results in more engaged and sophisticated work by our students. And it results in happier teachers and students. These are central goals of SOIL and the Sustainability Center.

Business practices guru Tom Peters writes about taking an approach to work that involves “reframing any task into something-that-makes-a-difference.” He calls doing this kind of work that matters “WOW Projects.” Asking our students to do work that matters is one sure way to activate their innate capacity. We need to put our students in a position to WOW us. We need to put them in a position to surprise us. In truth, we don't know what our students are entirely capable of—and they don't either. In fact they are often shocked by what they pull off in a classroom that asks more of them than has been asked in the past. There are myriad ways to awaken our students' innate capacity, and leveraging this capacity results in more engaged and sophisticated work by our students. And it results in happier teachers and students.

But we cannot challenge students that we doubt, students that we don't believe in. So instead we tinker around the edges of our curriculum and try to control every moment in the classroom. Doubting students is a self-fulfilling prophecy; but on the other hand, so too is trusting students to pull off a really exciting WOW Project. WOW projects are a response to the claim heard too often on our campuses that our students “are not ready and don't belong here.” WOW project simply a 180 degrees reframing of that claim. When we activate Capacity in ourselves, a sense of surprise should accompany this—even a sense of WOW—we need to put ourselves in a position to WOW others. For this project you are working together to prototype a WOW project that can be activated in your classroom, or program, or advising activities.

WHAT MAKES A GOOD "WOW" PROJECT?

You say you don't have any big projects coming up that you could turn into a “Wow” project? But EVERY project is a candidate for “Wow.” Selecting your first “Wow” project is easy; it's simply your next project. Remember, there are no trivial projects. Sometimes the smallest tasks can make the biggest difference. Start small, and then work your way up to bigger “Wow” projects.

WHAT ELSE SHOULD I KEEP IN MIND?

Look for opportunities to widen the scope of your project. Most projects come with specific requirements in mind. That's your baseline. But take it further--be a “Big Picture” visionary. Think of ways your project can be leveraged on a larger scale. This in fact happens all the time in the Student Initiative Center.

"I learned a lot more about my community through this class than any other. This strategy is brilliant as it gets the students' attention because of the relatable topic, rather than having the professor talk about some random place in Spain."

- Chabot Student

PATTERNS OF PARTNERSHIP

Michael Fielding created this enlightening table that plots the movement of students from being passive to being dead center in the middle of democratic change on campus.

Students as Data Source: Staff utilize information about student progress and well-being

Classroom

Lesson Planning; Takes account of student test scores

Unit/Team/Dept

Samples of student work shared across staff group

School

Student attitude survey

Students as Active Respondents: Staff invite student discussion to deepen learning/professional decisions

Classroom

Engaging with + adapting explicit assessment criteria

Unit/Team/Dept

Team agenda based on students' evaluations

School

Students on staff appointment panels

Students as Co-Enquirers: Staff take lead role with high-profile with active student support

Classroom

How can we develop more independence in learning?

Unit/Team/Dept

Student evaluation of e.g. History unit of work

School

Joint evaluation of current system of reports

Students as Knowledge Creators: Students take lead role with active staff support

Classroom

What seating arrangements assist in learning?

Unit/Team/Dept

Is the playground buddying system working?

School

What is the cause of low-level bullying in class?

Students as Joint Authors: Students and staff decide on a joint course of action together

Classroom

Co-construct e.g. a Maths lesson

Unit/Team/Dept

Develop a "Research Lesson" on behalf of dept

School

Joint student + staff Learning Walk

Students as Participatory Democracy: Shared commitment to/responsibility for the common good

Classroom

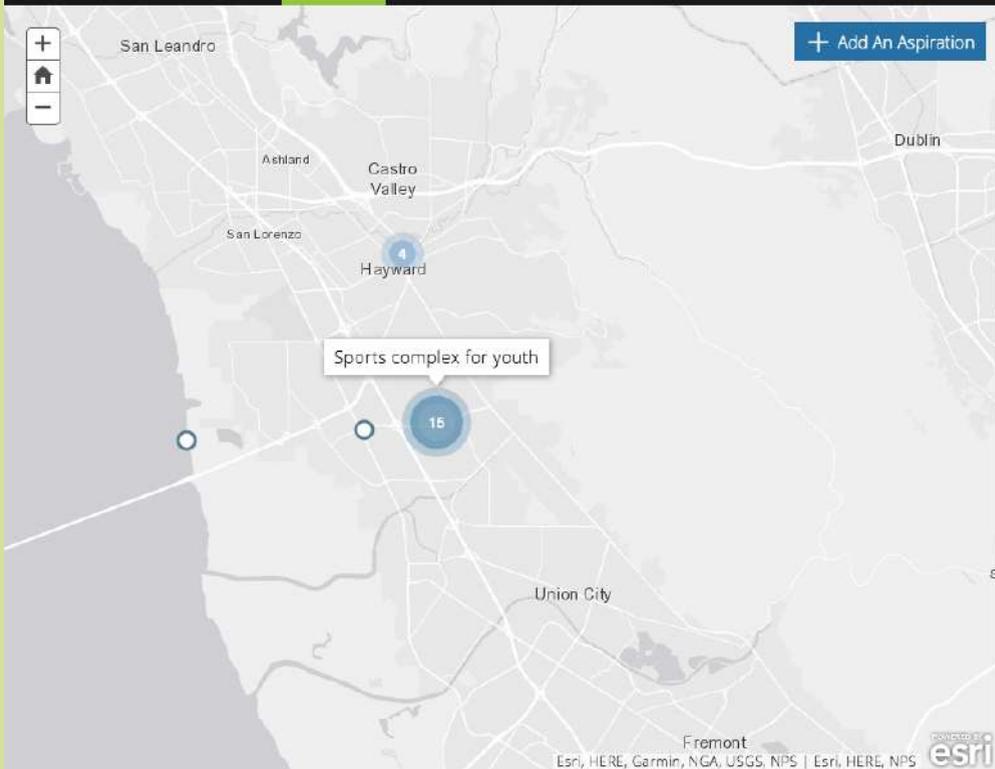
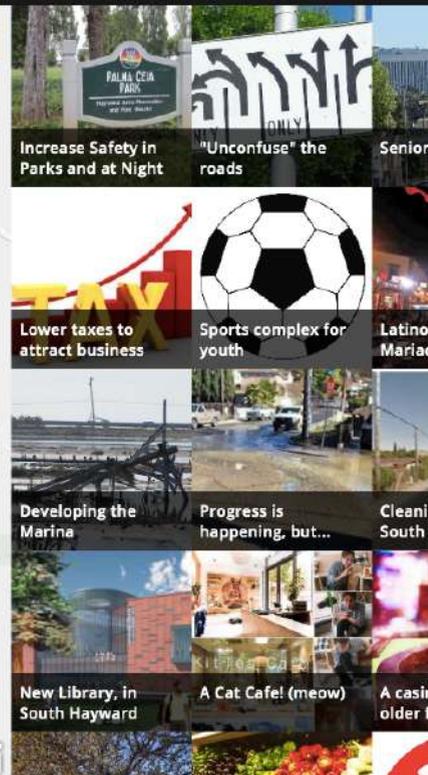
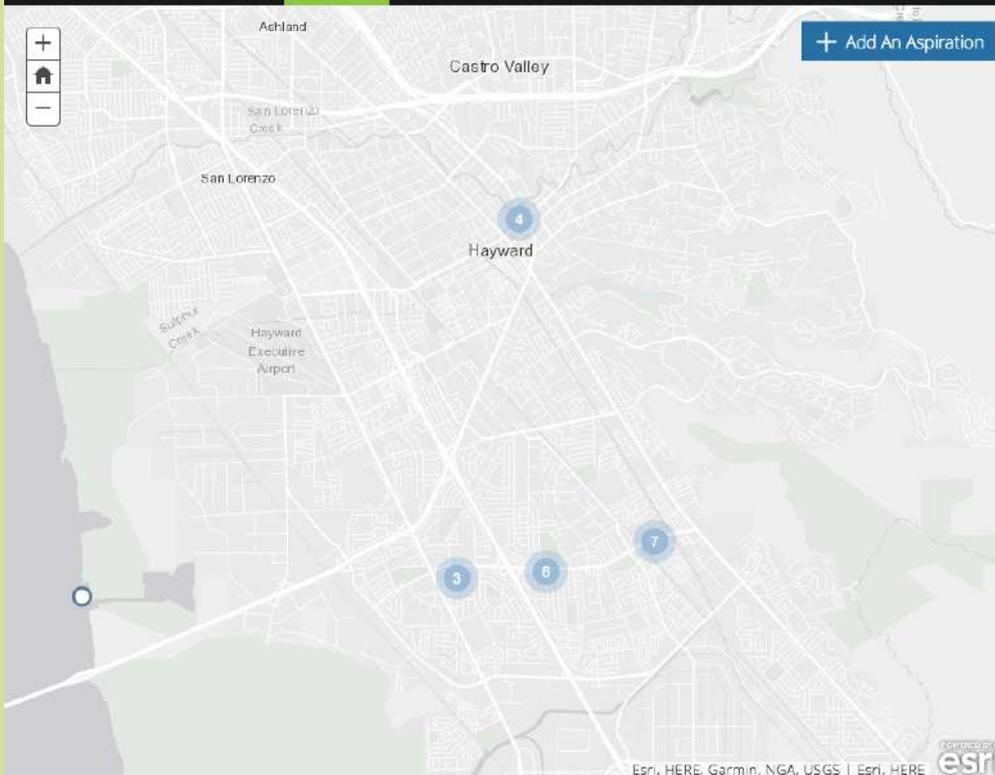
Students + staff plan lesson for younger students

Unit/Team/Dept

Classes as critical friends in thematic conference

School

Entire school decides a key issue



A large, stylized black and white soccer ball graphic.

Sports complex for youth
 W Tennyson Rd, Hayward, California, 94544

Alejandro would like for Hayward to create a sports complex for youth to develop higher athletic skills and opportunities so they can have a shot in becoming professional athletes. Location for creation: Kaiser Permanente Hayward site.



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: PH 19-063

DATE: June 25, 2019

TO: Mayor and City Council

FROM: City Manager

SUBJECT

Public Tax and Equity Fiscal Responsibility Act Hearing as Required by the Internal Revenue Code of 1986, and Adoption of a Resolution Approving the Issuance by California Statewide Communities Development Authority of Tax-Exempt Bonds to Finance the Acquisition, Construction and Development of the Maple & Main Apartment Project

That Council:

1. Conducts a public hearing to consider the issuance of Tax-Exempt Multifamily Housing Revenue Bonds by the California Statewide Communities Development Authority (CSCDA) to assist in the financing of the Maple and Main Apartments.
2. Adopts the attached resolution approving the issuance by the California Statewide Communities Development Authority of Multifamily Housing Revenue Bonds for the Maple & Main Apartments (Attachment II).

SUMMARY

The City Council has been asked by developer, Maple and Main Apartments, L.P., to conduct a public hearing under the Tax and Equity Fiscal Responsibility Act (TEFRA) in connection with the proposed issuance of revenue bonds by the California Statewide Communities Development Authority (CSCDA) in an amount not to exceed \$110,000,000 for the acquisition, construction, and development of the already entitled 240-unit multifamily rental housing project located at 22330 Main Street, Hayward, California, generally known as the Maple & Main Apartment Project. This is Phase 1 of the already entitled two-phase Maple & Main development. The City entitlement of Phase 2 currently consists of the rehabilitation of 48,000 square feet of existing office space, which is not included in the proposed financing subject to Council approval this evening. Any change to the Phase 2 entitlement would be subject to Council approval at a later date.

ATTACHMENTS

File #: PH 19-063

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	2019 Rent and Income Limits



DATE: June 25, 2019

TO: City Council

FROM: City Manager

SUBJECT: Public Tax and Equity Fiscal Responsibility Act Hearing as Required by the Internal Revenue Code of 1986, and Adoption of a Resolution Approving the Issuance by California Statewide Communities Development Authority of Tax-Exempt Bonds to Finance the Acquisition, Construction and Development of the Maple & Main Apartment Project

RECOMMENDATION

That Council:

1. Conducts a public hearing to consider the issuance of Tax-Exempt Multifamily Housing Revenue Bonds by the California Statewide Communities Development Authority (CSCDA) to assist in the financing of the Maple and Main Apartments.
2. Adopts the attached resolution approving the issuance by the California Statewide Communities Development Authority of Multifamily Housing Revenue Bonds for the Maple & Main Apartments (Attachment II).

SUMMARY

The City Council has been asked by developer, Maple and Main Apartments, L.P., to conduct a public hearing under the Tax and Equity Fiscal Responsibility Act (TEFRA) in connection with the proposed issuance of revenue bonds by the California Statewide Communities Development Authority (CSCDA) in an amount not to exceed \$110,000,000 for the acquisition, construction, and development of the already entitled 240-unit multifamily rental housing project located at 22330 Main Street, Hayward, California, generally known as the Maple & Main Apartment Project. This is Phase 1 of the already entitled two-phase Maple & Main development. The City entitlement of Phase 2 currently consists of the rehabilitation of 48,000 square feet of existing office space, which is not included in the proposed financing subject to Council approval this evening. Any change to the Phase 2 entitlement would be subject to Council approval at a later date.

BACKGROUND

The City Council approved the discretionary land use approvals for the Maple and Main Project on February 7, 2017. As currently entitled, the two-phase Maple and Main Project is a

mixed-use, mixed-income multifamily rental housing and office development located at 22330 Main Street, Hayward, California that is currently entitled to provide 240 units of housing, 5,500 square feet of ground floor retail space, and the rehabilitation of 48,000 square feet of existing office space. The Phase 1 Maple & Main Apartment Project consists of the 240 units of housing and 5,500 square feet of ground floor retail space, including 20% of the units being restricted for very low-income households, which exceeds the City's affordable housing ordinance requirements. The development of these units will be subsidized with Low Income Housing Tax Credits and Tax-Exempt Multifamily Revenue Bonds. The City entitlement of Phase 2 currently consists of the rehabilitation of 48,000 square feet of existing office space, which is not included in the proposed financing subject to Council approval this evening. Any change to the Phase 2 entitlement would be subject to Council approval at a later date. Because rehabilitation of the existing four-story office building on site is part of the Phase 2 entitlement, the applicant cannot demolish this building. Demolition of the other structures on site has begun.

Previously on June 13, 2017 and June 26, 2018, Council conducted TEFRA hearings for this project and adopted resolutions approving the issuance by the California State Wide Communities Development Authority of Multifamily Housing Revenue Bonds for the Maple and Main Apartments. Since the most recent TEFRA hearing on June 26, 2018, the original debt lender for the Maple & Main Apartment Project stopped lending on large mixed-income projects just before the original scheduled closing. The sponsor has worked diligently on replacing the debt provider and a new lender is being finalized.

Public approval for the issuance of these types of bonds must be obtained within one year before the issue date of the bond. The TEFRA approval obtained on June 26, 2018 is about to expire and to issue bonds to finance the project, another TEFRA hearing will need to take place prior to the scheduled closing of financing for the project, which is currently anticipated as early as the end of July.

DISCUSSION

CSCDA was created in 1988, under California's Joint Exercise of Powers Act, to enable local government and eligible private entities access to low-cost, tax-exempt financing for projects that provide a tangible public benefit, contribute to social and economic growth, and improve the overall quality of life in local communities throughout California. CSCDA is comprised of more than 500 members, including the City of Hayward.

The developer, Maple and Main Apartments, L.P., has requested that the CSCDA serve as the municipal issuer of the bonds in an aggregate principal amount not to exceed \$110,000,000 of tax-exempt revenue bonds. The proceeds of the bonds will be used for the acquisition, construction, and development of the Phase 1 Maple & Main Apartment Project, which consists of a 240-unit multifamily rental mixed-use housing project located at 22330 Main Street. As described above, the Phase 1 Maple & Main Apartment Project will restrict 20% of its units for very-low-income households, which results in the provision of 48 units of affordable housing to very low-income households for 55 years. In addition to regulatory controls recorded by the State of California and the bond issuer, to ensure that the affordable

units are created, the City, as part of the February 7, 2017 approvals, mandated Condition of Approval No. 30, which requires the developer to enter into an Affordable Housing Agreement with the City that will deed restrict the properties as affordable units. Attachment III provides the 2019 rent and income limits for a very-low income household as determined by the California Tax Credit Allocation Committee. Rent and income limits are adjusted annually and are based on changes to the area median income. Rents and income limits for the project will be determined after the project is placed in service.

For all or a portion of the bonds to qualify as tax-exempt bonds, the City must conduct a TEFRA hearing that provides members of the community an opportunity to speak in favor of or against the use of tax-exempt bonds for the financing of the project. Prior to this hearing, reasonable notice must be provided to the members of the community. The Notice for this TEFRA hearing was published June 14, 2019. Following the close of the TEFRA hearing, an elected representative of the governmental unit hosting the project must provide its approval of the issuance of the bonds to finance the project.

ECONOMIC IMPACT

The Phase 1 Maple & Main Apartment Project would contribute to the neighborhood by redeveloping a vacant infill site allowing for the development of 240 units of housing (including 48 units for very low-income households), and 5,500 square feet of ground floor retail space. Such development would contribute to the character and revitalization of the neighborhood.

FISCAL IMPACT

The bonds to be issued by the CSCDA for the project will be the sole responsibility of the borrower, and the City will have no financial, legal, moral obligation, liability, or responsibility for the project or the repayment of the bonds. All financing documents with respect to the issuance of the bonds will contain clear disclaimers that the bonds are not obligations of the City or the State of California but are to be paid for solely from funds provided by the borrower.

STRATEGIC INITIATIVES

This agenda item relates to the Complete Communities Initiative. The purpose of the Complete Communities initiative is to create and support structures, services, and amenities to provide inclusive and equitable access with the goal of becoming a thriving and promising place to live, work and play for all. This agenda item relates to the following goal and objectives:

Goal 1. Provide a mix of housing stock for all Hayward residents and community members, including the expansions of affordable housing opportunities and resources.

Objective 2: Conserve and improve the existing housing stock.

Objective 3 Increase supply of affordable, safe and resilient housing in Hayward.

PUBLIC CONTACT

Public noticing requirements related to TEFRA public hearings were strictly adhered to and followed. Notice of this public hearing was published in the Daily Review on June 14, 2019.

NEXT STEPS

Considering the foregoing, and to support affordable housing, staff recommends that the City Council conducts the TEFRA Hearing and adopts the resolution in favor of the issuance of the bonds by the CSCDA.

Prepared by: Christina Morales, Housing Manager

Recommended by: Jennifer Ott, Deputy City Manager

Approved by:

A handwritten signature in black ink, appearing to read 'K. McAdoo', written over a horizontal line.

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD APPROVING
THE ISSUANCE BY THE CALIFORNIA STATEWIDE COMMUNITIES
DEVELOPMENT AUTHORITY OF MULTIFAMILY HOUSING REVENUE BONDS
FOR THE MAPLE & MAIN APARTMENTS

WHEREAS, the California Statewide Communities Development Authority (the “Authority”) is authorized pursuant to the provisions of California Government Code Section 6500 et seq. and the terms of an Amended and Restated Joint Exercise of Powers Agreement, dated as of June 1, 1988 (the “Agreement”), among certain local agencies throughout the State of California, including the City of Hayward (the “City”), to issue revenue bonds in accordance with Chapter 7 of Part 5 of Division 31 of the California Health and Safety Code for the purpose of financing multifamily rental housing projects; and

WHEREAS, Maple and Main Apartments, LP (the “Borrower”) or related entities, has requested that the Authority adopt a plan of financing providing for the issuance of multifamily housing revenue bonds (the “Bonds”) in one or more series issued from time to time, including bonds issued to refund such revenue bonds in one or more series from time to time, and at no time to exceed \$110,000,000 in outstanding aggregate principal amount, to finance or refinance the acquisition, construction and development of a 240-unit multifamily rental housing project located at 22330 Main Street, Hayward, California, generally known as Maple & Main Apartments (the “Project”); and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986 (the “Code”), prior to their issuance, private activity bonds are required to be approved by the “applicable elected representative” of the governmental units on whose behalf such bonds are expected to be issued and by a governmental unit having jurisdiction over the entire area in which any facility financed by such bonds is to be located, after a public hearing held following reasonable public notice; and

WHEREAS, the members of this City Council (this “City Council”) are the applicable elected representatives of the City of Hayward (the “City”); and

WHEREAS, there has been published, at least 7 days prior to the date hereof, in a newspaper of general circulation within the City, a notice that a public hearing regarding the Bonds would be held on a date specified in such notice; and

WHEREAS, such public hearing was conducted on such date, at which time an opportunity was provided to interested parties to present arguments both for and against the issuance of the Bonds; and

WHEREAS, the Authority is also requesting that the City Council approve the issuance of any refunding bonds hereafter issued by the Authority for the purpose of refinancing the Bonds which financed the Project (the "Refunding Bonds"), but only in such cases where federal tax laws would not require additional consideration or approval by the City Council; and

WHEREAS, it is intended that this resolution shall constitute the approval of the issuance of the Bonds required by Section 147(f) of the Code and Section 9 of the Agreement;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward, as follows:

Section 1. The above recitals are true and correct.

Section 2. The City Council hereby approves the issuance of the Bonds and the Refunding Bonds by the Authority. It is the purpose and intent of the City Council that this resolution constitutes approval of the Bonds for the purposes of (a) Section 147(f) of the Code and (b) Section 9 of the Agreement.

Section 3. The officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents that they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing approved hereby.

Section 4. This resolution shall take effect immediately upon its passage.

IN COUNCIL, HAYWARD, CALIFORNIA, _____, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

2019 Maximum Income Limits
California Tax Credit Allocation Committee

ALAMEDA COUNTY	One Person	Two Person	Three Person	Four Person	Five Person	Six Person	Seven Person	Eight Person
100% Income Level	\$86,800	\$99,200	\$111,600	\$123,900	\$133,900	\$143,800	\$153,700	\$163,600
80% Income Level	\$69,440	\$79,360	\$89,280	\$99,120	\$107,120	\$115,040	\$122,960	\$130,880
70% Income Level	\$60,760	\$69,440	\$78,120	\$86,730	\$93,730	\$100,660	\$107,590	\$114,520
60% Income Level	\$52,080	\$59,520	\$66,960	\$74,340	\$80,340	\$86,280	\$92,220	\$98,160
55% Income Level	\$47,740	\$54,560	\$61,380	\$68,145	\$73,645	\$79,090	\$84,535	\$89,980
50% Income Level	\$43,400	\$49,600	\$55,800	\$61,950	\$66,950	\$71,900	\$76,850	\$81,800
45% Income Level	\$39,060	\$44,640	\$50,220	\$55,755	\$60,255	\$64,710	\$69,165	\$73,620
40% Income Level	\$34,720	\$39,680	\$44,640	\$49,560	\$53,560	\$57,520	\$61,480	\$65,440
35% Income Level	\$30,380	\$34,720	\$39,060	\$43,365	\$46,865	\$50,330	\$53,795	\$57,260
30% Income Level	\$26,040	\$29,760	\$33,480	\$37,170	\$40,170	\$43,140	\$46,110	\$49,080
20% Income Level	\$17,360	\$19,840	22,320	\$24,780	\$26,780	\$28,760	\$30,740	\$32,720

2019 Maximum Rent Limits
California Tax Credit Allocation Committee

ALAMEDA COUNTY	Efficiency	1 BR	2 BR	3 BR	4 BR	5 BR
100% Income Level	\$2,170	\$2,324	\$2,790	\$3,222	\$3,594	\$3,966
80% Income Level	\$1,736	\$1,860	\$2,232	\$2,578	\$2,876	\$3,173
70% Income Level	\$1,519	\$1,627	\$1,953	\$2,255	\$2,516	\$2,776
60% Income Level	\$1,302	\$1,395	\$1,674	\$1,933	\$2,157	\$2,379
55% Income Level	\$1,193	\$1,278	\$1,534	\$1,772	\$1,977	\$2,181
50% Income Level	\$1,085	\$1,162	\$1,395	\$1,611	\$1,797	\$1,983
45% Income Level	\$976	\$1,046	\$1,255	\$1,450	\$1,617	\$1,784
40% Income Level	\$868	\$930	\$1,116	\$1,289	\$1,438	\$1,586
35% Income Level	\$759	\$813	\$976	\$1,127	\$1,258	\$1,388
30% Income Level	\$651	\$697	\$837	\$966	\$1,078	\$1,189
20% Income Level	\$434	\$465	\$558	\$644	\$719	\$793



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: PH 19-059

DATE: June 25, 2019

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT

Introduction of an Ordinance to Establish a Soft Story Seismic Screening Program for Multifamily Residential Buildings and Voluntary Seismic Retrofit Standards for Soft Story Buildings

RECOMMENDATION

That the City Council introduces the attached Ordinance (Attachment II) establishing a soft story seismic screening program for multifamily residential buildings and voluntary seismic retrofit standards for soft story buildings.

SUMMARY

Multifamily wood frame buildings with soft, weak, or open-front (“soft story”) conditions are at risk of severe damage or collapse in the event of a major earthquake. Staff estimates that approximately 280, pre-1979, five or more unit buildings in Hayward are potential soft story buildings. In the past decade, several California cities (including San Francisco, Berkeley, and Oakland) have developed soft story retrofit programs to reduce the risk of collapse of soft story buildings in their jurisdictions. During a March 26th work session, Council directed staff to return with an ordinance establishing a mandatory screening program and voluntary retrofit standards for soft story buildings. The proposed ordinance fulfills this direction.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Ordinance



DATE: June 25, 2019

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Introduction of an Ordinance to Establish a Soft Story Seismic Screening Program for Multifamily Residential Buildings and Voluntary Seismic Retrofit Standards for Soft Story Buildings

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BACKGROUND

The United States Geological Survey (USGS) predicts that there is a 72% probability of a major (M6.7 or greater) earthquake in the Bay Area by the year 2043. Of the 32 faults included in this analysis, the Hayward fault is the most likely to rupture and cause a damaging earthquake.

Some building types are more vulnerable to serious damage and potential collapse in a major earthquake. Engineers and other seismic safety professionals have identified so-called “soft story” buildings – multi-story wood-frame buildings with large open spaces on the first floor as one such building type. These building types are most commonly multifamily residential structures with retail, open garage space, or “tuck-under” parking on the ground floor. In recognition of the concerns specific to the seismic performance of wood-frame multifamily

housing, several California cities have passed ordinances mandating or supporting the screening and retrofit of soft story buildings.

The City Council has identified soft story retrofits as a seismic mitigation priority in multiple policy documents over the past five years:

- Soft story retrofit is encouraged by Goal HAZ-2.9 of the Hayward 2040 General Plan Policy Document
- Soft story retrofit is identified as a High priority by Hayward's 2016 Local Hazard Mitigation Plan
- A soft story mitigation ordinance is listed as task 2.d.3.a of Hayward's Complete Communities Strategy Two-Year Action Plan for FY 2018 and FY 2019.

On July 19, 2016, the City Council held a work session on seismic retrofits to soft story buildings. At the time, staff recommended a mandatory seismic retrofit program for wood frame, two-story buildings with five or more units, built prior to 1979. Following that work session, the ordinance was set aside to focus on addressing community concerns regarding increased rental housing costs.

During the March 26, 2019 City Council meeting, staff returned with a recommendation to establish a voluntary seismic retrofit program, seeking feedback from the City Council on the type of program, building ages and types to be included in the program, performance goals for seismic retrofit standards, and other policy considerations and potential incentives related to the program. Following the work session, staff engaged a structural engineer with expertise in developing soft story retrofit programs to draft the proposed ordinance.

DISCUSSION

Working with an engineering consultant, staff has developed a soft story screening program designed to achieve the following goals:

- Improve current building data in support of future response, recovery, and mitigation planning. The City's current data comes primarily from the Alameda County Assessor's records. As such, it includes almost no information about construction materials, structural systems, or seismic vulnerabilities. Additionally, the Assessor's data is provided at a parcel level, so it is unclear about individual buildings within the City's many multi-building parcels.
- Increase awareness of the existence and potential risk of soft story buildings among building owners and tenants. Building owners may not be aware that their building could have a soft story condition, may not have confirmed it, and may not know how to address it. Tenants may not know the buildings they live in could have soft story conditions.

To achieve these goals efficiently and effectively, the proposed ordinance establishes a seismic screening program for multi-family buildings that consists of a screening form to be completed by a design professional. The program does not require an engineering evaluation, which can easily cost upwards of \$15,000 per building. Screening, by contrast to evaluation, is largely qualitative and is intended to reach a quick conclusion based on broad structural properties that are readily observed. Screening can be a challenge for concrete or steel structures where the critical elements are hidden, but it is very well suited to potential soft story wood frame buildings.

Since the ordinance is designed to improve data and increase awareness and does not mandate retrofits of buildings with soft story conditions, requiring costly engineering evaluations is unnecessary. However, the ordinance encourages voluntary retrofit by requiring additional evaluation to rule out suspected vulnerability or voluntary retrofit to eliminate a real vulnerability in order for buildings who are not eliminated via the screening program to be removed from the list of potentially at-risk buildings.

Scope

As previously presented, the screening program will apply to residential buildings with two or more stories built prior to 1979, when seismic zone 4 was incorporated into the California Building Code.

In the March 26th work session, several Councilmembers expressed a preference for including multifamily buildings with fewer than 5 units in the screening program. Staff has incorporated this preference for screening buildings with 3 or more units into the attached ordinance. Including 3- and 4-unit residential buildings effectively furthers the screening program goals of data collection and education and without the financial burden of an engineering evaluation shouldn't unduly burden owners of 3- and 4-unit buildings.

Table 1: Hayward parcels with pre-1979 multifamily residential buildings with 2 or more stories

	Parcels with 5-unit or larger buildings	Parcels with 3-unit or larger buildings
Number of parcels:	230	417
Number of buildings:	590	930
Number of residential units:	6,800	8,100
Portion of total housing stock:	14%	17%
Portion of multi-family stock:	44%	53%

Source: Alameda County Assessor

By including the 3- and 4-unit buildings, the size of the program increases by 60 to 80 percent relative to a program for just 5-unit buildings (See Table 1). For the additional effort, staff will learn or confirm data for an additional 3% of the City's housing stock. Even so, since the main purpose of the screening program is to inform citywide mitigation planning, it will be valuable to have data from all of the multi-unit buildings. Indeed, if the smaller buildings are to be

exempted from a future retrofit mandate, or eligible for separate incentives, that decision will need to be based on data that will only be available if it's collected as part of the screening program.

Timeline

As written in the ordinance, the building official will notify owners that their buildings may be subject to the screening program within 90 days of the ordinance effective date. Once the notices and screening forms have been distributed, owners will have 12 to 18 months to return the screening form, depending on the number of units in their building. The deadlines outlined in the ordinance are as follows:

- For 5+ unit buildings: 12 months
- For 3+ unit buildings: 18 months

Previous conversations with stakeholders and Council work sessions suggested tentative screening deadlines of 18 months for 5-unit and larger buildings, and 24 months for 3- or 4-unit buildings. At the time, the recommendation assumed that each building would be required to complete a full engineering evaluation. Now, with the simpler screening process that typically takes only a few hours for each building, shorter deadlines seem reasonable. A shorter overall program makes more efficient use of resources, minimizes dead time between early and late compliers, minimizes complications related to change of ownership or staff, and allows the City to move more quickly to analysis and use of the submitted data.

Implementation and Incentives

Based on Council direction during the March 26th work session and the expertise of the consultant, below is a summary of the policy considerations that informed the proposed ordinance:

Exemption from future designations. Owners might be wary of undertaking a voluntary retrofit if they think a later mandate will require them to redo or supplement the work. California Health and Safety Code Section 19166 anticipates this concern by providing a 15-year waiver period for soft story retrofit. The proposed ordinance clarifies this HSC provision with regard to when the conformance period begins, which code provisions still apply during the period, and what is required when the period ends.

Parking requirements. Per Council direction, staff has not included parking requirement exemptions specifically for soft story retrofits. In cases where the number of available parking spaces may be impacted by seismic retrofitting, owners will be able to request exemption from parking requirements through pre-established City policies for granting exemptions, which will be granted or denied at staff discretion.

Noticing requirements. There are two main reasons to require owners to either post signs or otherwise disclose to tenants that a building has a soft story deficiency. The first is to help

current and prospective tenants make informed choices about their own earthquake risk. The second is to nudge owners to retrofit, assuming they will want to avoid the possible stigma associated with a public disclosure. Based on academic studies of voluntary soft story retrofit programs in other jurisdictions, neither of these goals are achieved by including noticing requirements. Noticing requirements are difficult to enforce without visual inspection (in the case of posted signs) or complaints from unnotified tenants (in the case of letters). Since staff will be administering the list of buildings subject to the screening program, and Council has indicated that they would like this information included in the forthcoming citywide rental housing database, staff can administer and promote a list and map with information on buildings subject to the screening program and whether they have been determined to not have a soft story condition. This will provide the Hayward community with accurate information without the additional and unreliable administrative burden of enforcing posting or noticing requirements.

Financial incentives and assistance. Staff has continued to research financial assistance options for building owners seeking to complete soft story seismic retrofits. The few possible programs that exist are cumbersome, time-consuming, and have intensive administrative requirements. Since this ordinance only requires a relatively inexpensive screening and does not mandate seismic retrofits, staff will not be pursuing or establishing funding programs at this time.

Retrofit Standards

As owners become aware of the status of their buildings, some might decide to undertake voluntary evaluation to rule out a suspected vulnerability or voluntary retrofit to eliminate a real one. The ordinance provides criteria for this voluntary work.

The ordinance includes the adoption of retrofit standards for voluntary soft story seismic retrofits intended to reduce the risk of building collapse in a major earthquake. These retrofit standards provide a means by which owners whose buildings are potentially at risk in an earthquake due to a soft story condition as determined during the screening program may be no longer identified as such. The retrofit standards provide flexibility for building owners to work with a design professional to determine what configuration of seismic retrofit best suits their buildings and their budgets by allowing owners to choose from multiple guidance documents.

ECONOMIC IMPACT

To the extent that these retrofits prevent collapse in an earthquake, they can potentially limit economic losses and speed recovery. The immediate economic impact of a major earthquake on the Hayward Fault would include the probable loss of several thousand housing units, creating a tremendous need for short-term housing and support among a portion of our population likely to have limited resources. The anticipated longer-term economic impact would include permanent loss of multi-family housing stock, causing long-term displacement of residents from the City of Hayward, blight, and a prolonged recovery from the disaster.

FISCAL IMPACT

Staff does not anticipate additional fiscal impacts from the adoption of this ordinance. The screening program can be administered at current staffing levels and technical assistance for the implementation of the program will be provided by the consultant within the scope of the current contract.

STRATEGIC INITIATIVES

This agenda item supports the Complete Communities Strategic Initiative. The purpose of the Complete Communities Initiative is to create and support structures, services, and amenities to provide inclusive and equitable access with the goal of becoming a thriving and promising place to live, work, and play for all. This item supports the following goal and objective:

Goal 2: Provide a mix of housing stock for all Hayward residents and community members, including the expansion of affordable housing opportunities and resources.

Objective 4: Increase supply of affordable, safe, and resilient housing in Hayward.

PUBLIC CONTACT

In preparation for the March 26th Council work session, staff met with multifamily housing property owners and managers who operate in Hayward, as well as representatives from the Rental Housing Association. Some of the concerns that arose from these conversations included:

- Consistency – owners and managers were concerned with consistent and predictable interpretation and application of retrofit standards between City staff and contracted service providers. Staff will develop guidance documents for internal and external plan checkers and building inspectors to ensure consistency in the application of the requirements for soft story retrofits.
- Incentives – owners and managers supported an exemption from future increased or mandatory retrofit standards for 15-20 years following the completion of a voluntary retrofit.
- Timeline – owners and managers indicated that two years was an appropriate timeline for compliance with a screening program that included an engineering evaluation.

The latter two concerns have been incorporated into the ordinance as presented today and concerns about consistency will inform the implementation of the ordinance.

NEXT STEPS

If Council introduces the attached ordinance, it will be adopted at the July 2, 2019 regular Council meeting via a consent item and will become effective on August 1, 2019. Staff will

work to implement the ordinance, including developing guidance documents for building owners and design professionals and a public information strategy for all stakeholders.

Prepared by: David Bonowitz, Consulting Engineer
Laurel James, Management Analyst

Recommended by: Laura Simpson, Director of Development Services

Approved by:

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

Kelly McAdoo, City Manager

AN ORDINANCE ADDING ARTICLE 7 TO CHAPTER 9 OF THE CITY OF HAYWARD MUNICIPAL CODE TO REQUIRE SEISMIC SCREENING OF CERTAIN RESIDENTIAL BUILDINGS

WHEREAS, the City of Hayward is acknowledged to be subject to severe earthquakes in the foreseeable future; and

WHEREAS, older multi-unit residential wood frame buildings with soft, weak, open, or otherwise vulnerable lower stories – commonly known as “soft story” buildings – are acknowledged to be among the most earthquake collapse-prone structures in the City of Hayward; and

WHEREAS, the number of soft story buildings in the City of Hayward is estimated as 900 buildings containing 8000 housing units, or 17 percent of the city’s total housing stock and 50 percent of its multi-family housing stock; and

WHEREAS, the number of soft story buildings in the City of Hayward is estimated as 900 buildings containing 8000 housing units, or 17 percent of the city’s total housing stock and 50 percent of its multi-family housing stock; and

WHEREAS, California Health and Safety Code Section 19160(m) encourages the City “to initiate efforts to reduce the seismic risk in vulnerable soft story residential buildings;” and

WHEREAS, seismic upgrade of the City’s soft story buildings is encouraged by Goal HAZ-2.9 of the Hayward 2040 General Plan Policy Document; and

WHEREAS, soft story retrofits are identified as a High priority by Hayward’s 2016 Local Hazard Mitigation Plan; and

WHEREAS, the mandatory screening ordinance would require owners of multi-unit residential buildings to submit information about their building to the City; and

WHEREAS, a soft story mitigation ordinance is listed as task 2.d.3.a of Hayward’s Complete Communities Strategy Two-Year Action Plan for FY 2018 and FY 2019;

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Findings.

A. California Health and Safety Code Section 19161 (a) authorizes the City of Hayward to assess its earthquake hazard and to identify potentially seismically hazardous buildings.

B. California Health and Safety Code Section 19161(b) requires such identification to be made by a licensed architect or civil engineer or by the staff of a local building department when supervised by a licensed architect or civil engineer.

C. With reference to California Health and Safety Code Section 19162(b)(1), the California Building Standards Commission has published, but has not adopted, Chapter A4 of the 2016 California Existing Building Code, titled "Earthquake Risk Reduction in Wood-Frame Residential Buildings with Soft, Weak or Open Front Walls." As such, the City of Hayward is free to adopt, modify, interpret, and apply Chapter A4.

D. With reference to California Health and Safety Code Section 19162(b)(1), the California Building Standards Commission has adopted Section 317 of the California Existing Building Code, which allows a local jurisdiction to adopt standards for earthquake evaluation and retrofit based on the national standard known as ASCE 41, titled Seismic Evaluation and Retrofit of Existing Buildings, the latest version of which was published in 2017.

E. FEMA has published a procedure known as FEMA P-807, titled, Seismic Evaluation and Retrofit of Multi-Unit Wood-Frame Buildings With Weak First Stories, with model code provisions in its Appendix B. With reference to California Health and Safety Code Section 19163(b), the City of Hayward may adopt these provisions with an appropriate performance objective as "substantially equivalent standards" relative to CEBC Chapter A4 or ASCE 41.

F. California Health and Safety Code Section 19161(a)(2) identifies the buildings that are the subject of this ordinance as "potentially hazardous buildings." California Building Code Section 1.1.8.1 states that local ordinances and mitigation programs for such buildings are exempt from making express findings otherwise required by California Health and Safety Code Section 19163(b) citing Section 17958.5 and Section 17958.7.

Section 2. Provisions. Article 7 as shown in the attached Exhibit A, is hereby added to Chapter 9, Building Regulations, of the Hayward Municipal Code, in order to establish a policy governing Mandatory Seismic Screening of Certain Residential Buildings.

Section 3. Severance. Should any part of this ordinance be declared by a final decision of a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this authority of the city, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided that the remainder of the ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 4. Effective Date. This ordinance shall become effective thirty (30) days from the date of adoption by the City Council.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the ____ day of ____, 2019, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward, held the ____ day of ____, 2019, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED:

Mayor of the City of Hayward

DATE: _____

ATTEST:

City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

EXHIBIT ACHAPTER 9 – BUILDING REGULATIONSARTICLE 7 – MANDATORY SEISMIC SCREENING OF CERTAIN RESIDENTIAL BUILDINGS

SEC. 9-7.100 – ADMINISTRATION

SEC. 9-7.100.10 Title. This article shall be known as “Mandatory Seismic Screening of Certain Residential Buildings,” may be cited as such, and will be referred to herein as “this article.”

SEC. 9-7.100.20 Intent. This article is intended to promote public safety and welfare through a program of mandatory seismic screening of certain residential buildings. The program is intended to identify certain buildings vulnerable to earthquake damage and collapse.

SEC. 9-7.100.30 Subject Buildings. This article shall apply to buildings constructed or permitted for construction before January 1, 1978 or designed based on an adopted version of the 1976 or earlier edition of the Uniform Building Code and that contain three or more dwelling units.

SEC. 9-7.100.40 Notification. Within 90 days of the effective date of this article, the building official shall send a written notice to the owner or owners of each known subject building informing the owner of the requirement to comply with this article.

Failure of the building official to send or provide a written notice to unidentified owners of subject buildings or to owners of buildings not known to be subject buildings shall not relieve the owner of a subject building from the requirement to comply with this article. Failure of an owner to receive a written notice shall not relieve the owner of a subject building from the requirement to comply with this article.

SEC. 9-7.100.50 Design Professionals. Unless specifically noted, all work intended to comply with this article and related to the structural attributes of a subject building shall be performed by appropriately licensed individuals, and all documents submitted for compliance and related to the structural attributes of a subject building shall be sealed by a California-licensed architect or civil engineer.

SEC. 9-7.100.60 Submittals. The building official is authorized to develop, distribute, and require the use of certain forms, templates, and other tools as needed to facilitate compliance, review, approval, and records maintenance contemplated by this article.

SEC. 9-7.100.70 Technical bulletins and administrative regulations. The building official is responsible for the administration of this article and is authorized to develop and require compliance with one or more technical bulletins and/or administrative regulations containing interpretations, clarifications, and commentary to facilitate implementation of the engineering criteria and other requirements set forth in this article.

SEC. 9-7.100.80 Retention of plans. The building official shall retain an official copy of any approved materials submitted to comply with this article.

SEC. 9-7.100.90 Public record keeping. The building official shall maintain a listing of buildings subject to this article and shall make that listing readily accessible to the public.

SEC. 9-7.200. COMPLIANCE

SEC. 9-7.200.10 Scope for the owner of a subject building. The owner of each parcel containing a subject building shall submit a screening document following procedures to be prescribed by the building official. At a minimum, the document shall confirm that the building either does or does not have a wood frame target story. The building official is authorized to require the submittal of additional information regarding the subject building or other buildings on the same parcel to confirm or supplement the City's inventory and to support future mitigation planning.

SEC. 9-7.200.20 Compliance tiers. Each parcel containing a subject building shall be assigned to a compliance tier as follows.

Tier 1. Parcels containing at least one subject building with five or more dwelling units.

Tier 2. Parcels not assigned to Tier 1.

SEC. 9-7.200.30 Schedule. The owner of a parcel assigned to Tier 1 shall submit the screening document within 12 months of the notification deadline. The owner of a parcel assigned to Tier 2 shall submit the screening document with 18 months of the notification deadline. In no case shall transfer of title cause any deadline to be extended.

SEC. 9-7.300. DEFINITIONS

SEC. 9-7.300.10 Supplemental definitions. In addition to or in place of definitions given elsewhere in the Hayward Building Code, the following definitions shall apply for purposes of this article.

Dwelling unit. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation; or any individual residential unit in a building with R-1 or R-2 occupancy; or any guestroom, with or without a kitchen, in either a tourist or residential hotel or motel. Any unit occupied as a dwelling unit, whether approved or not approved for such use, shall be counted as a dwelling unit.

Target story. Either (1) a basement story or underfloor area that extends above grade at any point or (2) any story above grade, where the wall configuration of such basement, underfloor area, or story is substantially more vulnerable to earthquake damage than the wall configuration of the story above; except that a story is not a target story if it is the topmost story or if the difference in vulnerability is primarily due to the story above being a penthouse, or an attic with a pitched roof.

Wood frame target story. A wood frame target story means a target story in which a significant portion of lateral or torsional story strength or story stiffness is provided by wood frame walls.

SEC. 9-7.400. VOLUNTARY SEISMIC EVALUATION

SEC. 9-7.400.10 Intent. An evaluation satisfying the criteria set forth in this section shall be allowed as a means of demonstrating that a subject building does not have a wood

frame target story. If the evaluation is completed after the screening deadline, the owner may submit a revised screening document.

SEC. 9-7.400.20 Evaluation criteria. Any of the following criteria, as applicable and as interpreted by the building official, may be used to satisfy the intent of Section 9-7.400.10. The evaluation criteria need only be applied to the existing elements along a load path between the foundation and the diaphragm at the top of the uppermost wood frame target story, inclusive.

A. ASCE 41. The latest edition of Seismic Evaluation and Retrofit of Existing Buildings [ASCE/SEI 41], with a performance objective of Structural Life Safety in the BSE-1E hazard.

B. FEMA P-807. The latest edition of Seismic Evaluation and Retrofit of Multi-Unit Wood-Frame Buildings With Weak First Stories [FEMA P-807] with a performance objective and detailed provisions as provided by the building official.

C. CEBC Appendix Chapter A4. For evaluation of retrofits designed after January 1, 2000, the latest edition of Appendix Chapter A4 of the California Existing Building Code.

SEC. 9-7.500. VOLUNTARY SEISMIC RETROFIT

SEC. 9-7.500.10 Intent. A retrofit satisfying the criteria set forth in this section shall be allowed as a means of eliminating an existing wood frame target story and as a means of demonstrating eligibility for such incentives as the City of Hayward may offer. If the retrofit is completed after the screening deadline, the owner may submit a revised screening document.

SEC. 9-7.500.20 Conformance Period. No subject building for which retrofit work is completed in compliance with this section shall be required by the City of Hayward to undergo additional seismic retrofit of its seismic force-resisting system within a period of 15 years after the effective date of this chapter, except that any provisions in the Hayward Building Code related to addition, alteration, repair, or change of occupancy shall still apply. Any additional seismic retrofit requirements waived by this provision during the conformance period shall apply at the end of the conformance period, with schedule adjustments to be determined by the building official.

SEC. 9-7.500.30 Retrofit criteria. Any of the following criteria, as applicable and as interpreted by the building official, may be used to satisfy the intent of Section 9-7.500.10. The retrofit criteria need only be applied to the existing elements along a load path between the foundation and the diaphragm at the top of the uppermost wood frame target story, inclusive.

A. ASCE 41. The latest edition of Seismic Evaluation and Retrofit of Existing Buildings [ASCE/SEI 41], with a performance objective of Structural Life Safety in the BSE-1E hazard.

B. FEMA P-807. The latest edition of Seismic Evaluation and Retrofit of Multi-Unit Wood-Frame Buildings With Weak First Stories [FEMA P-807] with a performance objective and detailed provisions as provided by the building official.

C. CEBC Appendix Chapter A4. The latest edition of Appendix Chapter A4 of the California Existing Building Code.

D. CHBC. For a subject building qualified as an historical resource in accordance with Chapter 10 Article 11 of this code, the latest edition of the California Historical Building Code, with CEBC Appendix Chapter A4 taken as the regular code.



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: PH 19-058

DATE: June 25, 2019

TO: Mayor and City Council

FROM: Director of Maintenance Services and Director of Library Services

SUBJECT

Approve a Resolution Updating the FY 2020 Master Fee Schedule with New Fees and Charges in the Maintenance Services Section Related to Facility Rentals in City Hall and the 21st Century Library and Learning Center and Accept the Proposed Changes to the Maintenance Services Section of the FY 2020 Master Fee Schedule

RECOMMENDATION

That Council approves a Resolution (Attachment II) updating the FY 2020 Master Fee Schedule with new fees and charges in the Maintenance Services section related to facility rentals in City Hall and the 21st Century Library and Learning Center and accepts the proposed changes to the Maintenance Services Section of the FY 2020 Master Fee Schedule (Attachment III).

SUMMARY

Staff is presenting Council with necessary updates and changes to the Maintenance Services section of the Master Fee Schedule (MFS) previously accepted as part of the FY2020 MFS updates in March of 2019. These changes and updates have been made as part of a city-wide facility rental process evaluation and a cost comparison with neighboring jurisdictions.

The proposed fee schedule would replace the existing Maintenance Services section of City's MFS, consolidating the first two sections ("A. Hayward City Hall Rental" and "B. 21st Century Library Meeting Room Fees") into one section ("A. Facility Rentals"). The fees associated with Street Maintenance were not changed as part of the facility rental process evaluation.

Staff requests that Council accept the proposed changes to the Maintenance Services Section of the FY 2020 Master Fee Schedule. Approved fee schedule changes would become effective September 1, 2019.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution

File #: PH 19-058

Attachment III Proposed Changes to the Maintenance Services Section of the FY 2020
Master Fee Schedule



DATE: June 25, 2019

TO: Mayor and City Council

FROM: Director of Maintenance Services; Director of Library Services

SUBJECT: Approve a Resolution Updating the FY 2020 Master Fee Schedule with New Fees and Charges in the Maintenance Services Section Related to Facility Rentals in City Hall and the 21st Century Library and Learning Center and Accept the Proposed Changes to the Maintenance Services Section of the FY 2020 Master Fee Schedule

RECOMMENDATION

That Council approves a Resolution (Attachment II) updating the FY 2020 Master Fee Schedule with new fees and charges in the Maintenance Services section related to facility rentals in City Hall and the 21st Century Library and Learning Center and accepts the proposed changes to the Maintenance Services Section of the FY 2020 Master Fee Schedule (Attachment III).

SUMMARY

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The proposed fee schedule would replace the existing Maintenance Services section of City's MFS, consolidating the first two sections ("A. Hayward City Hall Rental" and "B. 21st Century Library Meeting Room Fees") into one section ("A. Facility Rentals"). The fees associated with Street Maintenance were not changed as part of the facility rental process evaluation.

Staff requests that Council accept the proposed changes to the Maintenance Services Section of the FY 2020 Master Fee Schedule. Approved fee schedule changes would become effective September 1, 2019.

BACKGROUND

When the 21st Century Library and Learning Center (Library) opens to the public, spaces on the 2nd and 3rd floors will become available for patron use. While the 3rd floor study rooms will be available on a first-come first-serve basis, the meeting spaces on the 2nd floor will be available for reservation and will have costs associated with their rental.

When the library was still in construction, staff developed pricing for the library meeting

rooms which included the Large Room, half of the Large Room, the Medium Room, the Conference Room, and the Warming Kitchen. The original pricing had seven (7) user groups with different prices for each. These prices were included in the Maintenance Services Fee Schedule for FY 2019.

As staff finalized the Library operational plans, the available rental rooms changed as follows: The Large Room was renamed the Fremont Bank Foundation Room (with halves titled Room A and Room B), the Medium Room was renamed Room C, the Conference Room became an office no longer available for reservations, and the Warming Kitchen was designated as the Staging Area because it did not contain the commercial-grade equipment necessary for a public-use kitchen.

Additionally, staff compared the fees to neighboring jurisdictions to ensure appropriate price-points and user groups were established and a cost comparison was completed to include other City event spaces and meeting rooms for the new 2nd-floor library rooms, the existing City Hall event spaces, and the Legacy Room at the Weekes Library Branch to ensure consistency in pricing.

In the research phase, staff spoke to representatives from Alameda County, the City of Dublin, East Bay Regional Parks, the City of Fremont, Hayward Area Recreation District (HARD), the City of Lafayette, the City of Livermore, the City of Newark, the City of Oakland, the City of San Leandro, the City of San Mateo, the City of Tracy, and the City of Walnut Creek, to get details on their facilities, pricing structures, and systems used to manage facility booking. The jurisdictions with facilities closest in comparison to the City of Hayward's event spaces and library meeting rooms were the City of Dublin, the City of Lafayette, the City of Newark, the City of San Leandro, the City of San Mateo, and the City of Walnut Creek.

For greater accuracy in comparison, prices were evaluated at the per-person level, dividing the total rental rate by overall room capacity. Before setting rates for Hayward, these comparison prices were adjusted using income factors calculated from average income data (US Census American Fact Finder Data from 2017). These income factors helped correct for any pricing variation tied to average income of the local patrons, which varied greatly between the jurisdictions that were used in the comparison.

Rather than having seven (7) different user groups with different prices for each, the revised recommended pricing structure has two (2) main categories: personal use and organization use. The personal use category has pricing for Hayward residents ("residents") and non-Hayward residents ("non-residents"). The organization use category has pricing for non-profit organizations and for commercial organizations. The prices are listed as hourly rates, with daily max pricing and deposits (if required) and are included in the updated Facility Rentals section (Section A) of Attachment III – Proposed MFS Maintenance Services.

DISCUSSION

A complete and detailed listing of existing fees can be found via the Master Fee website link in Footnote 1 below.¹ The proposed fees are captured in Section A of Attachment III.

ECONOMIC IMPACT

Approval of the attached resolution is expected to have only minor economic impacts on the community.

STRATEGIC INITIATIVES

This is a routine operational item and does not relate to any of the three Council Strategic Initiatives.

FISCAL IMPACT

These fees are not subject to State Proposition 26 as they are for the rental of a City owned facility. While they are not subject to the same standard of cost recovery a user fee would be, the proposed fee schedule changes will be charged to offset staff time spent performing the various activities related to the rental of facilities.

PUBLIC CONTACT

A public notice was posted on the Public Notice board at City Hall on June 11, 2019 and distributed to the interested parties email group on Friday June 14, 2019. The public notice contained the meeting date, approximate time, location, and subject matter of this public hearing.

NEXT STEPS

Upon approval of the attached resolution, the Schedules will be updated, and the fees will be effective as of September 1, 2019, to allow for the required sixty-day notice period.

Prepared by: Liz Sanchez, Management Analyst II
Brad Olson, Management Analyst II

Recommended by: Todd Rullman, Maintenance Services Director
Jayanti Addleman, Library Services Director

Approved by:



Kelly McAdoo, City Manager

¹ Master Fee Schedule [https://www.hayward-ca.gov/sites/default/files/Proposed%20FY%202020 Master Fee.pdf](https://www.hayward-ca.gov/sites/default/files/Proposed%20FY%202020%20Master%20Fee.pdf)

HAYWARD CITY COUNCIL

RESOLUTION NO. 19- ____

Introduced by Council Member _____

RESOLUTION UPDATING THE PREVIOUSLY ADOPTED FY 2020 MASTER FEE SCHEDULE WITH NEW FEES AND CHARGES IN THE MAINTENANCE SERVICES SECTION SPECIFIC TO FACILITY RENTALS IN CITY HALL AND IN THE NEW 21ST CENTURY LIBRARY AND LEARNING CENTER

WHEREAS, Section 15273 of the California Environmental Quality Act (CEQA) Guidelines states that CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, and other charges by public agencies which the public agency finds are for the purposes of:

1. Meeting operating expenses, including employee wage rates and fringe benefits;
2. Purchasing or leasing supplies, equipment, or materials;
3. Meeting financial reserve needs and requirements;
4. Obtaining funds for capital projects, necessary to maintain service within existing service areas; or
5. Obtaining funds necessary to maintain intra-city transfers as are authorized by City Charter; and

WHEREAS, the City Council finds and determines that this action is exempt from CEQA based on the foregoing provisions.

WHEREAS, in November 2010, California voters approved Proposition 26, which amended Article XIII C of the State constitution regarding the adoption of fees and taxes. Proposition 26 seeks to assure that taxes, which must be approved by the voters, are not disguised as fees, which can be approved by legislative bodies, such as a city council. The proposed updates to the Master Fee Schedule (MFS) are compliant.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby adopts the updated fee schedule for the Maintenance Services Department of the City of Hayward incorporated herein.

BE IT FURTHER RESOLVED that this resolution shall become effective as of September 1, 2019.

IN COUNCIL, HAYWARD, CALIFORNIA June 25, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

MAINTENANCE SERVICES DEPARTMENT (EFFECTIVE SEPTEMBER 1, 2019)

A. FACILITY RENTALS

FACILITY			PERSONAL USE		ORGANIZATION USE	
Location	Seating	Deposit	Resident (hourly)	Non-Resident (hourly)	Non-Profit (hourly)	Commercial (hourly)
City Hall – Rotunda (4 hr. min)	160	\$300*	\$115 (\$920 daily max)	\$145 (\$1160 daily max)	\$125 (\$920 daily max)	\$175 (\$1400 daily max)
City Hall – Council Chambers (4 hr. min)	166	\$300*	\$65 (\$520 daily max)	\$95 (\$760 daily max)	\$75 (\$520 daily max)	\$125 (\$1000 daily max)
City Hall – Pre-function Area 2 nd floor (4 hr. min)	100	\$300*	\$55 (\$440 daily max)	\$85 (\$680 daily max)	\$65 (\$440 daily max)	\$115 (\$920 daily max)
City Hall – Plaza (4 hr. min)	-	\$500*	\$70 (\$560 daily max)	\$100 (\$800 daily max)	\$80 (\$560 daily max)	\$130 (\$1040 daily max)
21CL – Fremont Bank Foundation Room Meeting Room A (2 hr. min)	94	-	\$65 (\$450 daily max)	\$85 (\$575 daily max)	\$75 (\$525 daily max)	\$125 (\$875 daily max)
21CL – Fremont Bank Foundation Room Meeting Room B (2 hr. min)	94	-	\$65 (\$450 daily max)	\$85 (\$575 daily max)	\$75 (\$525 daily max)	\$125 (\$875 daily max)
21CL – Fremont Bank Foundation Room Meeting Rooms A + B (2 hr. min)	188	-	\$130 (\$900 daily max)	\$170 (\$1150 daily max)	\$150 (\$1050 daily max)	\$250 (\$1750 daily max)
Staging Area (paired with room rental)	-	\$300**	\$10 (\$50 daily max)	\$10 (\$50 daily max)	\$10 (\$50 daily max)	\$10 (\$50 daily max)
21CL – Meeting Room C (2 hr. min)	32	-	\$20 (\$140 daily max)	\$30 (\$210 daily max)	\$25 (\$175 daily max)	\$50 (\$350 daily max)
Weekes Library – Legacy Room*** (2 hr. min)	107	\$300**	\$0	\$0	\$0	\$0

*Non-refundable processing fee of \$75 (up to \$225 / \$425 refundable)

**Non-refundable processing and cleaning fee of \$50 (up to \$250 refundable)

***All meetings held in Legacy Room are to be open to the public. No admission fees or fundraising permitted

Other Charges and Fees (note all equipment fees are for one setup and per day)

Security Admin Fee (plus security contract cost)	\$57.00	Per Event
Janitorial Admin Fee (plus janitorial contract cost)	\$57.00	Per Event
Portable Bar	\$76.00	Per Event
Sound System	\$133.00	Per Event
Insurance Admin Fee – City Purchased	\$79.00	Per Issuance
Insurance Admin Fee – Third Party	\$86.00	Per Issuance

B. STREET MAINTENANCE

1.	<u>Cart Retrieval Fee</u>	\$91.00	
2.	<u>Sign Fabricated & Installed by City Crew</u>	\$566.00	
3.	<u>Illegal Dumping on Public Right-of-Way</u>	<u>Fee</u>	<u>Penalty</u>
a.	First Violation		
	Initial Inspection	No Charge	No Penalty
	First follow-up inspection shows violation eliminated	No Charge	No Penalty
	First follow-up inspection shows violation still exists,	-	-
	City abates illegal dumping	\$1,181.00	\$100.00
b.	Subsequent Violation within 12 Months (same property owner)		
	Initial Inspection	No Charge	No Penalty
	First follow-up inspection shows violation eliminated	No Charge	No Penalty
	First follow-up inspection shows violation still exists, City abates illegal dumping	\$1,181.00	\$800.00
	Each subsequent inspection shows violation still exists	\$1,181.00	\$1,000.00
c.	Special Assessment Per Parcel	\$342.00	
4.	<u>Special Events Per Hour</u>	\$115.00	



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: LB 19-036

DATE: June 25, 2019

TO: Mayor and City Council

FROM: City Manager

SUBJECT

Adoption of Emergency Ordinance Establishing a Temporary Moratorium on Rent Increases Exceeding Five Percent of Current Rent on All Pre-1979 Units Except Single Family Homes and Condominiums

RECOMMENDATION

That the City Council adopts an interim emergency ordinance (Attachment II) establishing a temporary moratorium on certain residential rent increases not to exceed five percent applicable to all pre-1979 units except single family homes and condominiums in the City of Hayward until the new Rent Stabilization Ordinance goes into effect on July 25, 2019.

SUMMARY

On June 18, 2019, the City Council approved the introduction of a new Residential Rent Stabilization and Tenant Protection Ordinance (RRSO) to mitigate displacement of Hayward residents. In order to prevent unreasonable and excessive rent increases caused by the approval of the new RRSO, City Council directed staff to return with an emergency ordinance to limit rent increases to 5% on all pre-1979 units except single family homes and condominiums between the date of any adopted emergency moratorium and the date the new RRSO will become effective, which is anticipated to be July 25, 2019.

If approved, during the temporary moratorium, no Landlord shall serve or give a rent increase that, on a cumulative basis over the 12 months preceding the effective date of the emergency ordinance, exceeds a five percent annual increase. The provision would be applicable to all pre-1979 units except single family homes and condominiums consistent with State law. This moratorium shall not apply to any rent increase which, after proper notice to the Tenant, took effect prior to the effective date of this emergency ordinance.

Enactment of an emergency ordinance would require at least five affirmative votes from the City Council. If only four Council Members vote for the proposed ordinance, then adoption would occur at the next City Council meeting and the ordinance would go into effect 30 days after adoption, which would be after the anticipated July 25, 2019 effective date of the new RRSO.

File #: LB 19-036

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Ordinance Establishing a Temporary Moratorium on Rent Increases Exceeding Five Percent of Current Rent on All Pre-1979 Units Except Single Family Homes and Condominiums



DATE: June 25, 2019

TO: Mayor and City Council

FROM: City Manager

SUBJECT: Adoption of Emergency Ordinance Establishing a Temporary Moratorium on Rent Increases Exceeding Five Percent of Current Rent on All Pre-1979 Units Except Single Family Homes and Condominiums.

RECOMMENDATION

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If approved, during the temporary moratorium, no Landlord shall serve or give a rent increase that, on a cumulative basis over the 12 months preceding the effective date of the emergency ordinance, exceeds a five percent annual increase. The provision would be applicable to all pre-1979 units except single family homes and condominiums consistent with State law. This moratorium shall not apply to any rent increase which, after proper notice to the Tenant, took effect prior to the effective date of this emergency ordinance.

Enactment of an emergency ordinance would require at least five affirmative votes from the City Council. If only four Council Members vote for the proposed ordinance, then adoption would occur at the next City Council meeting and the ordinance would go into effect 30 days

¹June 18, 2019 Staff Report and Attachments
<https://hayward.legistar.com/LegislationDetail.aspx?ID=3985848&GUID=52D1B678-D6BB-401A-AB3C-8990885C0CDD&Options=&Search=>

after adoption, which would be after the anticipated July 25, 2019 effective date of the new RRSO.

BACKGROUND

Hayward, like other cities in the Bay Area, is experiencing rising housing prices, severe housing instability for its most vulnerable populations, displacement of existing residents of all incomes, and increasing homelessness. The increase in Hayward's and the Bay Area's population, absent a corresponding increase in housing units, has caused rents and prices to rise as supply has failed to meet demand. As a result, approximately 55% of Hayward renters experience a cost burden as they spend over 30% of their household income on rent. Between 2013 and 2017, rents increased in the City by 46% while the median income of renters only increased 25%. While low income renters are the most impacted by rising rents and lack of available rental housing, all Hayward renters are experiencing the impacts of a tight rental market. Per the most recent point-in-time count, the number of people who experience homelessness increased by 43% from 2017 to 2019.² Additionally, renter-occupied units are disproportionately comprised of African-American and Latino households compared to all occupied units, which raises concerns that the risk of potential displacement is greater for certain racial and ethnic populations within the City.

On June 18, 2019, the City Council approved the introduction of a new Residential Rent Stabilization and Tenant Protection Ordinance to mitigate displacement of Hayward residents. In order to prevent unreasonable and excessive rent increases caused by the approval of the new RRSO in the period before it goes into effect, City Council directed staff to return with an emergency ordinance to limit rent increases to 5% on all pre-1979 units except single family homes and condominiums between the date of any adopted emergency moratorium and the date the new RRSO will become effective, which is anticipated to be July 25, 2019.

DISCUSSION

Under the new RRSO, rent increases on all pre-1979 units except single family homes and condominiums above 5% of the tenant's current rent could be subject to mediation or review by an arbitrator. Rent increases above 5% of the tenants' current rent are allowed: 1) to cover the cost of capital improvements (subject to limitations); 2) to increase rents for years that the landlord did not take a rent increase (subject to limitations); and 3) to ensure a landlord's right to a fair return on their investment. After adoption of the new RRSO, a landlord will have to justify a rent increase above 5% of the tenant's current rent. These provisions will apply to all pre-1979 units except single family homes and condominiums consistent with State law.

There is concern that some landlords may impose large rent increases prior to the effective date of the new RRSO, which is anticipated to be July 25, 2019. Since February 2019, when discussions about revisions to the new RRSO began, the Rent Review Office received 43 inquiries regarding rent increases. Rent increases ranged from 8% to 58%. The average rent

²2019 EveryOne Counts! Homeless Point-in-Time Count

<http://everyonehome.org/wp-content/uploads/2019/05/FAQ-2019-EveryOne-Counts-County-Numbers-Release.pdf>

increase was 23%. These large rent increases contribute to displacement of Hayward residents, homelessness, and overcrowding.

The proposed emergency ordinance establishes a temporary moratorium from the date of any adopted emergency moratorium until the effective date of the new RRSO, which is anticipated to be July 25, 2019. During the temporary moratorium, no Landlord shall serve or give a rent increase that, on a cumulative basis over the 12 months preceding the effective date of this ordinance, exceeds a five percent annual increase. The provision would be applicable to all pre-1979 units except single family homes and condominiums consistent with State law. This moratorium shall not apply to any rent increase which, after proper notice to the Tenant, took effect prior to the effective date of this ordinance.

Enactment of an emergency ordinance would require at least five affirmative votes from the City Council. If only four Council Members vote for the proposed ordinance, then adoption would occur at the next City Council meeting and the ordinance would go into effect 30 days after adoption, which would be after the anticipated July 25, 2019 effective date of the new RRSO.

FISCAL IMPACT

There is no fiscal impact associated with this agenda item.

STRATEGIC INITIATIVES

This agenda item supports the Complete Communities Strategic Initiative. The purpose of the Complete Communities Initiative is to create and support structures, services, and amenities to provide inclusive and equitable access with the goal of becoming a thriving and promising place to live, work, and play for all. This item supports the following goal and objectives:

Goal 2: Provide a mix of housing stock for all Hayward residents and community members, including the expansion of affordable housing opportunities and resources.

Objective 1: Centralize and expand housing services.

Objective 3: Conserve and improve the existing housing stock.

PUBLIC CONTACT

The potential enactment of this emergency ordinance was discussed at the June 18, 2019 City Council hearing.

NEXT STEPS

If the proposed emergency ordinance is approved, staff will send a notice regarding approval of the emergency ordinance to all rental property owners by July 5, 2019 and notice the approval consistent with the requirements in the Municipal Code.

Prepared by: Christina Morales, Housing Division Manager

Recommended by: Jennifer Ott, Deputy City Manager

Approved by:

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

Kelly McAdoo, City Manager

ORDINANCE NO. 19-

AN INTERIM EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAYWARD ESTABLISHING A TEMPORARY MORATORIUM ON CERTAIN RESIDENTIAL RENT INCREASES NOT TO EXCEED FIVE PERCENT IN THE CITY OF HAYWARD

THE CITY COUNCIL OF THE CITY OF HAYWARD hereby ordains as follows:

SECTION 1. Findings.

A. Pursuant to Article XI, Section 7 of the California Constitution and Government Code Section 36937, the City of Hayward ("City") may make and enforce all regulations and ordinances using its police powers.

B. The City has one of the least affordable housing markets in California and the United States, which exacerbates the City's shortage of decent, safe, affordable, and sanitary rental housing.

C. Renters occupy about 49 percent of the City's housing stock and 57 percent of renters are cost burdened under the federal definition, meaning they spend more than 30 percent of their income on housing.

D. From the City's Fall 2017 through Winter 2019 Community Outreach on Housing, the City received extensive public testimony about the exorbitant costs and scarcity of rental units.

E. Given the housing cost burden faced by many City residents, excessive rental increases threaten the public health, safety, and welfare of City residents, including seniors, those on fixed incomes, those with low and moderate income levels, and those with other special needs to the extent that such persons may be forced to choose between paying rent and providing food, clothing, and medical care for themselves and their families.

F. Housing insecurity and excessive rent increases could result in homelessness and displacement of low-income families.

G. The City currently regulates rent increases and evictions for residential housing covered under its Residential Rent Stabilization Ordinance introduced in 1983.

H. Of the approximately 22,874 units originally covered under the City's Rent Stabilization Ordinance, only approximately 1,000 -1,600 units remain subject to the City's regulations on rent increases.

I. The City Council has announced its plan to repeal its Residential Rent Stabilization Ordinance and replace it with a new Residential Rent Stabilization and Tenant Protection Ordinance to provide relief to residential Tenants in the City by stabilizing Rent Increases as allowed by state law; to alleviate the hardship and displacement caused by serious housing shortages by establishing a mediation and arbitration program and increasing tenant protections.

J. The City Council finds and determines that a temporary moratorium on residential rent increases for eligible rental units not to exceed a 5.0 percent inflation factor is necessary to protect the access of Hayward residents, particularly low-income and working people, to affordable housing in the city.

K. Based upon the above-described facts and circumstances, and for these same reasons, the City Council finds that this ordinance is necessary as an emergency measure for preserving the public peace, health and safety, and therefore it may be introduced and adopted at one and the same meeting, and shall take effect immediately upon its adoption.

L. The Consumer Price Index (CPI) is an accepted measure of the general change over time in prices and therefore the cost of living.

M. This interim Ordinance allows up to a 5.0 percent annual increase in rent during the moratorium period, and such figure, which exceeds the Consumer Price Index for the Bay Area of California for April 2019, is found and determined to provide a fair return.

SECTION 2. Definitions.

A. City Council. The Hayward City Council.

B. Housing Services. Housing Services include, but are not limited to, repairs, maintenance, painting, providing light, hot and cold water, elevator service, window shades, and screens, storage, kitchen, bath and laundry facilities and privileges, janitor services, Utility Charges that are paid by the Landlord, refuse removal, furnishings, telephone, parking, the right to have a specified number of occupants, the right to have pets, and any other benefit, privilege, or facility connected with the use or occupancy of any Rental Unit. Housing Services to a Rental Unit shall include a proportionate part of services provided to common facilities of the building in which the Rental Unit is contained.

C. Landlord. An owner of record, lessor, sublessor, or any other person, entity or non-natural person entitled to receive Rent for the use and occupancy of any Rental Unit, or an agent, representative, predecessor, or successor of any of the foregoing.

D. **Moratorium Period.** From the effective date of this Ordinance and continuing until July 25, 2019 or until the effective date of the adoption of the City's Residential Rent Stabilization and Tenant Protection Ordinance, no housing provider shall serve or give a rent increase that, on a cumulative basis over the 12 months preceding the effective date of this ordinance, exceeds a 5.0 percent annual increase in rent.

E. **Property.** All Rental Units on a parcel or lot or contiguous parcels or contiguous lots under common ownership.

F. **Rent.** All periodic payments and all nonmonetary consideration including, but not limited to, the fair market value of goods, labor performed or services rendered to or for the benefit of the Landlord for use or occupancy of a Rental Unit and Housing Services under a Rental Housing Agreement.

G. **Rental Housing Agreement.** An oral, written, or implied agreement between a Landlord and a Tenant for use or occupancy of a Rental Unit and Housing Services.

H. **Rental Unit.** A building, structure, or part thereof, or land appurtenances thereto, or any other rental property rented or offered for rent for residential purposes and Housing Services.

I. **Tenant.** A Tenant, subtenant, lessee, sublessee, or a person entitled under the terms of a Rental Housing Agreement to the use or occupancy of a Rental Unit.

SECTION 3. Imposition of Temporary Moratorium on Residential Rent Increases.

A. During the Moratorium Period, no Landlord shall increase Rent for any Rental Unit not otherwise exempted by this Ordinance or state law by more than 5.0 percent per year. This moratorium shall not apply to any Rent increase which, after proper notice to the Tenant, took effect prior to the effective date of this Ordinance.

B. **Exemptions.**

1. The following Rental Units are exempt from the entirety of the moratorium established under this Ordinance:
 - a. Accommodations in any hospital, extended care facility, convalescent home, nonprofit home for the aged, or dormitory owned and operated by either an educational institution or a private organization which offers spaces in rooms for Rent in conjunction with the providing of services such as meals, cleaning services, and social programs.

- b. Accommodations in motels, hotels, inns, tourist houses, rooming houses, and boarding houses; provided that such accommodations are not occupied by the same Tenant for thirty (30) or more continuous days.
- c. Rental Units in a nonprofit cooperative that are owned, occupied, and controlled by a majority of the residents.
- d. Rental Units whose Rents are controlled, regulated (other than by this ordinance), or subsidized by any governmental unit, agency or authority for term specified in written agreement with governmental unit, agency or authority. Upon termination of regulatory covenants or contracts that control, regulate, or subsidize the Rents of a Rental Unit, the Rental Units shall be subject to this ordinance.
- e. Rental Units that are lawful and in compliance with the Hayward Municipal Code section 10-1.2740, et seq. (Accessory Dwelling Units), if the primary residence is occupied by the Property owner.
- f. Rental Units located in a structure for which a certificate of occupancy is first issued after July 1, 1979.
- g. Any residential real Property that is alienable separate from the title to any other dwelling unit or is a subdivided interest in a subdivision as specified in subdivision (b), (d) or (f) of Section 11004.5 of the California Business and Professions Code.
- h. A condominium unit that has been sold separately by the subdivider to a bona fide purchaser for value. However, this ordinance shall apply to pre-1979 condominium units that remain unsold by the subdivider, unless and to the extent the Property has become owner-occupied for a period of at least a year. A subdivider who continues to Rent out the units and allows a public report for sale of subdivision interests to lapse may be regulated by this ordinance because they are no longer "alienable" for purposes of the statute preempting local regulation.
- i. Rental Units exempt from Rent control pursuant to the Costa-Hawkins Rental Housing Act (California Civil Code § 1954.52).

C. Initial Rents. This moratorium does not regulate the initial Rent at which a Rental Unit is offered.

D. Affirmative Defense. In any action by a Landlord to recover possession of a Rental Unit, the Tenant may raise as an affirmative defense any violation of or noncompliance with any of the provisions of this Ordinance.

E. Fair Return Determinations. This moratorium, unless extended, is only effective for the Moratorium Period as defined herein. Given that the allowable increase of 5.0 during the Moratorium Period percent exceeds the Consumer Price Index, which is an accepted measure of general change over time in price and therefore the cost of living, the City Council finds that this moratorium does not deny any owner a fair and reasonable return on their investment.

F. Petition for Relief from Moratorium. If during this Moratorium Period a property owner believes the application of this moratorium's limitation on Rent increases would deprive the owner of the ability to receive a just and reasonable return on their investment, the owner may petition the city manager for a determination of the amount of Rent necessary to provide the owner with a just, fair, and reasonable return and authorization to charge such Rent. The city manager shall establish a procedure for reviewing such petitions.

SECTION 4. Enforcement Procedures

The City, at its sole discretion, may choose to enforce the provisions of this ordinance through administrative fines and any other administrative procedure set forth in Hayward Municipal Code Chapter 1, section 1-3.00. Violations of the provisions of this ordinance may be subject to fines of up to \$4,000. The City's decision to pursue or not pursue enforcement of any kind shall not affect a tenant's rights to pursue civil remedies.

SECTION 5. Civil Remedies.

A Tenant may bring a civil suit in the courts of the state alleging that a Landlord has violated any of the provisions of this Ordinance or any regulations promulgated hereunder including that the Landlord has demanded, accepted, received, retained a payment or payments in excess of the lawful Rent, failed to maintain a Rental Unit in compliance with applicable health and safety and building codes, including but not limited to Civil Code Sections 1941.1 et seq. and Health and Safety Code Sections 17920.3 and 17920.10, or decreased Housing Services. In a civil suit, a Landlord found to violate this Ordinance shall be liable to the Tenant for all actual damages, including but not limited to the damages described in this Section. A prevailing Tenant in a civil action brought to enforce this Ordinance shall be awarded reasonable attorneys' fees and costs. Additionally, upon a showing that the Landlord has acted willfully or with oppression, fraud, or malice, the Tenant shall be awarded treble damages. No administrative remedy need be exhausted prior to filing suit pursuant to this Section.

SECTION 6. Severability.

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 7. Effective Date and Expiration Date.

This ordinance shall take effect immediately following its adoption and shall continue until July 25, 2019 or until the adoption of the City’s Residential Rent Stabilization and Tenant Protection Ordinance.

SECTION 8. Environmental Determination.

The City Council finds that the adoption and implementation of this Ordinance are exempt from the provisions of the California Environmental Quality Act under section 15061(b)(3) in that the City Council finds there is no possibility that the implementation of this Ordinance may have significant effects on the environment.

PASSED FOR FINAL ADOPTION as an emergency ordinance this ____ day of June 2019, by the following vote:

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: LB 19-034

DATE: June 25, 2019

TO: Mayor and City Council

FROM: Director of Human Resources

SUBJECT

Adoption of Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2020

RECOMMENDATION

That the City Council adopts the attached Resolution (Attachment II) and approves an amendment to the City of Hayward Salary Plan for fiscal year 2020 ("FY 2020"), which designates all classifications and the corresponding salary range for employment in the City of Hayward government as of June 24, 2019, superseding Resolution No. 18-247 and all amendments thereto.

SUMMARY

After a public hearing on June 20, 2019, the Personnel Commission recommends to the City Council adoption of an amended FY 2020 Salary Plan (Attachment III) for the classified service. The FY 2020 Salary Plan has been updated to reflect salary adjustments to the classifications in the City's classified service as a result of negotiated and approved Memoranda of Understanding between the City of Hayward and SEIU Local 1021 Clerical and Related Unit and SEIU Local 1021 Maintenance and Operations Unit; salary increases to the Administrative Intern, Technical Intern, and Information Technology Intern classifications pursuant to the City of Hayward's Living Wage Ordinance; the creation of Assistant Director of Public Works-Utilities; and equity adjustments to Assistant City Attorney, Deputy City Attorney I/II, Director of Information Technology, Information Technology Manager, Economic Development Manager, Housing Manager, and Senior Library Page.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	FY 2020 Salary Plan

File #: LB 19-034



DATE: June 25, 2019

TO: Mayor and City Council

FROM: Director of Human Resources

SUBJECT: Adoption of Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2020

RECOMMENDATION

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SUMMARY

After a public hearing on June 20, 2019, the Personnel Commission recommends to the City Council adoption of an amended FY 2020 Salary Plan (Attachment III) for the classified service. The FY 2020 Salary Plan has been updated to reflect salary adjustments to the classifications in the City’s classified service as a result of negotiated and approved Memoranda of Understanding between the City of Hayward and SEIU Local 1021 Clerical and Related Unit and SEIU Local 1021 Maintenance and Operations Unit; salary increases to the Administrative Intern, Technical Intern, and Information Technology Intern classifications pursuant to the City of Hayward’s Living Wage Ordinance; the creation of Assistant Director of Public Works-Utilities; and equity adjustments to Assistant City Attorney, Deputy City Attorney I/II, Director of Information Technology, Information Technology Manager, Economic Development Manager, Housing Manager, and Senior Library Page.

BACKGROUND AND DISCUSSION

Cost-of-Living Adjustments (COLAs):

Pursuant to the negotiated terms of the Memorandum of Understanding (MOU) between the City of Hayward and SEIU Local 1021 Clerical and Related Unit and SEIU Local 1021 Maintenance and Operations Unit, a 2% Cost-of-Living Adjustment (COLA) salary increase will be applied to the forty-eight (48) classifications in the Clerical and Related Unit and the forty-seven (47) classifications in the Maintenance and Operations Unit effective the pay period including July 1, 2019.

Living Wage Ordinance:

The Intern classifications (Administrative Intern, Technical Intern, Information Technology Intern) have maintained a starting step on the City's salary plan of \$15.00 per hour. A living wage ordinance, established July 1, 1999, was designed to upwardly adjust and reflect a change in the Bay Area Consumer Price Index. As interns are classified as temporary personnel, they also fall under Section 2, Article 14 of the City Charter regarding the living wage ordinance. The most recent update occurred July 1, 2018. Based on the information obtained from the Bureau of Labor statistics and the Price Index for All Urban Consumers, the salary plan has been updated to reflect an increase of the starting salary step from \$15.00 to \$15.21 per hour for all Intern classifications.

Equity Adjustments:

Hayward Association of Management Employees (HAME)

Housing Manager and Economic Development Manager - The salaries of the Housing Manager and Economic Development Manager have been updated to achieve internal mid-management equity with their counterpart in the Office of the City Manager - Community Services Manager. The salary range of the Housing Manager classification has increased from \$55.53 per hour at Step A and \$67.50 per hour at Step E to \$62.55 per hour at Step A and \$76.03 at Step E. The salary range of the Economic Development Manager classification has increased from \$62.36 per hour at Step A and \$75.79 per hour at Step E to \$62.55 per hour at Step A and \$76.03 at Step E.

Information Technology Manager - The salary for Information Technology Manager has been updated to reflect salary adjustments based on the results of a total compensation survey conducted in 2018. The recommended increase is one part of a recruitment and retention strategy for hard to fill positions throughout the organization and is designed to make the position competitive with the current industry market. There is a 5% increase in salary, setting the range from \$55.26 per hour at Step A and \$67.18 per hour at Step E to \$59.02 per hour at Step A and \$70.54 per hour at Step E.

Unrepresented Group (Executive and Exempt)

Director of Information Technology - The salary for Director of Information Technology has been updated to reflect salary adjustments as a result of a recruitment and retention strategy designed to make the position competitive with the current industry market. There is a 6% increase in salary, setting the range from \$80.60 per hour at Step A and \$97.96 per hour at Step E to \$85.44 per hour at Step A and \$103.84 per hour at Step E.

Deputy City Attorney I/II and Assistant City Attorney - The salary ranges for Deputy City Attorney I/II and Assistant City Attorney have been updated to reflect salary adjustments as a result of a recruitment and retention strategy designed to make the position competitive with the current industry market. There is a 5% increase in salary for both classifications setting the ranges from \$49.18 per hour at Step A and \$65.76 per hour at Step E to \$51.64 per hour at Step A and \$69.05 per hour at Step E for Deputy City Attorney I/II and from \$65.46 per hour

at Step A and \$79.57 per hour at Step E to \$68.73 per hour at Step A and \$83.55 per hour at Step E for Assistant City Attorney.

SEIU Local 1021 Clerical and Related Unit and SEIU Local 1021 Maintenance and Operations Unit (SEIU)

Pursuant to Section 9.01 of the previous MOUs with SEIU Local 1021 Clerical and Related Unit and SEIU Local 1021 Maintenance and Operations Unit, a salary survey identified classifications that met the criteria for salary equity adjustments. During the salary survey process, the City aligns classifications to internal equity adjustments. The following six (6) linked classification have been updated:

Classification	Step A	Step B	Step C	Step D	Step E
Groundskeeper II (M210)	\$31.52	\$32.78	\$34.11	\$35.32	\$36.68
Maintenance Worker (M305)	\$29.20	\$30.39	\$31.64	\$32.72	\$34.03
New Salary Range	\$30.02	\$31.22	\$32.48	\$33.64	\$34.93
Airport Maintenance Worker (M505)	\$30.58	\$31.71	\$32.94	\$34.32	\$35.73
New Salary Range	\$31.52	\$32.78	\$34.11	\$35.32	\$36.68
Facilities Service worker II (M110)	\$26.08	\$27.11	\$28.23	\$29.21	\$30.39
New Salary Range	\$27.29	\$28.38	\$29.53	\$30.58	\$31.76
Facilities Service worker I (M105)	\$23.76	\$24.62	\$25.59	\$26.65	\$27.60
New Salary Range	\$24.81	\$25.80	\$26.85	\$27.80	\$28.87
Airport Attendant (M500)	\$22.89	\$23.91	\$24.79	\$25.87	\$27.15
New Salary Range	\$24.81	\$25.80	\$26.85	\$27.80	\$28.87

Senior Library Page – During a review of the classification, it was determined that the single salary step did not maintain a 10% range above Library Page. Therefore, the salary has been updated to reflect the 10% differential from \$17.90 per hour at Step E to \$18.35 per hour at Step E.

Additional Classification:

Assistant Director of Public Works-Utilities – Following a combining of the Department of Public Works with the Department of Utilities & Environmental Services, this new classification was created to provide senior level management of the Utilities Division of the Department of Public Works & Utilities. This salary range is competitive and is 10% over that of the Water Resources Manager, which is among the positions that report to the Assistant Director, at \$77.08 per hour at Step A and \$93.71 per hour at Step E.

FISCAL IMPACT

Cost-of-Living-Adjustments – The 2% Cost-of-Living-Adjustment (COLA) salary increases to the classifications within SEIU Local 1021 Clerical and Related Unit and SEIU Local 1021 Maintenance and Operations Unit are included in the FY 2020 Operating Budget.

Administrative and Information Technology Interns – These classifications are budgeted at the highest salary step of \$20.00 per hour. As such, there is no fiscal impact for increasing the starting salary step to \$15.21 per hour.

Technical Intern – This classification has only one salary step of \$15.00 per hour. The additional fiscal impact in increasing the salary step to \$15.21 is approximately \$454.00. This position will continue to be funded entirely from the Enterprise Fund with no impact to the General Fund.

HAME Equity Adjustments – The internal equity adjustments for the classifications in the Hayward Association of Management Employees (HAME) unit result in a net fiscal increase of approximately \$44,433 in FY 2020. \$24,485 will be absorbed in the Internal Service Fund, and the remaining \$19,448 is split between the General Fund (25%), and Special Revenue Funds (75%).

Unrepresented Unit Equity Adjustments – The internal equity adjustments for the classifications in the Unrepresented Group result in a net fiscal increase of approximately \$23,296. Fifty-six percent (56%) will be absorbed in the Internal Service Fund and forty-four percent (44%) will be funded by the General Fund.

SEIU Equity Adjustments – The internal equity adjustments for the classifications in the SEIU Local 1021 Clerical and Related Unit and SEIU Local 1021 Maintenance and Operations Unit result in a net fiscal increase of \$60,464 split within the Enterprise Fund (57%), General Fund (18%), Internal Service Fund (19%), and Measure C funding (7%).

Senior Library Page – The internal equity adjustment for this classification results in a net fiscal increase of approximately \$11,264, which will be absorbed in the Library's approved operating budget.

Assistant Director of Public Works-Utilities – The creation of this classification has been included in the FY 2020 Operating Budget and has no fiscal impact to the General Fund.

STRATEGIC INITIATIVES

This agenda item is a routine operational item and does not relate to one of the City Council's Strategic Initiatives.

NEXT STEPS

The additional position and salary adjustments will be implemented by the Human Resources and Finance departments effective June 25, 2019. Any necessary budget changes will be made during the FY 2020 mid-year review process.

Prepared by: Anthony Phillip, Human Resources Analyst II

Recommended by: Nina S. Collins, Director of Human Resources

Approved by:

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

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION APPROVING THE AMENDED FISCAL YEAR 2020 SALARY PLAN DESIGNATING POSITIONS OF EMPLOYMENT IN THE CITY GOVERNMENT OF THE CITY OF HAYWARD AND SALARY RANGE; AND SUPERSEDING RESOLUTION NO. 18-247 AND ALL AMENDMENTS THERETO

BE IT RESOLVED by the City Council of the City of Hayward, as follows:

Section 1. That a revised Positions and Salaries Schedule relating to the positions of employment in the City of Hayward, and the hourly rates of pay for those positions, is hereby set forth in Attachment "III," attached hereto and made a part hereof. The positions enumerated under the columns headed "Classification Title" are hereby designated as the positions of employment in the City of Hayward, and the hourly, bi-weekly, monthly, and annual rates of pay shown in the adjacent rows under the headings "Step A" through "Step E" are the salary rates or the maximum rates of pay for such positions.

Section 2. Salaries paid to occupants of said positions shall be administered in accordance with the Personnel Rules and Memoranda of Understanding and Side Letter Agreements approved by the City Council and currently in effect.

Section 3. All class titles used herein refer to the specifications of the position classification plan as reviewed by the Personnel Commission of the City of Hayward, or as set forth in the City Charter.

Section 4. The City Manager may approve in advance of an established effective date, payment to certain classifications in the Management Unit of all or a portion of a general salary increase previously approved by the City Council. Such advance payments shall be made only for those management classifications where the salary range is less than ten percent above an immediately subordinate classification. The amount of advance payment approved by the City Manager shall not exceed the amount required to establish a ten percent salary differential between the affected classifications. The City Manager shall advise the City Council and each bargaining unit in advance of any payments made pursuant to the provisions of this section.

Section 5. The salary ranges set forth in Attachment "III" shall be revised to reflect salary changes provided in any Memorandum of Understanding, Side Letters of Agreement, or resolution setting forth the wages, hours, and other terms and conditions of employment for a bargaining unit or group of unrepresented employees of the City. Any revisions made

pursuant to the provisions of this section shall be incorporated into a document prepared by the Human Resources Director and distributed to affected employees or their representatives that reflects the date of the revision and cites both the authority provided by this section and the provision of the memorandum or resolution being effectuated by the revision.

Section 6. This resolution supersedes Resolution No. 18-247 and all amendments thereto.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

**SALARY PLAN FOR ALL CLASSIFICATIONS
(PER MUNI CODE SEC.2-4.30)
FY 2020**

ATTACHMENT III
Recommended by
Personnel Commission
on June 20, 2019
Approved by Council
on June 25, 2019

Classification Title	Job Code	Service Type	Step A	Step B	Step C	Step D	Step E	
CITY ELECTED OFFICIALS/APPOINTED OFFICERS/EXECUTIVES								
MAYOR	E100	Unclassified	Hourly					
			Bi-Weekly					
			Monthly					
			Annual				39,960.00	
CITY COUNCIL	E110	Unclassified	Hourly					
			Bi-Weekly					
			Monthly					
			Annual				24,975.00	
CITY MANAGER	A120	Unclassified	Hourly				130.70	
			Bi-Weekly				10,456.00	
			Monthly				22,654.67	
			Annual				271,856.00	
CITY ATTORNEY	A100	Unclassified	Hourly				107.97	
			Bi-Weekly				8,637.60	
			Monthly				18,714.80	
			Annual				224,577.60	
CITY CLERK	A110	Unclassified	Hourly				66.54	
			Bi-Weekly				5,323.20	
			Monthly				11,533.60	
			Annual				138,403.20	
ASSISTANT CITY MANAGER	U735	Unclassified	Hourly	92.08	96.69	101.52	106.59	111.92
			Bi-Weekly	7,366.40	7,735.20	8,121.60	8,527.20	8,953.60
			Monthly	15,960.53	16,759.60	17,596.80	18,475.60	19,399.47
			Annual	191,526.40	201,115.20	211,161.60	221,707.20	232,793.60
CHIEF OF POLICE	P500	Unclassified	Hourly	91.91	96.50	101.33	106.39	111.71
			Bi-Weekly	7,352.80	7,720.00	8,106.40	8,511.20	8,936.80
			Monthly	15,931.07	16,726.67	17,563.87	18,440.93	19,363.07
			Annual	191,172.80	200,720.00	210,766.40	221,291.20	232,356.80
COMMUNICATIONS AND MARKETING OFFICER / PUBLIC INFORMATION OFFICER (PIO)	U311	Unclassified	Hourly	55.26	58.02	60.92	63.98	67.18
			Bi-Weekly	4,420.80	4,641.60	4,873.60	5,118.40	5,374.40
			Monthly	9,578.40	10,056.80	10,559.47	11,089.87	11,644.53
			Annual	114,940.80	120,681.60	126,713.60	133,078.40	139,734.40
DEPUTY CITY MANAGER	U505	Unclassified	Hourly	84.01	88.21	92.62	97.26	102.12
			Bi-Weekly	6,720.80	7,056.80	7,409.60	7,780.80	8,169.60
			Monthly	14,561.73	15,289.73	16,054.13	16,858.40	17,700.80
			Annual	174,740.80	183,476.80	192,649.60	202,300.80	212,409.60
DIRECTOR OF DEVELOPMENT SERVICES	U700	Unclassified	Hourly	80.01	84.01	88.21	92.63	97.26
			Bi-Weekly	6,400.80	6,720.80	7,056.80	7,410.40	7,780.80
			Monthly	13,868.40	14,561.73	15,289.73	16,055.87	16,858.40
			Annual	166,420.80	174,740.80	183,476.80	192,670.40	202,300.80
DIRECTOR OF FINANCE	U725	Unclassified	Hourly	80.75	84.78	89.02	93.48	98.15
			Bi-Weekly	6,460.00	6,782.40	7,121.60	7,478.40	7,852.00
			Monthly	13,996.67	14,695.20	15,430.13	16,203.20	17,012.67
			Annual	167,960.00	176,342.40	185,161.60	194,438.40	204,152.00
DIRECTOR OF HUMAN RESOURCES	U705	Unclassified	Hourly	77.95	81.84	85.94	90.24	94.74
			Bi-Weekly	6,236.00	6,547.20	6,875.20	7,219.20	7,579.20
			Monthly	13,511.33	14,185.60	14,896.27	15,641.60	16,421.60
			Annual	162,136.00	170,227.20	178,755.20	187,699.20	197,059.20
DIRECTOR OF INFORMATION TECHNOLOGY / CHIEF INFORMATION OFFICER (CIO)	U720	Unclassified	Hourly	85.44	89.70	94.19	98.90	103.84
			Bi-Weekly	6,835.20	7,176.00	7,535.20	7,912.00	8,307.20
			Monthly	14,809.60	15,548.00	16,326.27	17,142.67	17,998.93
			Annual	177,715.20	186,576.00	195,915.20	205,712.00	215,987.20
DIRECTOR OF LIBRARY SERVICES	U710	Unclassified	Hourly	80.60	84.62	88.86	93.30	97.96
			Bi-Weekly	6,448.00	6,769.60	7,108.80	7,464.00	7,836.80
			Monthly	13,970.67	14,667.47	15,402.40	16,172.00	16,979.73
			Annual	167,648.00	176,009.60	184,828.80	194,064.00	203,756.80
DIRECTOR OF MAINTENANCE SERVICES	U715	Unclassified	Hourly	77.31	81.17	85.24	89.49	93.98
			Bi-Weekly	6,184.80	6,493.60	6,819.20	7,159.20	7,518.40
			Monthly	13,400.40	14,069.47	14,774.93	15,511.60	16,289.87
			Annual	160,804.80	168,833.60	177,299.20	186,139.20	195,478.40
DIRECTOR OF PUBLIC WORKS	U730	Unclassified	Hourly	83.71	87.90	92.29	96.92	101.75
			Bi-Weekly	6,696.80	7,032.00	7,383.20	7,753.60	8,140.00
			Monthly	14,509.73	15,236.00	15,996.93	16,799.47	17,636.67
			Annual	174,116.80	182,832.00	191,963.20	201,593.60	211,640.00
FIRE CHIEF	F800	Unclassified	Hourly	91.85	96.43	101.26	106.33	111.65
			Bi-Weekly	7,348.00	7,714.40	8,100.80	8,506.40	8,932.00
			Monthly	15,920.67	16,714.53	17,551.73	18,430.53	19,352.67
			Annual	191,048.00	200,574.40	210,620.80	221,166.40	232,232.00

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Classification Title	Job Code	Service Type	Step A	Step B	Step C	Step D	Step E	
CITY WIDE ADMINISTRATIVE/ANALYTICAL SUPPORT								
SENIOR MANAGEMENT ANALYST	H115	Classified	Hourly	49.86	52.33	54.96	57.71	60.58
			Bi-Weekly	3,988.80	4,186.40	4,396.80	4,616.80	4,846.40
			Monthly	8,642.40	9,070.53	9,526.40	10,003.07	10,500.53
			Annual	103,708.80	108,846.40	114,316.80	120,036.80	126,006.40
MANAGEMENT ANALYST II	H110	Classified	Hourly	45.34	47.61	49.99	52.48	55.10
			Bi-Weekly	3,627.20	3,808.80	3,999.20	4,198.40	4,408.00
			Monthly	7,858.93	8,252.40	8,664.93	9,096.53	9,550.67
			Annual	94,307.20	99,028.80	103,979.20	109,158.40	114,608.00
MANAGEMENT ANALYST I	H105	Classified	Hourly	41.22	43.29	45.44	47.71	50.10
			Bi-Weekly	3,297.60	3,463.20	3,635.20	3,816.80	4,008.00
			Monthly	7,144.80	7,503.60	7,876.27	8,269.73	8,684.00
			Annual	85,737.60	90,043.20	94,515.20	99,236.80	104,208.00
EXECUTIVE ASSISTANT	U315	Unclassified	Hourly	38.01	39.76	41.56	43.34	45.25
			Bi-Weekly	3,040.80	3,180.80	3,324.80	3,467.20	3,620.00
			Monthly	6,588.40	6,891.73	7,203.73	7,512.27	7,843.33
			Annual	79,060.80	82,700.80	86,444.80	90,147.20	94,120.00
ADMINISTRATIVE SUPERVISOR	H120	Classified	Hourly	36.33	38.14	40.05	42.04	44.15
			Bi-Weekly	2,906.40	3,051.20	3,204.00	3,363.20	3,532.00
			Monthly	6,297.20	6,610.93	6,942.00	7,286.93	7,652.67
			Annual	75,566.40	79,331.20	83,304.00	87,443.20	91,832.00
ADMINISTRATIVE SECRETARY	C120	Classified	Hourly	33.97	35.37	36.75	38.14	39.66
			Bi-Weekly	2,717.60	2,829.60	2,940.00	3,051.20	3,172.80
			Monthly	5,888.13	6,130.80	6,370.00	6,610.93	6,874.40
			Annual	70,657.60	73,569.60	76,440.00	79,331.20	82,492.80
SENIOR SECRETARY	C115	Classified	Hourly	31.05	32.26	33.58	34.80	36.15
			Bi-Weekly	2,484.00	2,580.80	2,686.40	2,784.00	2,892.00
			Monthly	5,382.00	5,591.73	5,820.53	6,032.00	6,266.00
			Annual	64,584.00	67,100.80	69,846.40	72,384.00	75,192.00
SECRETARY	C110	Classified	Hourly	27.32	28.57	30.01	31.41	32.90
			Bi-Weekly	2,185.60	2,285.60	2,400.80	2,512.80	2,632.00
			Monthly	4,735.47	4,952.13	5,201.73	5,444.40	5,702.67
			Annual	56,825.60	59,425.60	62,420.80	65,332.80	68,432.00
ADMINISTRATIVE CLERK II	C105	Classified	Hourly	26.19	27.26	28.37	29.64	31.10
			Bi-Weekly	2,095.20	2,180.80	2,269.60	2,371.20	2,488.00
			Monthly	4,539.60	4,725.07	4,917.47	5,137.60	5,390.67
			Annual	54,475.20	56,700.80	59,009.60	61,651.20	64,688.00
ADMINISTRATIVE CLERK I	C100	Classified	Hourly	23.05	24.28	25.51	26.87	28.27
			Bi-Weekly	1,844.00	1,942.40	2,040.80	2,149.60	2,261.60
			Monthly	3,995.33	4,208.53	4,421.73	4,657.47	4,900.13
			Annual	47,944.00	50,502.40	53,060.80	55,889.60	58,801.60
ADMINISTRATIVE INTERN	Z120	Classified	Hourly				15.21	20.00
			Bi-Weekly				1,216.80	1,600.00
			Monthly				2,636.40	3,466.67
			Annual				31,636.80	41,600.00
MAIL CLERK	C410	Classified	Hourly			15.76	16.54	17.38
			Bi-Weekly			1,260.80	1,323.20	1,390.40
			Monthly			2,731.73	2,866.93	3,012.53
			Annual			32,780.80	34,403.20	36,150.40
CITY WIDE ENGINEERING								
SENIOR CIVIL ENGINEER	H240	Classified	Hourly	58.40	61.31	64.39	67.60	70.97
			Bi-Weekly	4,672.00	4,904.80	5,151.20	5,408.00	5,677.60
			Monthly	10,122.67	10,627.07	11,160.93	11,717.33	12,301.47
			Annual	121,472.00	127,524.80	133,931.20	140,608.00	147,617.60
ASSOCIATE CIVIL ENGINEER	T215	Classified	Hourly	47.34	49.72	52.14	54.79	57.46
			Bi-Weekly	3,787.20	3,977.60	4,171.20	4,383.20	4,596.80
			Monthly	8,205.60	8,618.13	9,037.60	9,496.93	9,959.73
			Annual	98,467.20	103,417.60	108,451.20	113,963.20	119,516.80
ASSISTANT CIVIL ENGINEER	T210	Classified	Hourly	40.78	42.89	45.08	47.26	49.62
			Bi-Weekly	3,262.40	3,431.20	3,606.40	3,780.80	3,969.60
			Monthly	7,068.53	7,434.27	7,813.87	8,191.73	8,600.80
			Annual	84,822.40	89,211.20	93,766.40	98,300.80	103,209.60

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CITY WIDE MAINTENANCE								
ELECTRICIAN II	M410	Classified	Hourly	43.41	45.15	46.92	48.91	50.93
			Bi-Weekly	3,472.80	3,612.00	3,753.60	3,912.80	4,074.40
			Monthly	7,524.40	7,826.00	8,132.80	8,477.73	8,827.87
			Annual	90,292.80	93,912.00	97,593.60	101,732.80	105,934.40
ELECTRICIAN I	M405	Classified	Hourly	39.48	41.10	42.74	44.52	46.33
			Bi-Weekly	3,158.40	3,288.00	3,419.20	3,561.60	3,706.40
			Monthly	6,843.20	7,124.00	7,408.27	7,716.80	8,030.53
			Annual	82,118.40	85,488.00	88,899.20	92,601.60	96,366.40
MAINTENANCE WORKER	M305	Classified	Hourly	30.02	31.22	32.48	33.64	34.93
			Bi-Weekly	2,401.60	2,497.60	2,598.40	2,691.20	2,794.40
			Monthly	5,203.47	5,411.47	5,629.87	5,830.93	6,054.53
			Annual	62,441.60	64,937.60	67,558.40	69,971.20	72,654.40
LABORER	M200 M300 M830 M905	Classified	Hourly	25.65	26.60	27.66	28.79	29.81
			Bi-Weekly	2,052.00	2,128.00	2,212.80	2,303.20	2,384.80
			Monthly	4,446.00	4,610.67	4,794.40	4,990.27	5,167.07
			Annual	53,352.00	55,328.00	57,532.80	59,883.20	62,004.80
CITY ATTORNEY DEPARTMENT								
ASSISTANT CITY ATTORNEY	U210	Classified	Hourly	68.73	72.17	75.78	79.57	83.55
			Bi-Weekly	5,498.40	5,773.60	6,062.40	6,365.60	6,684.00
			Monthly	11,913.20	12,509.47	13,135.20	13,792.13	14,482.00
			Annual	142,958.40	150,113.60	157,622.40	165,505.60	173,784.00
DEPUTY CITY ATTORNEY II	U205	Classified	Hourly	56.81	59.63	62.62	65.74	69.05
			Bi-Weekly	4,544.80	4,770.40	5,009.60	5,259.20	5,524.00
			Monthly	9,847.07	10,335.87	10,854.13	11,394.93	11,968.67
			Annual	118,164.80	124,030.40	130,249.60	136,739.20	143,624.00
DEPUTY CITY ATTORNEY I	U200	Classified	Hourly	51.64	54.22	56.93	59.78	62.76
			Bi-Weekly	4,131.20	4,337.60	4,554.40	4,782.40	5,020.80
			Monthly	8,950.93	9,398.13	9,867.87	10,361.87	10,878.40
			Annual	107,411.20	112,777.60	118,414.40	124,342.40	130,540.80
PARALEGAL	U195	Classified	Hourly	34.90	36.65	38.48	40.40	42.42
			Bi-Weekly	2,792.00	2,932.00	3,078.40	3,232.00	3,393.60
			Monthly	6,049.33	6,352.67	6,669.87	7,002.67	7,352.80
			Annual	72,592.00	76,232.00	80,038.40	84,032.00	88,233.60
LEGAL SECRETARY II	C935	Classified	Hourly	32.23	34.1	36.67	37.43	39.35
			Bi-Weekly	2,578.40	2,728.00	2,933.60	2,994.40	3,148.00
			Monthly	5,586.53	5,910.67	6,356.13	6,487.87	6,820.67
			Annual	67,038.40	70,928.00	76,273.60	77,854.40	81,848.00
LEGAL SECRETARY I	C930	Classified	Hourly	29.02	30.55	32.16	33.89	35.69
			Bi-Weekly	2,321.60	2,444.00	2,572.80	2,711.20	2,855.20
			Monthly	5,030.13	5,295.33	5,574.40	5,874.27	6,186.27
			Annual	60,361.60	63,544.00	66,892.80	70,491.20	74,235.20
CITY CLERK DEPARTMENT								
DEPUTY CITY CLERK	H500	Classified	Hourly	45.34	47.62	49.98	52.48	55.11
			Bi-Weekly	3,627.20	3,809.60	3,998.40	4,198.40	4,408.80
			Monthly	7,858.93	8,254.13	8,663.20	9,096.53	9,552.40
			Annual	94,307.20	99,049.60	103,958.40	109,158.40	114,628.80

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CITY MANAGER DEPARTMENT								
OFFICE OF THE CITY MANAGER								
ASSISTANT TO CITY MANAGER	U320	Unclassified	Hourly	50.37	52.90	55.54	58.32	61.23
			Bi-Weekly	4,029.60	4,232.00	4,443.20	4,665.60	4,898.40
			Monthly	8,730.80	9,169.33	9,626.93	10,108.80	10,613.20
			Annual	104,769.60	110,032.00	115,523.20	121,305.60	127,358.40
GRAPHICS AND MEDIA RELATIONS TECHNICIAN	T300	Classified	Hourly	30.42	31.90	33.59	35.27	36.98
			Bi-Weekly	2,433.60	2,552.00	2,687.20	2,821.60	2,958.40
			Monthly	5,272.80	5,529.33	5,822.27	6,113.47	6,409.87
			Annual	63,273.60	66,352.00	69,867.20	73,361.60	76,918.40
DIGITAL APPLICATIONS DEVELOPER	T470	Classified	Hourly	41.73	43.81	46.00	48.31	50.73
			Bi-Weekly	3,338.40	3,504.80	3,680.00	3,864.80	4,058.40
			Monthly	7,233.20	7,593.73	7,973.33	8,373.73	8,793.20
			Annual	86,798.40	91,124.80	95,680.00	100,484.80	105,518.40
MANAGEMENT FELLOW	U300	Classified	Hourly					23.64
			Bi-Weekly					1,891.20
			Monthly					4,097.60
			Annual					49,171.20
COMMUNITY SERVICES								
COMMUNITY SERVICES MANAGER	H745	Classified	Hourly	62.55	65.67	68.96	72.42	76.03
			Bi-Weekly	5,004.00	5,253.60	5,516.80	5,793.60	6,082.40
			Monthly	10,842.00	11,382.80	11,953.07	12,552.80	13,178.53
			Annual	130,104.00	136,593.60	143,436.80	150,633.60	158,142.40
COMMUNITY PROGRAMS SPECIALIST	T705	Classified	Hourly	40.42	42.52	44.68	46.88	49.17
			Bi-Weekly	3,233.60	3,401.60	3,574.40	3,750.40	3,933.60
			Monthly	7,006.13	7,370.13	7,744.53	8,125.87	8,522.80
			Annual	84,073.60	88,441.60	92,934.40	97,510.40	102,273.60
SENIOR PROPERTY REHABILITATION SPECIALIST	T730	Classified	Hourly	44.45	46.76	49.14	51.56	54.08
			Bi-Weekly	3,556.00	3,740.80	3,931.20	4,124.80	4,326.40
			Monthly	7,704.67	8,105.07	8,517.60	8,937.07	9,373.87
			Annual	92,456.00	97,260.80	102,211.20	107,244.80	112,486.40
PROPERTY REHABILITATION SPECIALIST	T725	Classified	Hourly	40.42	42.52	44.68	46.88	49.17
			Bi-Weekly	3,233.60	3,401.60	3,574.40	3,750.40	3,933.60
			Monthly	7,006.13	7,370.13	7,744.53	8,125.87	8,522.80
			Annual	84,073.60	88,441.60	92,934.40	97,510.40	102,273.60
PARATRANSIT COORDINATOR	T715	Classified	Hourly	38.53	40.46	42.41	44.57	46.75
			Bi-Weekly	3,082.40	3,236.80	3,392.80	3,565.60	3,740.00
			Monthly	6,678.53	7,013.07	7,351.07	7,725.47	8,103.33
			Annual	80,142.40	84,156.80	88,212.80	92,705.60	97,240.00
ECONOMIC DEVELOPMENT								
ECONOMIC DEVELOPMENT MANAGER	H710	Classified	Hourly	62.55	65.67	68.96	72.42	76.03
			Bi-Weekly	5,004.00	5,253.60	5,516.80	5,793.60	6,082.40
			Monthly	10,842.00	11,382.80	11,953.07	12,552.80	13,178.53
			Annual	130,104.00	136,593.60	143,436.80	150,633.60	158,142.40
ECONOMIC DEVELOPMENT SPECIALIST	T745	Classified	Hourly	43.86	46.07	48.32	50.78	53.26
			Bi-Weekly	3,508.80	3,685.60	3,865.60	4,062.40	4,260.80
			Monthly	7,602.40	7,985.47	8,375.47	8,801.87	9,231.73
			Annual	91,228.80	95,825.60	100,505.60	105,622.40	110,780.80
NEIGHBORHOOD PARTNERSHIP SERVICES								
NEIGHBORHOOD DEVELOPMENT MANAGER	H735	Classified	Hourly	61.75	64.82	68.06	71.46	75.04
			Bi-Weekly	4,940.00	5,185.60	5,444.80	5,716.80	6,003.20
			Monthly	10,703.33	11,235.47	11,797.07	12,386.40	13,006.93
			Annual	128,440.00	134,825.60	141,564.80	148,636.80	156,083.20
NEIGHBORHOOD PARTNERSHIP MANAGER	H730	Classified	Hourly	55.53	58.31	61.22	64.28	67.50
			Bi-Weekly	4,442.40	4,664.80	4,897.60	5,142.40	5,400.00
			Monthly	9,625.20	10,107.07	10,611.47	11,141.87	11,700.00
			Annual	115,502.40	121,284.80	127,337.60	133,702.40	140,400.00

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HOUSING AUTHORITY								
HOUSING MANAGER	H715	Classified	Hourly	62.55	65.67	68.96	72.42	76.03
			Bi-Weekly	5,004.00	5,253.60	5,516.80	5,793.60	6,082.40
			Monthly	10,842.00	11,382.80	11,953.07	12,552.80	13,178.53
			Annual	130,104.00	136,593.60	143,436.80	150,633.60	158,142.40
HOUSING DEVELOPMENT SPECIALIST	T750	Classified	Hourly	43.86	46.07	48.32	50.78	53.26
			Bi-Weekly	3,508.80	3,685.60	3,865.60	4,062.40	4,260.80
			Monthly	7,602.40	7,985.47	8,375.47	8,801.87	9,231.73
			Annual	91,228.80	95,825.60	100,505.60	105,622.40	110,780.80
HOMEOWNERSHIP COORDINATOR	T710	Classified	Hourly	38.53	40.46	42.41	44.57	46.75
			Bi-Weekly	3,082.40	3,236.80	3,392.80	3,565.60	3,740.00
			Monthly	6,678.53	7,013.07	7,351.07	7,725.47	8,103.33
			Annual	80,142.40	84,156.80	88,212.80	92,705.60	97,240.00
DEVELOPMENT SERVICES DEPARTMENT								
DEVELOPMENT SERVICE ADMINISTRATION								
DEPUTY DIRECTOR OF DEVELOPMENT SERVICES	U515	Classified	Hourly	72.73	76.37	80.20	84.20	88.42
			Bi-Weekly	5,818.40	6,109.60	6,416.00	6,736.00	7,073.60
			Monthly	12,606.53	13,237.47	13,901.33	14,594.67	15,326.13
			Annual	151,278.40	158,849.60	166,816.00	175,136.00	183,913.60
BUILDING DIVISION								
CITY BUILDING OFFICIAL	H335	Classified	Hourly	64.21	67.42	70.79	74.34	78.05
			Bi-Weekly	5,136.80	5,393.60	5,663.20	5,947.20	6,244.00
			Monthly	11,129.73	11,686.13	12,270.27	12,885.60	13,528.67
			Annual	133,556.80	140,233.60	147,243.20	154,627.20	162,344.00
SUPERVISING BUILDING INSPECTOR	H330	Classified	Hourly	52.42	55.04	57.79	60.69	63.72
			Bi-Weekly	4,193.60	4,403.20	4,623.20	4,855.20	5,097.60
			Monthly	9,086.13	9,540.27	10,016.93	10,519.60	11,044.80
			Annual	109,033.60	114,483.20	120,203.20	126,235.20	132,537.60
SENIOR BUILDING INSPECTOR/STRUCTURAL	T365	Classified	Hourly	43.33	45.64	47.94	50.20	52.71
			Bi-Weekly	3,466.40	3,651.20	3,835.20	4,016.00	4,216.80
			Monthly	7,510.53	7,910.93	8,309.60	8,701.33	9,136.40
			Annual	90,126.40	94,931.20	99,715.20	104,416.00	109,636.80
SENIOR BUILDING INSPECTOR/PLUMBING-MECHANICAL	T360	Classified	Hourly	43.33	45.64	47.94	50.20	52.71
			Bi-Weekly	3,466.40	3,651.20	3,835.20	4,016.00	4,216.80
			Monthly	7,510.53	7,910.93	8,309.60	8,701.33	9,136.40
			Annual	90,126.40	94,931.20	99,715.20	104,416.00	109,636.80
SENIOR BUILDING INSPECTOR/ELECTRICAL	T355	Classified	Hourly	43.33	45.64	47.94	50.20	52.71
			Bi-Weekly	3,466.40	3,651.20	3,835.20	4,016.00	4,216.80
			Monthly	7,510.53	7,910.93	8,309.60	8,701.33	9,136.40
			Annual	90,126.40	94,931.20	99,715.20	104,416.00	109,636.80
BUILDING INSPECTOR	T350	Classified	Hourly	37.41	39.17	41.16	43.26	46.09
			Bi-Weekly	2,992.80	3,133.60	3,292.80	3,460.80	3,687.20
			Monthly	6,484.40	6,789.47	7,134.40	7,498.40	7,988.93
			Annual	77,812.80	81,473.60	85,612.80	89,980.80	95,867.20
PLAN CHECKING ENGINEER	T335	Classified	Hourly	50.66	53.11	55.79	58.69	61.68
			Bi-Weekly	4,052.80	4,248.80	4,463.20	4,695.20	4,934.40
			Monthly	8,781.07	9,205.73	9,670.27	10,172.93	10,691.20
			Annual	105,372.80	110,468.80	116,043.20	122,075.20	128,294.40
SUPERVISING PLAN CHECKER AND EXPEDITOR	H325	Classified	Hourly	56.36	59.17	62.15	65.25	68.52
			Bi-Weekly	4,508.80	4,733.60	4,972.00	5,220.00	5,481.60
			Monthly	9,769.07	10,256.13	10,772.67	11,310.00	11,876.80
			Annual	117,228.80	123,073.60	129,272.00	135,720.00	142,521.60
SENIOR PLAN CHECKER	T330	Classified	Hourly	43.33	45.64	47.94	50.20	52.71
			Bi-Weekly	3,466.40	3,651.20	3,835.20	4,016.00	4,216.80
			Monthly	7,510.53	7,910.93	8,309.60	8,701.33	9,136.40
			Annual	90,126.40	94,931.20	99,715.20	104,416.00	109,636.80
PLAN CHECKER	T325	Classified	Hourly	39.40	41.48	43.58	45.66	47.93
			Bi-Weekly	3,152.00	3,318.40	3,486.40	3,652.80	3,834.40
			Monthly	6,829.33	7,189.87	7,553.87	7,914.40	8,307.87
			Annual	81,952.00	86,278.40	90,646.40	94,972.80	99,694.40

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Classification Title	Job Code	Service Type	Step A	Step B	Step C	Step D	Step E	
SUPERVISING PERMIT TECHNICIAN	H340	Classified	Hourly	37.50	39.38	41.34	43.41	45.58
			Bi-Weekly	3,000.00	3,150.40	3,307.20	3,472.80	3,646.40
			Monthly	6,500.00	6,825.87	7,165.60	7,524.40	7,900.53
			Annual	78,000.00	81,910.40	85,987.20	90,292.80	94,806.40
SENIOR PERMIT TECHNICIAN	C205	Classified	Hourly	35.89	37.37	38.82	40.51	42.57
			Bi-Weekly	2,871.20	2,989.60	3,105.60	3,240.80	3,405.60
			Monthly	6,220.93	6,477.47	6,728.80	7,021.73	7,378.80
			Annual	74,651.20	77,729.60	80,745.60	84,260.80	88,545.60
PERMIT TECHNICIAN II	C200	Classified	Hourly	32.36	33.65	35.01	36.53	38.37
			Bi-Weekly	2,588.80	2,692.00	2,800.80	2,922.40	3,069.60
			Monthly	5,609.07	5,832.67	6,068.40	6,331.87	6,650.80
			Annual	67,308.80	69,992.00	72,820.80	75,982.40	79,809.60
PERMIT TECHNICIAN I	C199	Classified	Hourly	29.42	30.59	31.82	33.19	34.88
			Bi-Weekly	2,353.60	2,447.20	2,545.60	2,655.20	2,790.40
			Monthly	5,099.47	5,302.27	5,515.47	5,752.93	6,045.87
			Annual	61,193.60	63,627.20	66,185.60	69,035.20	72,550.40
PLANNING DIVISION								
PLANNING MANAGER	H320	Classified	Hourly	64.43	67.63	71.01	74.56	78.30
			Bi-Weekly	5,154.40	5,410.40	5,680.80	5,964.80	6,264.00
			Monthly	11,167.87	11,722.53	12,308.40	12,923.73	13,572.00
			Annual	134,014.40	140,670.40	147,700.80	155,084.80	162,864.00
PRINCIPAL PLANNER	H315	Classified	Hourly	55.53	58.31	61.22	64.28	67.50
			Bi-Weekly	4,442.40	4,664.80	4,897.60	5,142.40	5,400.00
			Monthly	9,625.20	10,107.07	10,611.47	11,141.87	11,700.00
			Annual	115,502.40	121,284.80	127,337.60	133,702.40	140,400.00
SENIOR PLANNER	H310	Classified	Hourly	49.75	52.23	54.85	57.59	60.47
			Bi-Weekly	3,980.00	4,178.40	4,388.00	4,607.20	4,837.60
			Monthly	8,623.33	9,053.20	9,507.33	9,982.27	10,481.47
			Annual	103,480.00	108,638.40	114,088.00	119,787.20	125,777.60
ASSOCIATE PLANNER	T315	Classified	Hourly	43.99	46.15	48.44	50.93	53.37
			Bi-Weekly	3,519.20	3,692.00	3,875.20	4,074.40	4,269.60
			Monthly	7,624.93	7,999.33	8,396.27	8,827.87	9,250.80
			Annual	91,499.20	95,992.00	100,755.20	105,934.40	111,009.60
ASSISTANT PLANNER	T310	Classified	Hourly	36.10	37.86	39.90	41.85	43.99
			Bi-Weekly	2,888.00	3,028.80	3,192.00	3,348.00	3,519.20
			Monthly	6,257.33	6,562.40	6,916.00	7,254.00	7,624.93
			Annual	75,088.00	78,748.80	82,992.00	87,048.00	91,499.20
JUNIOR PLANNER	T305	Classified	Hourly	32.00	33.69	35.28	37.04	38.85
			Bi-Weekly	2,560.00	2,695.20	2,822.40	2,963.20	3,108.00
			Monthly	5,546.67	5,839.60	6,115.20	6,420.27	6,734.00
			Annual	66,560.00	70,075.20	73,382.40	77,043.20	80,808.00
DEVELOPMENT REVIEW SPECIALIST	T320	Classified	Hourly	38.47	40.33	42.52	44.61	46.88
			Bi-Weekly	3,077.60	3,226.40	3,401.60	3,568.80	3,750.40
			Monthly	6,668.13	6,990.53	7,370.13	7,732.40	8,125.87
			Annual	80,017.60	83,886.40	88,441.60	92,788.80	97,510.40
LANDSCAPE ARCHITECT	H300	Classified	Hourly	58.64	61.56	64.64	67.88	71.28
			Bi-Weekly	4,691.20	4,924.80	5,171.20	5,430.40	5,702.40
			Monthly	10,164.27	10,670.40	11,204.27	11,765.87	12,355.20
			Annual	121,971.20	128,044.80	134,451.20	141,190.40	148,262.40
CODE ENFORCEMENT DIVISION								
CODE ENFORCEMENT MANAGER	H703	Classified	Hourly	50.74	53.28	55.94	58.74	61.67
			Bi-Weekly	4,059.20	4,262.40	4,475.20	4,699.20	4,933.60
			Monthly	8,794.93	9,235.20	9,696.27	10,181.60	10,689.47
			Annual	105,539.20	110,822.40	116,355.20	122,179.20	128,273.60
CODE ENFORCEMENT SUPERVISOR	H700	Classified	Hourly	44.11	46.32	48.65	51.07	53.63
			Bi-Weekly	3,528.80	3,705.60	3,892.00	4,085.60	4,290.40
			Monthly	7,645.73	8,028.80	8,432.67	8,852.13	9,295.87
			Annual	91,748.80	96,345.60	101,192.00	106,225.60	111,550.40
SENIOR CODE ENFORCEMENT INSPECTOR	T610	Classified	Hourly	39.73	41.72	43.80	45.99	48.29
			Bi-Weekly	3,178.40	3,337.60	3,504.00	3,679.20	3,863.20
			Monthly	6,886.53	7,231.47	7,592.00	7,971.60	8,370.27
			Annual	82,638.40	86,777.60	91,104.00	95,659.20	100,443.20
CODE ENFORCEMENT INSPECTOR II	T605	Classified	Hourly	36.11	37.91	39.81	41.80	43.89
			Bi-Weekly	2,888.80	3,032.80	3,184.80	3,344.00	3,511.20
			Monthly	6,259.07	6,571.07	6,900.40	7,245.33	7,607.60
			Annual	75,108.80	78,852.80	82,804.80	86,944.00	91,291.20
CODE ENFORCEMENT INSPECTOR I	T600	Classified	Hourly	32.82	34.47	36.18	37.99	39.90
			Bi-Weekly	2,625.60	2,757.60	2,894.40	3,039.20	3,192.00
			Monthly	5,688.80	5,974.80	6,271.20	6,584.93	6,916.00
			Annual	68,265.60	71,697.60	75,254.40	79,019.20	82,992.00

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Personnel Commission
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on June 25, 2019

Classification Title	Job Code	Service Type	Step A	Step B	Step C	Step D	Step E	
FINANCE DEPARTMENT								
ADMINISTRATION DIVISION								
DEPUTY DIRECTOR OF FINANCE	U500	Classified	Hourly	66.44	69.76	73.26	76.92	80.75
			Bi-Weekly	5,315.20	5,580.80	5,860.80	6,153.60	6,460.00
			Monthly	11,516.27	12,091.73	12,698.40	13,332.80	13,996.67
			Annual	138,195.20	145,100.80	152,380.80	159,993.60	167,960.00
BUDGET OFFICER	H170	Classified	Hourly	52.22	54.85	57.58	60.46	63.47
			Bi-Weekly	4,177.60	4,388.00	4,606.40	4,836.80	5,077.60
			Monthly	9,051.47	9,507.33	9,980.53	10,479.73	11,001.47
			Annual	108,617.60	114,088.00	119,766.40	125,756.80	132,017.60
FINANCIAL ANALYST	H165	Classified	Hourly	45.53	47.79	50.18	52.68	55.32
			Bi-Weekly	3,642.40	3,823.20	4,014.40	4,214.40	4,425.60
			Monthly	7,891.87	8,283.60	8,697.87	9,131.20	9,588.80
			Annual	94,702.40	99,403.20	104,374.40	109,574.40	115,065.60
FINANCE TECHNICIAN	C320	Classified	Hourly	34.62	36.34	38.17	40.07	42.09
			Bi-Weekly	2,769.60	2,907.20	3,053.60	3,205.60	3,367.20
			Monthly	6,000.80	6,298.93	6,616.13	6,945.47	7,295.60
			Annual	72,009.60	75,587.20	79,393.60	83,345.60	87,547.20
ACCOUNTING DIVISION								
ACCOUNTING MANAGER	H150	Classified	Hourly	60.41	63.42	66.58	69.91	73.41
			Bi-Weekly	4,832.80	5,073.60	5,326.40	5,592.80	5,872.80
			Monthly	10,471.07	10,992.80	11,540.53	12,117.73	12,724.40
			Annual	125,652.80	131,913.60	138,486.40	145,412.80	152,692.80
SENIOR ACCOUNTANT	H145	Classified	Hourly	45.80	48.07	50.46	52.99	55.63
			Bi-Weekly	3,664.00	3,845.60	4,036.80	4,239.20	4,450.40
			Monthly	7,938.67	8,332.13	8,746.40	9,184.93	9,642.53
			Annual	95,264.00	99,985.60	104,956.80	110,219.20	115,710.40
ACCOUNTANT	H140	Classified	Hourly	41.61	43.69	45.86	48.16	50.57
			Bi-Weekly	3,328.80	3,495.20	3,668.80	3,852.80	4,045.60
			Monthly	7,212.40	7,572.93	7,949.07	8,347.73	8,765.47
			Annual	86,548.80	90,875.20	95,388.80	100,172.80	105,185.60
SENIOR ACCOUNT CLERK	C305	Classified	Hourly	29.97	31.43	32.79	34.37	35.98
			Bi-Weekly	2,397.60	2,514.40	2,623.20	2,749.60	2,878.40
			Monthly	5,194.80	5,447.87	5,683.60	5,957.47	6,236.53
			Annual	62,337.60	65,374.40	68,203.20	71,489.60	74,838.40
ACCOUNT CLERK	C300	Classified	Hourly	27.31	28.53	29.87	31.24	32.81
			Bi-Weekly	2,184.80	2,282.40	2,389.60	2,499.20	2,624.80
			Monthly	4,733.73	4,945.20	5,177.47	5,414.93	5,687.07
			Annual	56,804.80	59,342.40	62,129.60	64,979.20	68,244.80
REVENUE DIVISION								
REVENUE MANAGER	H160	Classified	Hourly	60.41	63.42	66.58	69.91	73.41
			Bi-Weekly	4,832.80	5,073.60	5,326.40	5,592.80	5,872.80
			Monthly	10,471.07	10,992.80	11,540.53	12,117.73	12,724.40
			Annual	125,652.80	131,913.60	138,486.40	145,412.80	152,692.80
FINANCE SUPERVISOR	H155	Classified	Hourly	45.02	47.28	49.63	52.11	54.71
			Bi-Weekly	3,601.60	3,782.40	3,970.40	4,168.80	4,376.80
			Monthly	7,803.47	8,195.20	8,602.53	9,032.40	9,483.07
			Annual	93,641.60	98,342.40	103,230.40	108,388.80	113,796.80
SUPERVISING CUSTOMER ACCOUNT CLERK	C332	Classified	Hourly	32.56	34.19	35.87	37.68	39.57
			Bi-Weekly	2,604.80	2,735.20	2,869.60	3,014.40	3,165.60
			Monthly	5,643.73	5,926.27	6,217.47	6,531.20	6,858.80
			Annual	67,724.80	71,115.20	74,609.60	78,374.40	82,305.60
SENIOR CUSTOMER ACCOUNT CLERK	C330	Classified	Hourly	29.97	31.43	32.79	34.37	35.98
			Bi-Weekly	2,397.60	2,514.40	2,623.20	2,749.60	2,878.40
			Monthly	5,194.80	5,447.87	5,683.60	5,957.47	6,236.53
			Annual	62,337.60	65,374.40	68,203.20	71,489.60	74,838.40
CUSTOMER ACCOUNT CLERK	C325	Classified	Hourly	27.31	28.53	29.87	31.24	32.81
			Bi-Weekly	2,184.80	2,282.40	2,389.60	2,499.20	2,624.80
			Monthly	4,733.73	4,945.20	5,177.47	5,414.93	5,687.07
			Annual	56,804.80	59,342.40	62,129.60	64,979.20	68,244.80
MAIL AND REVENUE CLERK	C322	Classified	Hourly	23.05	24.28	25.51	26.87	28.27
			Bi-Weekly	1,844.00	1,942.40	2,040.80	2,149.60	2,261.60
			Monthly	3,995.33	4,208.53	4,421.73	4,657.47	4,900.13
			Annual	47,944.00	50,502.40	53,060.80	55,889.60	58,801.60
PURCHASING DIVISION								
PURCHASING AND SERVICES MANAGER	H180	Classified	Hourly	52.21	54.82	57.56	60.43	63.44
			Bi-Weekly	4,176.80	4,385.60	4,604.80	4,834.40	5,075.20
			Monthly	9,049.73	9,502.13	9,977.07	10,474.53	10,996.27
			Annual	108,596.80	114,025.60	119,724.80	125,694.40	131,955.20
PURCHASING TECHNICIAN	C345	Classified	Hourly	31.49	33.07	34.70	36.41	38.25
			Bi-Weekly	2,519.20	2,645.60	2,776.00	2,912.80	3,060.00
			Monthly	5,458.27	5,732.13	6,014.67	6,311.07	6,630.00
			Annual	65,499.20	68,785.60	72,176.00	75,732.80	79,560.00
MAIL AND PURCHASING CLERK	C335	Classified	Hourly	24.86	26.11	27.33	28.75	30.17
			Bi-Weekly	1,988.80	2,088.80	2,186.40	2,300.00	2,413.60
			Monthly	4,309.07	4,525.73	4,737.20	4,983.33	5,229.47
			Annual	51,708.80	54,308.80	56,846.40	59,800.00	62,753.60

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FIRE DEPARTMENT								
SWORN								
DEPUTY FIRE CHIEF (40 HR)	F600	Classified	Hourly	87.70	92.09	96.69	101.53	106.60
			Bi-Weekly	7,016.00	7,367.20	7,735.20	8,122.40	8,528.00
			Monthly	15,201.33	15,962.27	16,759.60	17,598.53	18,477.33
			Annual	182,416.00	191,547.20	201,115.20	211,182.40	221,728.00
FIRE MARSHAL (40 HR)	F400	Classified	Hourly	79.73	83.72	87.90	92.30	96.91
			Bi-Weekly	6,378.40	6,697.60	7,032.00	7,384.00	7,752.80
			Monthly	13,819.87	14,511.47	15,236.00	15,998.67	16,797.73
			Annual	165,838.40	174,137.60	182,832.00	191,984.00	201,572.80
FIRE TRAINING OFFICER (40 HR)	F420	Classified	Hourly	79.73	83.72	87.90	92.30	96.91
			Bi-Weekly	6,378.40	6,697.60	7,032.00	7,384.00	7,752.80
			Monthly	13,819.87	14,511.47	15,236.00	15,998.67	16,797.73
			Annual	165,838.40	174,137.60	182,832.00	191,984.00	201,572.80
BATTALION CHIEF (56 HR)	F410	Classified	Hourly	51.77	54.36	57.08	59.94	62.93
			Bi-Weekly	5,798.24	6,088.32	6,392.96	6,713.28	7,048.16
			Monthly	12,562.85	13,191.36	13,851.41	14,545.44	15,271.01
			Annual	150,754.24	158,296.32	166,216.96	174,545.28	183,252.16
BATTALION CHIEF (40 HR)	F415	Classified	Hourly	72.47	76.10	79.91	83.91	88.10
			Bi-Weekly	5,797.60	6,088.00	6,392.80	6,712.80	7,048.00
			Monthly	12,561.47	13,190.67	13,851.07	14,544.40	15,270.67
			Annual	150,737.60	158,288.00	166,212.80	174,532.80	183,248.00
STAFF FIRE CAPTAIN (40 HR)	F240	Classified	Hourly			57.08	59.94	62.93
			Bi-Weekly			5,583.20	5,862.40	6,155.20
			Monthly			12,096.93	12,701.87	13,336.27
			Annual			145,163.20	152,422.40	160,035.20
STAFF FIRE CAPTAIN - EMT (40 HR)	F241	Classified	Hourly			64.62	67.85	71.24
			Bi-Weekly			5,169.60	5,428.00	5,699.20
			Monthly			11,200.80	11,760.67	12,348.27
			Annual			134,409.60	141,128.00	148,179.20
FIRE CAPTAIN (56 HR)	F245	Classified	Hourly			45.31	47.57	49.96
			Bi-Weekly			5,074.72	5,327.84	5,595.52
			Monthly			10,995.23	11,543.65	12,123.63
			Annual			131,942.72	138,523.84	145,483.52
FIRE CAPTAIN (40 HR)	F250	Classified	Hourly			63.44	66.61	69.93
			Bi-Weekly			5,075.20	5,328.80	5,594.40
			Monthly			10,996.27	11,545.73	12,121.20
			Annual			131,955.20	138,548.80	145,454.40
FIRE PREVENTION INSPECTOR (56 HR)	F225	Classified	Hourly	38.39	40.30	42.31	44.43	46.64
			Bi-Weekly	4,299.68	4,513.60	4,738.72	4,976.16	5,223.68
			Monthly	9,315.97	9,779.47	10,267.23	10,781.68	11,317.97
			Annual	111,791.68	117,353.60	123,206.72	129,380.16	135,815.68
FIRE PREVENTION INSPECTOR - EMT (40 HR)	F221	Classified	Hourly	49.73	52.22	54.84	57.58	60.45
			Bi-Weekly	3,978.40	4,177.60	4,387.20	4,606.40	4,836.00
			Monthly	8,619.87	9,051.47	9,505.60	9,980.53	10,478.00
			Annual	103,438.40	108,617.60	114,067.20	119,766.40	125,736.00
FIRE PREVENTION INSPECTOR (40 HR)	F220	Classified	Hourly	53.70	56.40	59.22	62.18	65.28
			Bi-Weekly	4,296.00	4,512.00	4,737.60	4,974.40	5,222.40
			Monthly	9,308.00	9,776.00	10,264.80	10,777.87	11,315.20
			Annual	111,696.00	117,312.00	123,177.60	129,334.40	135,782.40
APPARATUS OPERATOR (56 HR)	F210	Classified	Hourly	36.35	38.16	40.08	42.08	44.17
			Bi-Weekly	4,071.20	4,273.92	4,488.96	4,712.96	4,947.04
			Monthly	8,820.93	9,260.16	9,726.08	10,211.41	10,718.59
			Annual	105,851.20	111,121.92	116,712.96	122,536.96	128,623.04
APPARATUS OPERATOR - EMT (56 HR)	F211	Classified	Hourly	33.66	35.33	37.11	38.96	40.90
			Bi-Weekly	3,769.92	3,956.96	4,156.32	4,363.52	4,580.80
			Monthly	8,168.16	8,573.41	9,005.36	9,454.29	9,925.07
			Annual	98,017.92	102,880.96	108,064.32	113,451.52	119,100.80
APPARATUS OPERATOR (40 HR)	F215	Classified	Hourly	50.84	53.38	56.05	58.85	61.80
			Bi-Weekly	4,067.20	4,270.40	4,484.00	4,708.00	4,944.00
			Monthly	8,812.27	9,252.53	9,715.33	10,200.67	10,712.00
			Annual	105,747.20	111,030.40	116,584.00	122,408.00	128,544.00
FIREFIGHTER (56 HR)	F200	Classified	Hourly	34.25	35.97	37.77	39.66	41.65
			Bi-Weekly	3,836.00	4,028.64	4,230.24	4,441.92	4,664.80
			Monthly	8,311.33	8,728.72	9,165.52	9,624.16	10,107.07
			Annual	99,736.00	104,744.64	109,986.24	115,489.92	121,284.80
FIREFIGHTER (40 HR)	F205	Classified	Hourly	47.97	50.36	52.87	55.52	58.30
			Bi-Weekly	3,837.60	4,028.80	4,229.60	4,441.60	4,664.00
			Monthly	8,314.80	8,729.07	9,164.13	9,623.47	10,105.33
			Annual	99,777.60	104,748.80	109,969.60	115,481.60	121,264.00
FIREFIGHTER TRAINEE (40 HR)	F100	Classified	Hourly	43.61	45.78			
			Bi-Weekly	3,488.80	3,662.40			
			Monthly	7,559.07	7,935.20			
			Annual	90,708.80	95,222.40			

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ATTACHMENT III
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Approved by Council
on June 25, 2019

Classification Title	Job Code	Service Type	Step A	Step B	Step C	Step D	Step E	
PROFESSIONAL STAFF								
HAZARDOUS MATERIALS PROGRAM COORDINATOR	H590	Classified	Hourly	54.78	57.52	60.39	63.42	66.58
			Bi-Weekly	4,382.40	4,601.60	4,831.20	5,073.60	5,326.40
			Monthly	9,495.20	9,970.13	10,467.60	10,992.80	11,540.53
			Annual	113,942.40	119,641.60	125,611.20	131,913.60	138,486.40
FIRE PROTECTION ENGINEER	T510	Classified	Hourly	50.66	53.11	55.79	58.69	61.68
			Bi-Weekly	4,052.80	4,248.80	4,463.20	4,695.20	4,934.40
			Monthly	8,781.07	9,205.73	9,670.27	10,172.93	10,691.20
			Annual	105,372.80	110,468.80	116,043.20	122,075.20	128,294.40
EMERGENCY MEDICAL SERVICES COORDINATOR	H585	Classified	Hourly	49.82	52.32	54.93	57.67	60.56
			Bi-Weekly	3,985.60	4,185.60	4,394.40	4,613.60	4,844.80
			Monthly	8,635.47	9,068.80	9,521.20	9,996.13	10,497.07
			Annual	103,625.60	108,825.60	114,254.40	119,953.60	125,964.80
ENVIRONMENTAL SPECIALIST	T505	Classified	Hourly	44.81	47.05	49.41	51.87	54.47
			Bi-Weekly	3,584.80	3,764.00	3,952.80	4,149.60	4,357.60
			Monthly	7,767.07	8,155.33	8,564.40	8,990.80	9,441.47
			Annual	93,204.80	97,864.00	102,772.80	107,889.60	113,297.60
HAZARDOUS MATERIALS INSPECTOR	T500	Classified	Hourly	42.69	44.82	47.06	49.43	51.87
			Bi-Weekly	3,415.20	3,585.60	3,764.80	3,954.40	4,149.60
			Monthly	7,399.60	7,768.80	8,157.07	8,567.87	8,990.80
			Annual	88,795.20	93,225.60	97,884.80	102,814.40	107,889.60
FIRE SERVICES SUPERVISOR	H580	Classified	Hourly	49.86	52.36	54.97	57.72	60.61
			Bi-Weekly	3,988.80	4,188.80	4,397.60	4,617.60	4,848.80
			Monthly	8,642.40	9,075.73	9,528.13	10,004.80	10,505.73
			Annual	103,708.80	108,908.80	114,337.60	120,057.60	126,068.80
SENIOR FIRE TECHNICIAN	C260	Classified	Hourly	35.89	37.37	38.82	40.51	42.57
			Bi-Weekly	2,871.20	2,989.60	3,105.60	3,240.80	3,405.60
			Monthly	6,220.93	6,477.47	6,728.80	7,021.73	7,378.80
			Annual	74,651.20	77,729.60	80,745.60	84,260.80	88,545.60
FIRE TECHNICIAN II	C255	Classified	Hourly	31.58	33.15	34.80	36.56	38.37
			Bi-Weekly	2,526.40	2,652.00	2,784.00	2,924.80	3,069.60
			Monthly	5,473.87	5,746.00	6,032.00	6,337.07	6,650.80
			Annual	65,686.40	68,952.00	72,384.00	76,044.80	79,809.60
FIRE TECHNICIAN I	C250	Classified	Hourly	28.68	30.12	31.63	33.21	34.87
			Bi-Weekly	2,294.40	2,409.60	2,530.40	2,656.80	2,789.60
			Monthly	4,971.20	5,220.80	5,482.53	5,756.40	6,044.13
			Annual	59,654.40	62,649.60	65,790.40	69,076.80	72,529.60
HUMAN RESOURCES DEPARTMENT								
DEPUTY DIRECTOR OF HUMAN RESOURCES	U520	Classified	Hourly	66.44	69.76	73.26	76.92	80.75
			Bi-Weekly	5,315.20	5,580.80	5,860.80	6,153.60	6,460.00
			Monthly	11,516.27	12,091.73	12,698.40	13,332.80	13,996.67
			Annual	138,195.20	145,100.80	152,380.80	159,993.60	167,960.00
HUMAN RESOURCES MANAGER	U135	Classified	Hourly	50.06	52.56	55.19	57.95	60.84
			Bi-Weekly	4,004.80	4,204.80	4,415.20	4,636.00	4,867.20
			Monthly	8,677.07	9,110.40	9,566.27	10,044.67	10,545.60
			Annual	104,124.80	109,324.80	114,795.20	120,536.00	126,547.20
SENIOR HUMAN RESOURCES ANALYST	U120	Classified	Hourly	49.86	52.33	54.96	57.71	60.58
			Bi-Weekly	3,988.80	4,186.40	4,396.80	4,616.80	4,846.40
			Monthly	8,642.40	9,070.53	9,526.40	10,003.07	10,500.53
			Annual	103,708.80	108,846.40	114,316.80	120,036.80	126,006.40
HUMAN RESOURCES ANALYST II	U115	Classified	Hourly	45.34	47.61	49.99	52.48	55.10
			Bi-Weekly	3,627.20	3,808.80	3,999.20	4,198.40	4,408.00
			Monthly	7,858.93	8,252.40	8,664.93	9,096.53	9,550.67
			Annual	94,307.20	99,028.80	103,979.20	109,158.40	114,608.00
HUMAN RESOURCES ANALYST I	U110	Classified	Hourly	41.22	43.29	45.44	47.71	50.10
			Bi-Weekly	3,297.60	3,463.20	3,635.20	3,816.80	4,008.00
			Monthly	7,144.80	7,503.60	7,876.27	8,269.73	8,684.00
			Annual	85,737.60	90,043.20	94,515.20	99,236.80	104,208.00
HUMAN RESOURCES TECHNICIAN	U100	Classified	Hourly	30.03	31.54	33.11	34.75	36.49
			Bi-Weekly	2,402.40	2,523.20	2,648.80	2,780.00	2,919.20
			Monthly	5,205.20	5,466.93	5,739.07	6,023.33	6,324.93
			Annual	62,462.40	65,603.20	68,868.80	72,280.00	75,899.20
HUMAN RESOURCES ADMINISTRATIVE ASSISTANT	U105	Classified	Hourly	33.74	35.42	37.19	39.05	41.01
			Bi-Weekly	2,699.20	2,833.60	2,975.20	3,124.00	3,280.80
			Monthly	5,848.27	6,139.47	6,446.27	6,768.67	7,108.40
			Annual	70,179.20	73,673.60	77,355.20	81,224.00	85,300.80

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ATTACHMENT III
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Classification Title	Job Code	Service Type	Step A	Step B	Step C	Step D	Step E	
LIBRARY SERVICES DEPARTMENT								
LIBRARY SERVICES DIVISION								
LIBRARY OPERATIONS MANAGER	H755	Classified	Hourly	43.21	45.36	47.63	50.00	52.50
			Bi-Weekly	3,456.80	3,628.80	3,810.40	4,000.00	4,200.00
			Monthly	7,489.73	7,862.40	8,255.87	8,666.67	9,100.00
			Annual	89,876.80	94,348.80	99,070.40	104,000.00	109,200.00
SUPERVISING LIBRARIAN I	H750	Classified	Hourly	43.21	45.36	47.63	50.00	52.50
			Bi-Weekly	3,456.80	3,628.80	3,810.40	4,000.00	4,200.00
			Monthly	7,489.73	7,862.40	8,255.87	8,666.67	9,100.00
			Annual	89,876.80	94,348.80	99,070.40	104,000.00	109,200.00
LIBRARIAN II	T795	Classified	Hourly	33.89	35.59	37.31	39.20	41.05
			Bi-Weekly	2,711.20	2,847.20	2,984.80	3,136.00	3,284.00
			Monthly	5,874.27	6,168.93	6,467.07	6,794.67	7,115.33
			Annual	70,491.20	74,027.20	77,604.80	81,536.00	85,384.00
LIBRARIAN I	T790	Classified	Hourly	30.73	32.28	33.89	35.50	37.32
			Bi-Weekly	2,458.40	2,582.40	2,711.20	2,840.00	2,985.60
			Monthly	5,326.53	5,595.20	5,874.27	6,153.33	6,468.80
			Annual	63,918.40	67,142.40	70,491.20	73,840.00	77,625.60
LEAD LIBRARY ASSISTANT	C520	Classified	Hourly	30.06	31.58	33.08	34.71	36.53
			Bi-Weekly	2,404.80	2,526.40	2,646.40	2,776.80	2,922.40
			Monthly	5,210.40	5,473.87	5,733.87	6,016.40	6,331.87
			Annual	62,524.80	65,686.40	68,806.40	72,196.80	75,982.40
SENIOR LIBRARY ASSISTANT	C515	Classified	Hourly	27.75	28.98	30.30	31.65	33.17
			Bi-Weekly	2,220.00	2,318.40	2,424.00	2,532.00	2,653.60
			Monthly	4,810.00	5,023.20	5,252.00	5,486.00	5,749.47
			Annual	57,720.00	60,278.40	63,024.00	65,832.00	68,993.60
LIBRARY ASSISTANT	C510	Classified	Hourly	25.15	26.31	27.50	28.76	30.12
			Bi-Weekly	2,012.00	2,104.80	2,200.00	2,300.80	2,409.60
			Monthly	4,359.33	4,560.40	4,766.67	4,985.07	5,220.80
			Annual	52,312.00	54,724.80	57,200.00	59,820.80	62,649.60
SENIOR LIBRARY PAGE (.6 FTE)	C505	Classified	Hourly					18.35
			Bi-Weekly					880.80
			Monthly					1,908.40
			Annual					22,900.80
LIBRARY PAGE (.3 FTE)	C500	Classified	Hourly					16.68
			Bi-Weekly					400.32
			Monthly					867.36
			Annual					10,408.32
EDUCATION SERVICES MANAGER	H760	Classified	Hourly	43.21	45.36	47.63	50.00	52.50
			Bi-Weekly	3,456.80	3,628.80	3,810.40	4,000.00	4,200.00
			Monthly	7,489.73	7,862.40	8,255.87	8,666.67	9,100.00
			Annual	89,876.80	94,348.80	99,070.40	104,000.00	109,200.00
EDUCATIONAL SERVICES COORDINATOR	T780	Classified	Hourly	30.03	31.54	33.13	34.78	36.52
			Bi-Weekly	2,402.40	2,523.20	2,650.40	2,782.40	2,921.60
			Monthly	5,205.20	5,466.93	5,742.53	6,028.53	6,330.13
			Annual	62,462.40	65,603.20	68,910.40	72,342.40	75,961.60
LITERACY PROGRAM COORDINATOR	T785	Classified	Hourly	30.07	31.59	33.16	34.74	36.52
			Bi-Weekly	2,405.60	2,527.20	2,652.80	2,779.20	2,921.60
			Monthly	5,212.13	5,475.60	5,747.73	6,021.60	6,330.13
			Annual	62,545.60	65,707.20	68,972.80	72,259.20	75,961.60
LEAD PROGRAM ASSISTANT	C508	Classified	Hourly	30.06	31.58	33.08	34.71	36.53
			Bi-Weekly	2,404.80	2,526.40	2,646.40	2,776.80	2,922.40
			Monthly	5,210.40	5,473.87	5,733.87	6,016.40	6,331.87
			Annual	62,524.80	65,686.40	68,806.40	72,196.80	75,982.40
PROGRAM ASSISTANT	C506	Classified	Hourly	23.26	24.43	25.64	26.93	28.28
			Bi-Weekly	1,860.80	1,954.40	2,051.20	2,154.40	2,262.40
			Monthly	4,031.73	4,234.53	4,444.27	4,667.87	4,901.87
			Annual	48,380.80	50,814.40	53,331.20	56,014.40	58,822.40

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MAINTENANCE SERVICES DEPARTMENT								
FACILITIES MANAGEMENT								
FACILITIES AND BUILDING MANAGER	H605	Classified	Hourly	54.78	57.50	60.38	63.41	66.58
			Bi-Weekly	4,382.40	4,600.00	4,830.40	5,072.80	5,326.40
			Monthly	9,495.20	9,966.67	10,465.87	10,991.07	11,540.53
			Annual	113,942.40	119,600.00	125,590.40	131,892.80	138,486.40
FACILITIES LEADWORKER	M135	Classified	Hourly	48.03	49.94	51.88	54.02	56.33
			Bi-Weekly	3,842.40	3,995.20	4,150.40	4,321.60	4,506.40
			Monthly	8,325.20	8,656.27	8,992.53	9,363.47	9,763.87
			Annual	99,902.40	103,875.20	107,910.40	112,361.60	117,166.40
HVAC MECHANIC	M140	Classified	Hourly	43.41	45.15	46.92	48.91	50.93
			Bi-Weekly	3,472.80	3,612.00	3,753.60	3,912.80	4,074.40
			Monthly	7,524.40	7,826.00	8,132.80	8,477.73	8,827.87
			Annual	90,292.80	93,912.00	97,593.60	101,732.80	105,934.40
FACILITIES PAINTER II	M130	Classified	Hourly	35.43	36.88	38.32	39.91	41.58
			Bi-Weekly	2,834.40	2,950.40	3,065.60	3,192.80	3,326.40
			Monthly	6,141.20	6,392.53	6,642.13	6,917.73	7,207.20
			Annual	73,694.40	76,710.40	79,705.60	83,012.80	86,486.40
FACILITIES PAINTER I	M125	Classified	Hourly	32.24	33.55	34.90	36.36	37.80
			Bi-Weekly	2,579.20	2,684.00	2,792.00	2,908.80	3,024.00
			Monthly	5,588.27	5,815.33	6,049.33	6,302.40	6,552.00
			Annual	67,059.20	69,784.00	72,592.00	75,628.80	78,624.00
FACILITIES CARPENTER II	M120	Classified	Hourly	35.29	36.69	38.23	39.81	41.46
			Bi-Weekly	2,823.20	2,935.20	3,058.40	3,184.80	3,316.80
			Monthly	6,116.93	6,359.60	6,626.53	6,900.40	7,186.40
			Annual	73,403.20	76,315.20	79,518.40	82,804.80	86,236.80
FACILITIES CARPENTER I	M115	Classified	Hourly	32.11	33.43	34.80	36.21	37.73
			Bi-Weekly	2,568.80	2,674.40	2,784.00	2,896.80	3,018.40
			Monthly	5,565.73	5,794.53	6,032.00	6,276.40	6,539.87
			Annual	66,788.80	69,534.40	72,384.00	75,316.80	78,478.40
FACILITIES SERVICEWORKER II	M110	Classified	Hourly	27.29	28.38	29.53	30.58	31.76
			Bi-Weekly	2,183.20	2,270.40	2,362.40	2,446.40	2,540.80
			Monthly	4,730.27	4,919.20	5,118.53	5,300.53	5,505.07
			Annual	56,763.20	59,030.40	61,422.40	63,606.40	66,060.80
FACILITIES SERVICEWORKER I	M105	Classified	Hourly	24.81	25.80	26.85	27.80	28.87
			Bi-Weekly	1,984.80	2,064.00	2,148.00	2,224.00	2,309.60
			Monthly	4,300.40	4,472.00	4,654.00	4,818.67	5,004.13
			Annual	51,604.80	53,664.00	55,848.00	57,824.00	60,049.60
FLEET MANAGEMENT DIVISION								
FLEET MAINTENANCE MANAGER	H635	Classified	Hourly	54.78	57.50	60.38	63.41	66.58
			Bi-Weekly	4,382.40	4,600.00	4,830.40	5,072.80	5,326.40
			Monthly	9,495.20	9,966.67	10,465.87	10,991.07	11,540.53
			Annual	113,942.40	119,600.00	125,590.40	131,892.80	138,486.40
SENIOR EQUIPMENT MECHANIC	M620	Classified	Hourly	38.81	40.63	42.69	44.91	47.13
			Bi-Weekly	3,104.80	3,250.40	3,415.20	3,592.80	3,770.40
			Monthly	6,727.07	7,042.53	7,399.60	7,784.40	8,169.20
			Annual	80,724.80	84,510.40	88,795.20	93,412.80	98,030.40
EQUIPMENT MECHANIC II	M615	Classified	Hourly	33.44	35.00	36.78	38.70	40.62
			Bi-Weekly	2,674.85	2,799.70	2,942.50	3,095.90	3,249.31
			Monthly	5,795.50	6,066.01	6,375.41	6,707.79	7,040.18
			Annual	69,546.05	72,792.10	76,504.90	80,493.50	84,482.11
EQUIPMENT MECHANIC I	M610	Classified	Hourly	30.44	31.97	33.61	35.26	37.00
			Bi-Weekly	2,434.94	2,557.34	2,688.72	2,820.91	2,959.63
			Monthly	5,275.71	5,540.91	5,825.56	6,111.98	6,412.54
			Annual	63,308.54	66,490.94	69,906.72	73,343.71	76,950.43
EQUIPMENT PARTS STOREKEEPER	M605	Classified	Hourly	28.36	29.88	31.30	32.90	34.56
			Bi-Weekly	2,268.80	2,390.40	2,504.00	2,632.00	2,764.80
			Monthly	4,915.73	5,179.20	5,425.33	5,702.67	5,990.40
			Annual	58,988.80	62,150.40	65,104.00	68,432.00	71,884.80
EQUIPMENT SERVICE ATTENDANT	M600	Classified	Hourly	26.18	27.20	28.33	29.29	30.42
			Bi-Weekly	2,094.40	2,176.00	2,266.40	2,343.20	2,433.60
			Monthly	4,537.87	4,714.67	4,910.53	5,076.93	5,272.80
			Annual	54,454.40	56,576.00	58,926.40	60,923.20	63,273.60

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LANDSCAPE MAINTENANCE DIVISION								
LANDSCAPE MAINTENANCE MANAGER	H615	Classified	Hourly	54.78	57.50	60.38	63.41	66.58
			Bi-Weekly	4,382.40	4,600.00	4,830.40	5,072.80	5,326.40
			Monthly	9,495.20	9,966.67	10,465.87	10,991.07	11,540.53
			Annual	113,942.40	119,600.00	125,590.40	131,892.80	138,486.40
GROUNDSKEEPER III	M215	Classified	Hourly	36.25	37.70	39.23	40.62	42.18
			Bi-Weekly	2,900.00	3,016.00	3,138.40	3,249.60	3,374.40
			Monthly	6,283.33	6,534.67	6,799.87	7,040.80	7,311.20
			Annual	75,400.00	78,416.00	81,598.40	84,489.60	87,734.40
GROUNDSKEEPER II	M210	Classified	Hourly	31.52	32.78	34.11	35.32	36.68
			Bi-Weekly	2,521.60	2,622.40	2,728.80	2,825.60	2,934.40
			Monthly	5,463.47	5,681.87	5,912.40	6,122.13	6,357.87
			Annual	65,561.60	68,182.40	70,948.80	73,465.60	76,294.40
GROUNDSKEEPER I	M205	Classified	Hourly	28.62	29.77	31.03	32.10	33.35
			Bi-Weekly	2,289.60	2,381.60	2,482.40	2,568.00	2,668.00
			Monthly	4,960.80	5,160.13	5,378.53	5,564.00	5,780.67
			Annual	59,529.60	61,921.60	64,542.40	66,768.00	69,368.00
TREE TRIMMER	M220	Classified	Hourly	33.06	34.37	35.77	37.05	38.49
			Bi-Weekly	2,644.80	2,749.60	2,861.60	2,964.00	3,079.20
			Monthly	5,730.40	5,957.47	6,200.13	6,422.00	6,671.60
			Annual	68,764.80	71,489.60	74,401.60	77,064.00	80,059.20
STREET MAINTENANCE DIVISION								
STREETS MAINTENANCE MANAGER	H625	Classified	Hourly	54.78	57.50	60.38	63.41	66.58
			Bi-Weekly	4,382.40	4,600.00	4,830.40	5,072.80	5,326.40
			Monthly	9,495.20	9,966.67	10,465.87	10,991.07	11,540.53
			Annual	113,942.40	119,600.00	125,590.40	131,892.80	138,486.40
SENIOR MAINTENANCE LEADER	M315	Classified	Hourly	37.00	38.43	40.02	41.42	43.02
			Bi-Weekly	2,960.00	3,074.40	3,201.60	3,313.60	3,441.60
			Monthly	6,413.33	6,661.20	6,936.80	7,179.47	7,456.80
			Annual	76,960.00	79,934.40	83,241.60	86,153.60	89,481.60
MAINTENANCE LEADER	M310	Classified	Hourly	32.17	33.42	34.80	36.03	37.41
			Bi-Weekly	2,573.60	2,673.60	2,784.00	2,882.40	2,992.80
			Monthly	5,576.13	5,792.80	6,032.00	6,245.20	6,484.40
			Annual	66,913.60	69,513.60	72,384.00	74,942.40	77,812.80
SWEEPER EQUIPMENT OPERATOR	M700	Classified	Hourly	31.72	32.78	34.10	35.56	36.96
			Bi-Weekly	2,537.60	2,622.40	2,728.00	2,844.80	2,956.80
			Monthly	5,498.13	5,681.87	5,910.67	6,163.73	6,406.40
			Annual	65,977.60	68,182.40	70,928.00	73,964.80	76,876.80
POLICE DEPARTMENT								
SWORN								
POLICE CAPTAIN	P300	Classified	Hourly	83.93	88.12	92.53	97.16	102.00
			Bi-Weekly	6,714.40	7,049.60	7,402.40	7,772.80	8,160.00
			Monthly	14,547.87	15,274.13	16,038.53	16,841.07	17,680.00
			Annual	174,574.40	183,289.60	192,462.40	202,092.80	212,160.00
POLICE LIEUTENANT	P215	Classified	Hourly				74.27	77.88
			Bi-Weekly				5,941.60	6,230.40
			Monthly				12,873.47	13,499.20
			Annual				154,481.60	161,990.40
POLICE SERGEANT	P210	Classified	Hourly			63.64	66.71	70.12
			Bi-Weekly			5,091.20	5,336.80	5,609.60
			Monthly			11,030.93	11,563.07	12,154.13
			Annual			132,371.20	138,756.80	145,849.60
POLICE OFFICER	P200	Classified	Hourly	46.74	48.97	51.35	53.83	56.39
			Bi-Weekly	3,739.20	3,917.60	4,108.00	4,306.40	4,511.20
			Monthly	8,101.60	8,488.13	8,900.67	9,330.53	9,774.27
			Annual	97,219.20	101,857.60	106,808.00	111,966.40	117,291.20
POLICE OFFICER TRAINEE	P100	Classified	Hourly	34.35	36.05			
			Bi-Weekly	2,748.00	2,884.00			
			Monthly	5,954.00	6,248.67			
			Annual	71,448.00	74,984.00			

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PROFESSIONAL STAFF								
PERSONNEL AND TRAINING ADMINISTRATOR	H450	Classified	Hourly	62.24	65.35	68.63	72.06	75.66
			Bi-Weekly	4,979.20	5,228.00	5,490.40	5,764.80	6,052.80
			Monthly	10,788.27	11,327.33	11,895.87	12,490.40	13,114.40
			Annual	129,459.20	135,928.00	142,750.40	149,884.80	157,372.80
SENIOR CRIME AND INTELLIGENCE ANALYST	H406	Classified	Hourly	49.86	52.33	54.96	57.71	60.58
			Bi-Weekly	3,988.80	4,186.40	4,396.80	4,616.80	4,846.40
			Monthly	8,642.40	9,070.53	9,526.40	10,003.07	10,500.53
			Annual	103,708.80	108,846.40	114,316.80	120,036.80	126,006.40
CRIME AND INTELLIGENCE ANALYST	H405	Classified	Hourly	45.34	47.61	49.99	52.48	55.10
			Bi-Weekly	3,627.20	3,808.80	3,999.20	4,198.40	4,408.00
			Monthly	7,858.93	8,252.40	8,664.93	9,096.53	9,550.67
			Annual	94,307.20	99,028.80	103,979.20	109,158.40	114,608.00
POLICE PROGRAMS ANALYST	H400	Classified	Hourly	45.34	47.61	49.99	52.48	55.10
			Bi-Weekly	3,627.20	3,808.80	3,999.20	4,198.40	4,408.00
			Monthly	7,858.93	8,252.40	8,664.93	9,096.53	9,550.67
			Annual	94,307.20	99,028.80	103,979.20	109,158.40	114,608.00
SPECIAL OPERATIONS DIVISION								
CRIME PREVENTION SPECIALIST II	C671	Classified	Hourly	34.78	36.51	38.34	40.27	42.28
			Bi-Weekly	2,782.40	2,920.80	3,067.20	3,221.60	3,382.40
			Monthly	6,028.53	6,328.40	6,645.60	6,980.13	7,328.53
			Annual	72,342.40	75,940.80	79,747.20	83,761.60	87,942.40
CRIME PREVENTION SPECIALIST I	C670	Classified	Hourly	31.62	33.19	34.85	36.61	38.43
			Bi-Weekly	2,529.60	2,655.20	2,788.00	2,928.80	3,074.40
			Monthly	5,480.80	5,752.93	6,040.67	6,345.73	6,661.20
			Annual	65,769.60	69,035.20	72,488.00	76,148.80	79,934.40
RESERVE OFFICER COORDINATOR	H455	Classified	Hourly	54.57	57.30	60.16	63.07	66.29
			Bi-Weekly	4,365.60	4,584.00	4,812.80	5,045.60	5,303.20
			Monthly	9,458.80	9,932.00	10,427.73	10,932.13	11,490.27
			Annual	113,505.60	119,184.00	125,132.80	131,185.60	137,883.20
INVESTIGATION DIVISION								
YOUTH AND FAMILY SERVICES ADMINISTRATOR	H445	Classified	Hourly	62.24	65.35	68.63	72.06	75.66
			Bi-Weekly	4,979.20	5,228.00	5,490.40	5,764.80	6,052.80
			Monthly	10,788.27	11,327.33	11,895.87	12,490.40	13,114.40
			Annual	129,459.20	135,928.00	142,750.40	149,884.80	157,372.80
COUNSELING SUPERVISOR	H440	Classified	Hourly	47.04	49.40	51.86	54.45	57.18
			Bi-Weekly	3,763.20	3,952.00	4,148.80	4,356.00	4,574.40
			Monthly	8,153.60	8,562.67	8,989.07	9,438.00	9,911.20
			Annual	97,843.20	102,752.00	107,868.80	113,256.00	118,934.40
FAMILY COUNSELOR	T550	Classified	Hourly	37.66	39.52	41.51	43.41	45.68
			Bi-Weekly	3,012.80	3,161.60	3,320.80	3,472.80	3,654.40
			Monthly	6,527.73	6,850.13	7,195.07	7,524.40	7,917.87
			Annual	78,332.80	82,201.60	86,340.80	90,292.80	95,014.40
CERTIFIED LATENT PRINT EXAMINER	T560	Classified	Hourly	44.81	47.05	49.41	51.87	54.47
			Bi-Weekly	3,584.80	3,764.00	3,952.80	4,149.60	4,357.60
			Monthly	7,767.07	8,155.33	8,564.40	8,990.80	9,441.47
			Annual	93,204.80	97,864.00	102,772.80	107,889.60	113,297.60
SUPPORT SERVICES DIVISION								
OPERATIONS SUPPORT SERVICES MANAGER	U400	Classified	Hourly	71.88	75.48	80.02	84.03	88.21
			Bi-Weekly	5,750.40	6,038.40	6,401.60	6,722.40	7,056.80
			Monthly	12,459.20	13,083.20	13,870.13	14,565.20	15,289.73
			Annual	149,510.40	156,998.40	166,441.60	174,782.40	183,476.80
PROPERTY/EVIDENCE AND CRIME SCENE ADMINISTRATOR	H415	Classified	Hourly	49.86	52.34	54.96	57.72	60.60
			Bi-Weekly	3,988.80	4,187.20	4,396.80	4,617.60	4,848.00
			Monthly	8,642.40	9,072.27	9,526.40	10,004.80	10,504.00
			Annual	103,708.80	108,867.20	114,316.80	120,057.60	126,048.00
PROPERTY AND EVIDENCE SUPERVISOR	H410	Classified	Hourly	36.80	38.65	40.58	42.59	44.72
			Bi-Weekly	2,944.00	3,092.00	3,246.40	3,407.20	3,577.60
			Monthly	6,378.67	6,699.33	7,033.87	7,382.27	7,751.47
			Annual	76,544.00	80,392.00	84,406.40	88,587.20	93,017.60
POLICE ID SPECIALIST	T555	Classified	Hourly	33.20	34.86	36.60	38.46	40.27
			Bi-Weekly	2,656.00	2,788.80	2,928.00	3,076.80	3,221.60
			Monthly	5,754.67	6,042.40	6,344.00	6,666.40	6,980.13
			Annual	69,056.00	72,508.80	76,128.00	79,996.80	83,761.60
CRIME SCENE TECHNICIAN	C685	Classified	Hourly	31.50	32.93	34.44	35.98	37.69
			Bi-Weekly	2,520.00	2,634.40	2,755.20	2,878.40	3,015.20
			Monthly	5,460.00	5,707.87	5,969.60	6,236.53	6,532.93
			Annual	65,520.00	68,494.40	71,635.20	74,838.40	78,395.20
PROPERTY TECHNICIAN	C665	Classified	Hourly	30.44	31.75	33.29	34.81	36.47
			Bi-Weekly	2,435.20	2,540.00	2,663.20	2,784.80	2,917.60
			Monthly	5,276.27	5,503.33	5,770.27	6,033.73	6,321.47
			Annual	63,315.20	66,040.00	69,243.20	72,404.80	75,857.60

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ANIMAL SERVICES ADMINISTRATOR	H430	Classified	Hourly	49.86	52.34	54.96	57.72	60.60
			Bi-Weekly	3,988.80	4,187.20	4,396.80	4,617.60	4,848.00
			Monthly	8,642.40	9,072.27	9,526.40	10,004.80	10,504.00
			Annual	103,708.80	108,867.20	114,316.80	120,057.60	126,048.00
SHELTER OPERATIONS SUPERVISOR	C621	Classified	Hourly	33.54	35.03	36.67	38.34	40.17
			Bi-Weekly	2,683.20	2,802.40	2,933.60	3,067.20	3,213.60
			Monthly	5,813.60	6,071.87	6,356.13	6,645.60	6,962.80
			Annual	69,763.20	72,862.40	76,273.60	79,747.20	83,553.60
ANIMAL CONTROL OFFICER	C610	Classified	Hourly	28.84	30.31	31.70	33.19	34.75
			Bi-Weekly	2,307.20	2,424.80	2,536.00	2,655.20	2,780.00
			Monthly	4,998.93	5,253.73	5,494.67	5,752.93	6,023.33
			Annual	59,987.20	63,044.80	65,936.00	69,035.20	72,280.00
ANIMAL CARE ATTENDANT	C600	Classified	Hourly	23.99	25.01	26.01	27.14	28.49
			Bi-Weekly	1,919.20	2,000.80	2,080.80	2,171.20	2,279.20
			Monthly	4,158.27	4,335.07	4,508.40	4,704.27	4,938.27
			Annual	49,899.20	52,020.80	54,100.80	56,451.20	59,259.20
SHELTER VOLUNTEER COORDINATOR	C607	Classified	Hourly	23.99	25.01	26.01	27.14	28.49
			Bi-Weekly	1,919.20	2,000.80	2,080.80	2,171.20	2,279.20
			Monthly	4,158.27	4,335.07	4,508.40	4,704.27	4,938.27
			Annual	49,899.20	52,020.80	54,100.80	56,451.20	59,259.20
COMMUNICATIONS ADMINISTRATOR	H435	Classified	Hourly	49.86	52.34	54.96	57.72	60.60
			Bi-Weekly	3,988.80	4,187.20	4,396.80	4,617.60	4,848.00
			Monthly	8,642.40	9,072.27	9,526.40	10,004.80	10,504.00
			Annual	103,708.80	108,867.20	114,316.80	120,057.60	126,048.00
COMMUNICATIONS SUPERVISOR	C645	Classified	Hourly	41.53	43.62	45.80	48.08	50.51
			Bi-Weekly	3,322.40	3,489.60	3,664.00	3,846.40	4,040.80
			Monthly	7,198.53	7,560.80	7,938.67	8,333.87	8,755.07
			Annual	86,382.40	90,729.60	95,264.00	100,006.40	105,060.80
COMMUNICATIONS OPERATOR	C635	Classified	Hourly	36.04	37.87	39.73	41.76	43.86
			Bi-Weekly	2,883.20	3,029.60	3,178.40	3,340.80	3,508.80
			Monthly	6,246.93	6,564.13	6,886.53	7,238.40	7,602.40
			Annual	74,963.20	78,769.60	82,638.40	86,860.80	91,228.80
CALL TAKER	C633	Classified	Hourly	29.99	31.46	33.05	34.71	36.44
			Bi-Weekly	2,399.20	2,516.80	2,644.00	2,776.80	2,915.20
			Monthly	5,198.27	5,453.07	5,728.67	6,016.40	6,316.27
			Annual	62,379.20	65,436.80	68,744.00	72,196.80	75,795.20
RECORDS ADMINISTRATOR	H425	Classified	Hourly	49.86	52.34	54.96	57.72	60.60
			Bi-Weekly	3,988.80	4,187.20	4,396.80	4,617.60	4,848.00
			Monthly	8,642.40	9,072.27	9,526.40	10,004.80	10,504.00
			Annual	103,708.80	108,867.20	114,316.80	120,057.60	126,048.00
RECORDS SUPERVISOR	C705	Classified	Hourly	36.05	37.85	39.74	41.73	43.82
			Bi-Weekly	2,884.00	3,028.00	3,179.20	3,338.40	3,505.60
			Monthly	6,248.67	6,560.67	6,888.27	7,233.20	7,595.47
			Annual	74,984.00	78,728.00	82,659.20	86,798.40	91,145.60
POLICE RECORDS CLERK II	C695	Classified	Hourly	28.03	29.15	30.31	31.65	33.20
			Bi-Weekly	2,242.40	2,332.00	2,424.80	2,532.00	2,656.00
			Monthly	4,858.53	5,052.67	5,253.73	5,486.00	5,754.67
			Annual	58,302.40	60,632.00	63,044.80	65,832.00	69,056.00
POLICE RECORDS CLERK I	C690	Classified	Hourly	24.64	25.92	27.30	28.65	30.19
			Bi-Weekly	1,971.20	2,073.60	2,184.00	2,292.00	2,415.20
			Monthly	4,270.93	4,492.80	4,732.00	4,966.00	5,232.93
			Annual	51,251.20	53,913.60	56,784.00	59,592.00	62,795.20
JAIL ADMINISTRATOR	H420	Classified	Hourly	49.86	52.34	54.96	57.72	60.60
			Bi-Weekly	3,988.80	4,187.20	4,396.80	4,617.60	4,848.00
			Monthly	8,642.40	9,072.27	9,526.40	10,004.80	10,504.00
			Annual	103,708.80	108,867.20	114,316.80	120,057.60	126,048.00
JAIL SUPERVISOR	C660	Classified	Hourly	34.98	36.44	38.20	39.98	41.90
			Bi-Weekly	2,798.40	2,915.20	3,056.00	3,198.40	3,352.00
			Monthly	6,063.20	6,316.27	6,621.33	6,929.87	7,262.67
			Annual	72,758.40	75,795.20	79,456.00	83,158.40	87,152.00
COMMUNITY SERVICE OFFICER	C650	Classified	Hourly	30.55	31.88	33.41	34.95	36.61
			Bi-Weekly	2,444.00	2,550.40	2,672.80	2,796.00	2,928.80
			Monthly	5,295.33	5,525.87	5,791.07	6,058.00	6,345.73
			Annual	63,544.00	66,310.40	69,492.80	72,696.00	76,148.80

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Classification Title	Job Code	Service Type	Step A	Step B	Step C	Step D	Step E	
TRANSPORTATION AND ENGINEERING DEPARTMENT								
AIRPORT DIVISION SUMMARY								
AIRPORT MANAGER	H205	Classified	Hourly	61.75	64.82	68.06	71.46	75.04
			Bi-Weekly	4,940.00	5,185.60	5,444.80	5,716.80	6,003.20
			Monthly	10,703.33	11,235.47	11,797.07	12,386.40	13,006.93
			Annual	128,440.00	134,825.60	141,564.80	148,636.80	156,083.20
AIRPORT OPERATIONS SUPERVISOR	H200	Classified	Hourly	51.47	54.03	56.74	59.58	62.55
			Bi-Weekly	4,117.60	4,322.40	4,539.20	4,766.40	5,004.00
			Monthly	8,921.47	9,365.20	9,834.93	10,327.20	10,842.00
			Annual	107,057.60	112,382.40	118,019.20	123,926.40	130,104.00
AIRPORT BUSINESS SUPERVISOR	H198	Classified	Hourly	49.86	52.33	54.96	57.71	60.58
			Bi-Weekly	3,988.80	4,186.40	4,396.80	4,616.80	4,846.40
			Monthly	8,642.40	9,070.53	9,526.40	10,003.07	10,500.53
			Annual	103,708.80	108,846.40	114,316.80	120,036.80	126,006.40
AIRPORT OPERATIONS SPECIALIST	T270	Classified	Hourly	30.07	31.59	33.16	34.74	36.52
			Bi-Weekly	2,405.60	2,527.20	2,652.80	2,779.20	2,921.60
			Monthly	5,212.13	5,475.60	5,747.73	6,021.60	6,330.13
			Annual	62,545.60	65,707.20	68,972.80	72,259.20	75,961.60
SENIOR AIRPORT MAINTENANCE WORKER	M510	Classified	Hourly	33.66	34.90	36.29	37.78	39.29
			Bi-Weekly	2,692.80	2,792.00	2,903.20	3,022.40	3,143.20
			Monthly	5,834.40	6,049.33	6,290.27	6,548.53	6,810.27
			Annual	70,012.80	72,592.00	75,483.20	78,582.40	81,723.20
AIRPORT MAINTENANCE WORKER	M505	Classified	Hourly	31.52	32.78	34.10	35.32	36.68
			Bi-Weekly	2,521.60	2,622.40	2,728.00	2,825.60	2,934.40
			Monthly	5,463.47	5,681.87	5,910.67	6,122.13	6,357.87
			Annual	65,561.60	68,182.40	70,928.00	73,465.60	76,294.40
AIRPORT ATTENDANT	M500	Classified	Hourly	24.81	25.80	26.85	27.80	28.87
			Bi-Weekly	1,984.80	2,064.00	2,148.00	2,224.00	2,309.60
			Monthly	4,300.40	4,472.00	4,654.00	4,818.67	5,004.13
			Annual	51,604.80	53,664.00	55,848.00	57,824.00	60,049.60
ENGINEERING/TRANSPORTATION DIVISION								
REAL PROPERTY MANAGER	H225	Classified	Hourly	45.30	47.58	49.94	52.45	55.07
			Bi-Weekly	3,624.00	3,806.40	3,995.20	4,196.00	4,405.60
			Monthly	7,852.00	8,247.20	8,656.27	9,091.33	9,545.47
			Annual	94,224.00	98,966.40	103,875.20	109,096.00	114,545.60
REAL PROPERTY ASSOCIATE	T260	Classified	Hourly	39.82	41.90	44.01	46.15	48.42
			Bi-Weekly	3,185.60	3,352.00	3,520.80	3,692.00	3,873.60
			Monthly	6,902.13	7,262.67	7,628.40	7,999.33	8,392.80
			Annual	82,825.60	87,152.00	91,540.80	95,992.00	100,713.60
REAL PROPERTY ASSISTANT	T255	Classified	Hourly	33.94	35.63	37.34	39.20	41.17
			Bi-Weekly	2,715.20	2,850.40	2,987.20	3,136.00	3,293.60
			Monthly	5,882.93	6,175.87	6,472.27	6,794.67	7,136.13
			Annual	70,595.20	74,110.40	77,667.20	81,536.00	85,633.60
ENGINEERING TECHNICIAN	T200	Classified	Hourly	32.37	33.93	35.65	37.43	39.22
			Bi-Weekly	2,589.60	2,714.40	2,852.00	2,994.40	3,137.60
			Monthly	5,610.80	5,881.20	6,179.33	6,487.87	6,798.13
			Annual	67,329.60	70,574.40	74,152.00	77,854.40	81,577.60
SURVEY ENGINEER	H230	Classified	Hourly	53.02	55.67	58.46	61.38	64.44
			Bi-Weekly	4,241.60	4,453.60	4,676.80	4,910.40	5,155.20
			Monthly	9,190.13	9,649.47	10,133.07	10,639.20	11,169.60
			Annual	110,281.60	115,793.60	121,596.80	127,670.40	134,035.20
SURVEYOR	T265	Classified	Hourly	38.51	40.41	42.42	44.52	46.76
			Bi-Weekly	3,080.80	3,232.80	3,393.60	3,561.60	3,740.80
			Monthly	6,675.07	7,004.40	7,352.80	7,716.80	8,105.07
			Annual	80,100.80	84,052.80	88,233.60	92,601.60	97,260.80

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TRANSPORTATION MANAGER	H220	Classified	Hourly	67.97	71.38	74.95	78.70	82.62
			Bi-Weekly	5,437.60	5,710.40	5,996.00	6,296.00	6,609.60
			Monthly	11,781.47	12,372.53	12,991.33	13,641.33	14,320.80
			Annual	141,377.60	148,470.40	155,896.00	163,696.00	171,849.60
SENIOR TRANSPORTATION ENGINEER	H215	Classified	Hourly	58.96	61.91	65.00	68.25	71.66
			Bi-Weekly	4,716.80	4,952.80	5,200.00	5,460.00	5,732.80
			Monthly	10,219.73	10,731.07	11,266.67	11,830.00	12,421.07
			Annual	122,636.80	128,772.80	135,200.00	141,960.00	149,052.80
ASSOCIATE TRANSPORTATION ENGINEER	T240	Classified	Hourly	47.34	49.72	52.14	54.79	57.46
			Bi-Weekly	3,787.20	3,977.60	4,171.20	4,383.20	4,596.80
			Monthly	8,205.60	8,618.13	9,037.60	9,496.93	9,959.73
			Annual	98,467.20	103,417.60	108,451.20	113,963.20	119,516.80
ASSISTANT TRANSPORTATION ENGINEER	T235	Classified	Hourly	40.78	42.89	45.08	47.26	49.62
			Bi-Weekly	3,262.40	3,431.20	3,606.40	3,780.80	3,969.60
			Monthly	7,068.53	7,434.27	7,813.87	8,191.73	8,600.80
			Annual	84,822.40	89,211.20	93,766.40	98,300.80	103,209.60
SENIOR TRANSPORTATION PLANNER	H210	Classified	Hourly	49.75	52.23	54.85	57.59	60.47
			Bi-Weekly	3,980.00	4,178.40	4,388.00	4,607.20	4,837.60
			Monthly	8,623.33	9,053.20	9,507.33	9,982.27	10,481.47
			Annual	103,480.00	108,638.40	114,088.00	119,787.20	125,777.60
ASSOCIATE TRANSPORTATION PLANNER	T225	Classified	Hourly	43.99	46.15	48.44	50.93	53.37
			Bi-Weekly	3,519.20	3,692.00	3,875.20	4,074.40	4,269.60
			Monthly	7,624.93	7,999.33	8,396.27	8,827.87	9,250.80
			Annual	91,499.20	95,992.00	100,755.20	105,934.40	111,009.60
TRAFFIC SIGNAL TECHNICIAN	T220	Classified	Hourly	32.37	33.93	35.65	37.43	39.22
			Bi-Weekly	2,589.60	2,714.40	2,852.00	2,994.40	3,137.60
			Monthly	5,610.80	5,881.20	6,179.33	6,487.87	6,798.13
			Annual	67,329.60	70,574.40	74,152.00	77,854.40	81,577.60
SUPERVISING CONSTRUCTION INSPECTOR	H235	Classified	Hourly	52.42	55.04	57.79	60.69	63.72
			Bi-Weekly	4,193.60	4,403.20	4,623.20	4,855.20	5,097.60
			Monthly	9,086.13	9,540.27	10,016.93	10,519.60	11,044.80
			Annual	109,033.60	114,483.20	120,203.20	126,235.20	132,537.60
SENIOR CONSTRUCTION INSPECTOR	T250	Classified	Hourly	43.33	45.64	47.94	50.20	52.71
			Bi-Weekly	3,466.40	3,651.20	3,835.20	4,016.00	4,216.80
			Monthly	7,510.53	7,910.93	8,309.60	8,701.33	9,136.40
			Annual	90,126.40	94,931.20	99,715.20	104,416.00	109,636.80
CONSTRUCTION INSPECTOR	T245	Classified	Hourly	36.31	38.17	39.95	41.97	44.11
			Bi-Weekly	2,904.80	3,053.60	3,196.00	3,357.60	3,528.80
			Monthly	6,293.73	6,616.13	6,924.67	7,274.80	7,645.73
			Annual	75,524.80	79,393.60	83,096.00	87,297.60	91,748.80

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UTILITIES AND ENVIRONMENTAL SERVICES DEPARTMENT								
ADMINISTRATION								
ASSISTANT DIRECTOR OF PUBLIC WORKS-UTILITIES	U525	Classified	Hourly	77.08	80.94	84.99	89.24	93.71
			Bi-Weekly	6,166.40	6,475.20	6,799.20	7,139.20	7,496.80
			Monthly	13,360.53	14,029.60	14,731.60	15,468.27	16,243.07
			Annual	160,326.40	168,355.20	176,779.20	185,619.20	194,916.80
DEPUTY DIRECTOR OF PUBLIC WORKS	U510	Classified	Hourly	70.07	73.58	77.26	81.13	85.19
			Bi-Weekly	5,605.60	5,886.40	6,180.80	6,490.40	6,815.20
			Monthly	12,145.47	12,753.87	13,391.73	14,062.53	14,766.27
			Annual	145,745.60	153,046.40	160,700.80	168,750.40	177,195.20
WATER RESOURCES MANAGER	H875	Classified	Hourly	70.07	73.58	77.26	81.13	85.19
			Bi-Weekly	5,605.60	5,886.40	6,180.80	6,490.40	6,815.20
			Monthly	12,145.47	12,753.87	13,391.73	14,062.53	14,766.27
			Annual	145,745.60	153,046.40	160,700.80	168,750.40	177,195.20
UTILITIES ENGINEERING MANAGER	H880	Classified	Hourly	70.07	73.58	77.26	81.13	85.19
			Bi-Weekly	5,605.60	5,886.40	6,180.80	6,490.40	6,815.20
			Monthly	12,145.47	12,753.87	13,391.73	14,062.53	14,766.27
			Annual	145,745.60	153,046.40	160,700.80	168,750.40	177,195.20
SENIOR UTILITY SERVICE REPRESENTATIVE	M820	Classified	Hourly	35.71	37.47	39.26	41.28	43.30
			Bi-Weekly	2,856.80	2,997.60	3,140.80	3,302.40	3,464.00
			Monthly	6,189.73	6,494.80	6,805.07	7,155.20	7,505.33
			Annual	74,276.80	77,937.60	81,660.80	85,862.40	90,064.00
STOREKEEPER - EXPEDITER	M100	Classified	Hourly	29.62	30.84	32.00	33.22	34.48
			Bi-Weekly	2,369.60	2,467.20	2,560.00	2,657.60	2,758.40
			Monthly	5,134.13	5,345.60	5,546.67	5,758.13	5,976.53
			Annual	61,609.60	64,147.20	66,560.00	69,097.60	71,718.40
RECYCLING-SOLID WASTE								
SOLID WASTE PROGRAM MANAGER	H800	Classified	Hourly	49.86	52.33	54.96	57.71	60.58
			Bi-Weekly	3,988.80	4,186.40	4,396.80	4,616.80	4,846.40
			Monthly	8,642.40	9,070.53	9,526.40	10,003.07	10,500.53
			Annual	103,708.80	108,846.40	114,316.80	120,036.80	126,006.40
RECYCLING SPECIALIST	T800	Classified	Hourly	34.24	35.94	37.69	39.61	41.57
			Bi-Weekly	2,739.20	2,875.20	3,015.20	3,168.80	3,325.60
			Monthly	5,934.93	6,229.60	6,532.93	6,865.73	7,205.47
			Annual	71,219.20	74,755.20	78,395.20	82,388.80	86,465.60
SUSTAINABILITY SPECIALIST	T803	Classified	Hourly	36.79	38.62	40.55	42.58	44.71
			Bi-Weekly	2,943.20	3,089.60	3,244.00	3,406.40	3,576.80
			Monthly	6,376.93	6,694.13	7,028.67	7,380.53	7,749.73
			Annual	76,523.20	80,329.60	84,344.00	88,566.40	92,996.80
SUSTAINABILITY TECHNICIAN	T802	Classified	Hourly	33.45	35.11	36.86	38.69	40.64
			Bi-Weekly	2,676.00	2,808.80	2,948.80	3,095.20	3,251.20
			Monthly	5,798.00	6,085.73	6,389.07	6,706.27	7,044.27
			Annual	69,576.00	73,028.80	76,668.80	80,475.20	84,531.20
WATER POLLUTION CONTROL FACILITY (WPCF)								
WATER POLLUTION CONTROL FACILITY MANAGER	H870	Classified	Hourly	70.07	73.58	77.26	81.13	85.19
			Bi-Weekly	5,605.60	5,886.40	6,180.80	6,490.40	6,815.20
			Monthly	12,145.47	12,753.87	13,391.73	14,062.53	14,766.27
			Annual	145,745.60	153,046.40	160,700.80	168,750.40	177,195.20
WPCF OPERATIONS AND MAINTENANCE MANAGER	H865	Classified	Hourly	57.15	60.01	63.02	66.18	69.48
			Bi-Weekly	4,572.00	4,800.80	5,041.60	5,294.40	5,558.40
			Monthly	9,906.00	10,401.73	10,923.47	11,471.20	12,043.20
			Annual	118,872.00	124,820.80	131,081.60	137,654.40	144,518.40
WPCF MAINTENANCE SUPERVISOR	H860	Classified	Hourly	51.99	54.57	57.30	60.18	63.19
			Bi-Weekly	4,159.20	4,365.60	4,584.00	4,814.40	5,055.20
			Monthly	9,011.60	9,458.80	9,932.00	10,431.20	10,952.93
			Annual	108,139.20	113,505.60	119,184.00	125,174.40	131,435.20
WPCF OPERATIONS SUPERVISOR	H855	Classified	Hourly	51.99	54.57	57.30	60.18	63.19
			Bi-Weekly	4,159.20	4,365.60	4,584.00	4,814.40	5,055.20
			Monthly	9,011.60	9,458.80	9,932.00	10,431.20	10,952.93
			Annual	108,139.20	113,505.60	119,184.00	125,174.40	131,435.20
WPCF LEAD OPERATOR	M935	Classified	Hourly	42.27	43.96	45.68	47.49	49.42
			Bi-Weekly	3,381.60	3,516.80	3,654.40	3,799.20	3,953.60
			Monthly	7,326.80	7,619.73	7,917.87	8,231.60	8,566.13
			Annual	87,921.60	91,436.80	95,014.40	98,779.20	102,793.60
WPCF OPERATOR	M930	Classified	Hourly	37.17	38.65	40.20	41.76	43.46
			Bi-Weekly	2,973.60	3,092.00	3,216.00	3,340.80	3,476.80
			Monthly	6,442.80	6,699.33	6,968.00	7,238.40	7,533.07
			Annual	77,313.60	80,392.00	83,616.00	86,860.80	90,396.80
OPERATOR-IN-TRAINING	M925	Classified	Hourly	34.03	35.37	36.85	38.11	39.60
			Bi-Weekly	2,722.40	2,829.60	2,948.00	3,048.80	3,168.00
			Monthly	5,898.53	6,130.80	6,387.33	6,605.73	6,864.00
			Annual	70,782.40	73,569.60	76,648.00	79,268.80	82,368.00

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LAB SUPERVISOR	H850	Classified	Hourly	51.99	54.57	57.30	60.18	63.19
			Bi-Weekly	4,159.20	4,365.60	4,584.00	4,814.40	5,055.20
			Monthly	9,011.60	9,458.80	9,932.00	10,431.20	10,952.93
			Annual	108,139.20	113,505.60	119,184.00	125,174.40	131,435.20
CHEMIST	T807	Classified	Hourly	40.43	42.46	44.58	46.80	49.14
			Bi-Weekly	3,234.40	3,396.80	3,566.40	3,744.00	3,931.20
			Monthly	7,007.87	7,359.73	7,727.20	8,112.00	8,517.60
			Annual	84,094.40	88,316.80	92,726.40	97,344.00	102,211.20
LABORATORY TECHNICIAN	T805	Classified	Hourly	35.16	36.48	37.88	39.44	40.91
			Bi-Weekly	2,812.80	2,918.40	3,030.40	3,155.20	3,272.80
			Monthly	6,094.40	6,323.20	6,565.87	6,836.27	7,091.07
			Annual	73,132.80	75,878.40	78,790.40	82,035.20	85,092.80

WATER POLLUTION SOURCE CONTROL

ENVIRONMENTAL SERVICES MANAGER	H805	Classified	Hourly	60.45	63.47	66.65	69.98	73.48
			Bi-Weekly	4,836.00	5,077.60	5,332.00	5,598.40	5,878.40
			Monthly	10,478.00	11,001.47	11,552.67	12,129.87	12,736.53
			Annual	125,736.00	132,017.60	138,632.00	145,558.40	152,838.40
WATER POLLUTION CONTROL ADMINISTRATOR	H845	Classified	Hourly	52.54	55.17	57.92	60.83	63.88
			Bi-Weekly	4,203.20	4,413.60	4,633.60	4,866.40	5,110.40
			Monthly	9,106.93	9,562.80	10,039.47	10,543.87	11,072.53
			Annual	109,283.20	114,753.60	120,473.60	126,526.40	132,870.40
SENIOR WATER POLLUTION SOURCE CONTROL INSPECTOR	T815	Classified	Hourly	40.20	42.29	44.41	46.51	48.88
			Bi-Weekly	3,216.00	3,383.20	3,552.80	3,720.80	3,910.40
			Monthly	6,968.00	7,330.27	7,697.73	8,061.73	8,427.53
			Annual	83,616.00	87,963.20	92,372.80	96,740.80	101,670.40
WATER POLLUTION SOURCE CONTROL INSPECTOR	T810	Classified	Hourly	36.53	38.44	40.19	42.26	44.36
			Bi-Weekly	2,922.40	3,075.20	3,215.20	3,380.80	3,548.80
			Monthly	6,331.87	6,662.93	6,966.27	7,325.07	7,689.07
			Annual	75,982.40	79,955.20	83,595.20	87,900.80	92,268.80
TECHNICAL INTERN	Z125	Classified	Hourly					15.21
			Bi-Weekly					1,216.80
			Monthly					2,636.40
			Annual					31,636.80

SENIOR WATER RESOURCES ENGINEER	H813	Classified	Hourly	58.40	61.31	64.39	67.60	70.97
			Bi-Weekly	4,672.00	4,904.80	5,151.20	5,408.00	5,677.60
			Monthly	10,122.67	10,627.07	11,160.93	11,717.33	12,301.47
			Annual	121,472.00	127,524.80	133,931.20	140,608.00	147,617.60
SENIOR UTILITIES ENGINEER	H810	Classified	Hourly	58.40	61.31	64.39	67.60	70.97
			Bi-Weekly	4,672.00	4,904.80	5,151.20	5,408.00	5,677.60
			Monthly	10,122.67	10,627.07	11,160.93	11,717.33	12,301.47
			Annual	121,472.00	127,524.80	133,931.20	140,608.00	147,617.60

SEWER COLLECTIONS & WATER DISTRIBUTION

UTILITIES OPERATIONS AND MAINTENANCE MANAGER	H835	Classified	Hourly	64.51	67.72	71.10	74.66	78.39
			Bi-Weekly	5,160.80	5,417.60	5,688.00	5,972.80	6,271.20
			Monthly	11,181.73	11,738.13	12,324.00	12,941.07	13,587.60
			Annual	134,180.80	140,857.60	147,888.00	155,292.80	163,051.20
UTILITIES OPERATIONS AND MAINTENANCE SUPERVISOR	H830	Classified	Hourly	53.75	56.42	59.26	62.22	65.33
			Bi-Weekly	4,300.00	4,513.60	4,740.80	4,977.60	5,226.40
			Monthly	9,316.67	9,779.47	10,271.73	10,784.80	11,323.87
			Annual	111,800.00	117,353.60	123,260.80	129,417.60	135,886.40
UTILITIES FIELD SERVICES SUPERVISOR	H825	Classified	Hourly	53.75	56.42	59.26	62.22	65.33
			Bi-Weekly	4,300.00	4,513.60	4,740.80	4,977.60	5,226.40
			Monthly	9,316.67	9,779.47	10,271.73	10,784.80	11,323.87
			Annual	111,800.00	117,353.60	123,260.80	129,417.60	135,886.40
WASTEWATER COLLECTIONS SYSTEM SUPERVISOR	H823	Classified	Hourly	51.99	54.57	57.30	60.18	63.19
			Bi-Weekly	4,159.20	4,365.60	4,584.00	4,814.40	5,055.20
			Monthly	9,011.60	9,458.80	9,932.00	10,431.20	10,952.93
			Annual	108,139.20	113,505.60	119,184.00	125,174.40	131,435.20
WATER INSTALLATION AND MAINTENANCE SUPERVISOR	H815	Classified	Hourly	42.37	44.50	46.72	49.07	51.51
			Bi-Weekly	3,389.60	3,560.00	3,737.60	3,925.60	4,120.80
			Monthly	7,344.13	7,713.33	8,098.13	8,505.47	8,928.40
			Annual	88,129.60	92,560.00	97,177.60	102,065.60	107,140.80

**SALARY PLAN FOR ALL CLASSIFICATIONS
(PER MUNI CODE SEC.2-4.30)
FY 2020**

ATTACHMENT III
Recommended by
Personnel Commission
on June 20, 2019
Approved by Council
on June 25, 2019

Classification Title	Job Code	Service Type	Step A	Step B	Step C	Step D	Step E	
SENIOR UTILITY CUSTOMER SERVICE LEADER	M825	Classified	Hourly	37.59	38.89	40.42	42.10	43.80
			Bi-Weekly	3,007.20	3,111.20	3,233.60	3,368.00	3,504.00
			Monthly	6,515.60	6,740.93	7,006.13	7,297.33	7,592.00
			Annual	78,187.20	80,891.20	84,073.60	87,568.00	91,104.00
CROSS CONNECTION CONTROL SPECIALIST	M815	Classified	Hourly	32.68	33.82	35.15	36.61	38.09
			Bi-Weekly	2,614.40	2,705.60	2,812.00	2,928.80	3,047.20
			Monthly	5,664.53	5,862.13	6,092.67	6,345.73	6,602.27
			Annual	67,974.40	70,345.60	73,112.00	76,148.80	79,227.20
WATER METER MECHANIC	M810	Classified	Hourly	31.77	32.99	34.35	35.76	37.19
			Bi-Weekly	2,541.60	2,639.20	2,748.00	2,860.80	2,975.20
			Monthly	5,506.80	5,718.27	5,954.00	6,198.40	6,446.27
			Annual	66,081.60	68,619.20	71,448.00	74,380.80	77,355.20
WATER METER READER	M805	Classified	Hourly	28.40	29.52	30.72	31.84	33.12
			Bi-Weekly	2,272.00	2,361.60	2,457.60	2,547.20	2,649.60
			Monthly	4,922.67	5,116.80	5,324.80	5,518.93	5,740.80
			Annual	59,072.00	61,401.60	63,897.60	66,227.20	68,889.60
BACKFLOW/CROSS CONNECTION TESTER	M800	Classified	Hourly	27.47	28.78	30.12	31.58	33.12
			Bi-Weekly	2,197.60	2,302.40	2,409.60	2,526.40	2,649.60
			Monthly	4,761.47	4,988.53	5,220.80	5,473.87	5,740.80
			Annual	57,137.60	59,862.40	62,649.60	65,686.40	68,889.60
UTILITIES MAINTENANCE SUPERVISOR	H820	Classified	Hourly	48.73	51.16	53.71	56.41	59.23
			Bi-Weekly	3,898.40	4,092.80	4,296.80	4,512.80	4,738.40
			Monthly	8,446.53	8,867.73	9,309.73	9,777.73	10,266.53
			Annual	101,358.40	106,412.80	111,716.80	117,332.80	123,198.40
UTILITIES SERVICE WORKER	M900	Classified	Hourly	31.32	32.57	33.92	35.09	36.47
			Bi-Weekly	2,505.60	2,605.60	2,713.60	2,807.20	2,917.60
			Monthly	5,428.80	5,645.47	5,879.47	6,082.27	6,321.47
			Annual	65,145.60	67,745.60	70,553.60	72,987.20	75,857.60
GENERAL MAINTENANCE								
EQUIPMENT OPERATOR	M400	Classified	Hourly	31.67	32.83	34.13	35.52	36.96
			Bi-Weekly	2,533.60	2,626.40	2,730.40	2,841.60	2,956.80
			Monthly	5,489.47	5,690.53	5,915.87	6,156.80	6,406.40
			Annual	65,873.60	68,286.40	70,990.40	73,881.60	76,876.80
SENIOR UTILITY LEADER	M845	Classified	Hourly	39.62	41.21	42.92	44.41	46.12
			Bi-Weekly	3,169.60	3,296.80	3,433.60	3,552.80	3,689.60
			Monthly	6,867.47	7,143.07	7,439.47	7,697.73	7,994.13
			Annual	82,409.60	85,716.80	89,273.60	92,372.80	95,929.60
UTILITY LEADER	M840	Classified	Hourly	34.45	35.82	37.32	38.62	40.11
			Bi-Weekly	2,756.00	2,865.60	2,985.60	3,089.60	3,208.80
			Monthly	5,971.33	6,208.80	6,468.80	6,694.13	6,952.40
			Annual	71,656.00	74,505.60	77,625.60	80,329.60	83,428.80
UTILITY WORKER	M835	Classified	Hourly	31.32	32.57	33.92	35.09	36.47
			Bi-Weekly	2,505.60	2,605.60	2,713.60	2,807.20	2,917.60
			Monthly	5,428.80	5,645.47	5,879.47	6,082.27	6,321.47
			Annual	65,145.60	67,745.60	70,553.60	72,987.20	75,857.60
SENIOR UTILITY LEADER - SEWER	M920	Classified	Hourly	40.89	42.50	44.24	45.80	47.58
			Bi-Weekly	3,271.20	3,400.00	3,539.20	3,664.00	3,806.40
			Monthly	7,087.60	7,366.67	7,668.27	7,938.67	8,247.20
			Annual	85,051.20	88,400.00	92,019.20	95,264.00	98,966.40
UTILITY LEADER - SEWER	M915	Classified	Hourly	35.56	36.96	38.47	39.82	41.37
			Bi-Weekly	2,844.80	2,956.80	3,077.60	3,185.60	3,309.60
			Monthly	6,163.73	6,406.40	6,668.13	6,902.13	7,170.80
			Annual	73,964.80	76,876.80	80,017.60	82,825.60	86,049.60
UTILITY WORKER - SEWER	M910	Classified	Hourly	32.31	33.60	34.99	36.20	37.61
			Bi-Weekly	2,584.80	2,688.00	2,799.20	2,896.00	3,008.80
			Monthly	5,600.40	5,824.00	6,064.93	6,274.67	6,519.07
			Annual	67,204.80	69,888.00	72,779.20	75,296.00	78,228.80
UTILITIES MAINTENANCE MECHANIC	M415	Classified	Hourly	38.20	39.68	41.24	42.90	44.64
			Bi-Weekly	3,056.00	3,174.40	3,299.20	3,432.00	3,571.20
			Monthly	6,621.33	6,877.87	7,148.27	7,436.00	7,737.60
			Annual	79,456.00	82,534.40	85,779.20	89,232.00	92,851.20

**SALARY PLAN FOR ALL CLASSIFICATIONS
(PER MUNI CODE SEC.2-4.30)
FY 2020**

ATTACHMENT III
Recommended by
Personnel Commission
on June 20, 2019
Approved by Council
on June 25, 2019

Classification Title	Job Code	Service Type	Step A	Step B	Step C	Step D	Step E	
INFORMATION TECHNOLOGY DEPARTMENT								
INFORMATION SYSTEMS MANAGER	H565	Classified	Hourly	55.26	58.02	60.92	63.98	67.18
			Bi-Weekly	4,420.80	4,641.60	4,873.60	5,118.40	5,374.40
			Monthly	9,578.40	10,056.80	10,559.47	11,089.87	11,644.53
			Annual	114,940.80	120,681.60	126,713.60	133,078.40	139,734.40
INFORMATION TECHNOLOGY MANAGER	H566	Classified	Hourly	58.02	60.92	63.97	67.18	70.54
			Bi-Weekly	4,641.60	4,873.60	5,117.60	5,374.40	5,643.20
			Monthly	10,056.80	10,559.47	11,088.13	11,644.53	12,226.93
			Annual	120,681.60	126,713.60	133,057.60	139,734.40	146,723.20
DATA AND SYSTEMS COORDINATOR	H560	Classified	Hourly	49.73	52.21	54.83	57.57	60.44
			Bi-Weekly	3,978.40	4,176.80	4,386.40	4,605.60	4,835.20
			Monthly	8,619.87	9,049.73	9,503.87	9,978.80	10,476.27
			Annual	103,438.40	108,596.80	114,046.40	119,745.60	125,715.20
NETWORK SYSTEMS SPECIALIST	H555	Classified	Hourly	49.16	51.63	54.21	56.91	59.76
			Bi-Weekly	3,932.72	4,130.72	4,336.64	4,553.12	4,781.04
			Monthly	8,520.89	8,949.89	9,396.05	9,865.09	10,358.92
			Annual	102,250.72	107,398.72	112,752.64	118,381.12	124,307.04
GEOGRAPHIC INFO SYSTEMS COORDINATOR	T460	Classified	Hourly	47.97	50.37	52.76	55.42	59.09
			Bi-Weekly	3,837.60	4,029.60	4,220.80	4,433.60	4,727.20
			Monthly	8,314.80	8,730.80	9,145.07	9,606.13	10,242.27
			Annual	99,777.60	104,769.60	109,740.80	115,273.60	122,907.20
PROGRAMMER ANALYST	T455	Classified	Hourly	41.75	43.79	46.07	48.34	50.73
			Bi-Weekly	3,340.00	3,503.20	3,685.60	3,867.20	4,058.40
			Monthly	7,236.67	7,590.27	7,985.47	8,378.93	8,793.20
			Annual	86,840.00	91,083.20	95,825.60	100,547.20	105,518.40
WEB SPECIALIST	T450	Classified	Hourly	41.14	43.22	45.37	47.62	50.01
			Bi-Weekly	3,291.20	3,457.60	3,629.60	3,809.60	4,000.80
			Monthly	7,130.93	7,491.47	7,864.13	8,254.13	8,668.40
			Annual	85,571.20	89,897.60	94,369.60	99,049.60	104,020.80
INFORMATION TECHNOLOGY ANALYST II	T435	Classified	Hourly	41.73	43.81	46.00	48.31	50.73
			Bi-Weekly	3,338.40	3,504.80	3,680.00	3,864.80	4,058.40
			Monthly	7,233.20	7,593.73	7,973.33	8,373.73	8,793.20
			Annual	86,798.40	91,124.80	95,680.00	100,484.80	105,518.40
INFORMATION TECHNOLOGY ANALYST I	T430	Classified	Hourly	37.94	39.83	41.83	43.92	46.11
			Bi-Weekly	3,035.20	3,186.40	3,346.40	3,513.60	3,688.80
			Monthly	6,576.27	6,903.87	7,250.53	7,612.80	7,992.40
			Annual	78,915.20	82,846.40	87,006.40	91,353.60	95,908.80
TECHNOLOGY SOLUTIONS ANALYST II	T445	Classified	Hourly	41.73	43.81	46.00	48.31	50.73
			Bi-Weekly	3,338.40	3,504.80	3,680.00	3,864.80	4,058.40
			Monthly	7,233.20	7,593.73	7,973.33	8,373.73	8,793.20
			Annual	86,798.40	91,124.80	95,680.00	100,484.80	105,518.40
TECHNOLOGY SOLUTIONS ANALYST I	T440	Classified	Hourly	37.94	39.83	41.83	43.92	46.11
			Bi-Weekly	3,035.20	3,186.40	3,346.40	3,513.60	3,688.80
			Monthly	6,576.27	6,903.87	7,250.53	7,612.80	7,992.40
			Annual	78,915.20	82,846.40	87,006.40	91,353.60	95,908.80
GEOGRAPHIC INFO SYSTEM TECHNICIAN II	T465	Classified	Hourly	37.89	39.79	41.77	43.85	46.08
			Bi-Weekly	3,031.20	3,183.20	3,341.60	3,508.00	3,686.40
			Monthly	6,567.60	6,896.93	7,240.13	7,600.67	7,987.20
			Annual	78,811.20	82,763.20	86,881.60	91,208.00	95,846.40
GEOGRAPHIC INFO SYSTEM TECHNICIAN I	T464	Classified	Hourly	34.47	36.18	37.99	39.90	41.89
			Bi-Weekly	2,757.60	2,894.40	3,039.20	3,192.00	3,351.20
			Monthly	5,974.80	6,271.20	6,584.93	6,916.00	7,260.93
			Annual	71,697.60	75,254.40	79,019.20	82,992.00	87,131.20

**SALARY PLAN FOR ALL CLASSIFICATIONS
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FY 2020**

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Classification Title	Job Code	Service Type	Step					
			A	B	C	D	E	
INFORMATION TECHNOLOGY TECHNICIAN II	T425	Classified	Hourly	37.89	39.79	41.77	43.85	46.08
			Bi-Weekly	3,031.20	3,183.20	3,341.60	3,508.00	3,686.40
			Monthly	6,567.60	6,896.93	7,240.13	7,600.67	7,987.20
			Annual	78,811.20	82,763.20	86,881.60	91,208.00	95,846.40
INFORMATION TECHNOLOGY TECHNICIAN I	T424	Classified	Hourly	34.47	36.18	37.99	39.90	41.89
			Bi-Weekly	2,757.60	2,894.40	3,039.20	3,192.00	3,351.20
			Monthly	5,974.80	6,271.20	6,584.93	6,916.00	7,260.93
			Annual	71,697.60	75,254.40	79,019.20	82,992.00	87,131.20
INFORMATION SYSTEMS SUPPORT TECHNICIAN	T415	Classified	Hourly	31.04	32.58	34.26	35.96	37.69
			Bi-Weekly	2,483.20	2,606.40	2,740.80	2,876.80	3,015.20
			Monthly	5,380.27	5,647.20	5,938.40	6,233.07	6,532.93
			Annual	64,563.20	67,766.40	71,260.80	74,796.80	78,395.20
DATA SYSTEMS OPERATOR	C450	Classified	Hourly	28.44	29.73	31.21	32.69	34.22
			Bi-Weekly	2,275.20	2,378.40	2,496.80	2,615.20	2,737.60
			Monthly	4,929.60	5,153.20	5,409.73	5,666.27	5,931.47
			Annual	59,155.20	61,838.40	64,916.80	67,995.20	71,177.60
AUDIO VIDEO SPECIALIST	T410	Classified	Hourly	29.57	31.02	32.61	34.22	35.85
			Bi-Weekly	2,365.60	2,481.60	2,608.80	2,737.60	2,868.00
			Monthly	5,125.47	5,376.80	5,652.40	5,931.47	6,214.00
			Annual	61,505.60	64,521.60	67,828.80	71,177.60	74,568.00
VIDEO ASSISTANT	T400	Classified	Hourly					16.24
			Bi-Weekly					1,299.20
			Monthly					2,814.93
			Annual					33,779.20
INFORMATION TECHNOLOGY INTERN	Z121	Classified	Hourly				15.21	20.00
			Bi-Weekly				1,216.80	1,600.00
			Monthly				2,636.40	3,466.67
			Annual				31,636.80	41,600.00



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: LB 19-033

DATE: June 25, 2019

TO: Mayor and City Council

FROM: Director of Human Resources

SUBJECT

Adoption of Resolutions Approving Extensions of the Employment Agreements Between the City of Hayward and the City Attorney and City Clerk and Authorizing the Mayor to Execute Those Agreements on Behalf of the Council

RECOMMENDATION

That the City Council adopts the attached Resolutions (Attachments II and III) authorizing extensions of the employment agreements between the City of Hayward and the City Attorney and City Clerk and authorizing the Mayor to execute those agreements on behalf of the Council.

SUMMARY

The City Council completed its annual performance review for the City Manager, City Attorney, and City Clerk and is recommending that the agreements for the City Attorney and City Clerk be extended through June 30, 2020. The agreement for the City Manager is current and will expire on June 30, 2023. There are no changes to other terms of the employment agreements.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution Approving the Extension of the City Attorney's Employment Agreement
Attachment III	Resolution Approving the Extension of the City Clerk's Employment Agreement



DATE: June 25, 2019

TO: Mayor and City Council

FROM: Director of Human Resources

SUBJECT: Adoption of Resolutions Approving Extensions of the Employment Agreements Between the City of Hayward and the City Attorney and City Clerk and Authorizing the Mayor to Execute Those Agreements on Behalf of the Council

RECOMMENDATION

That the City Council adopts the attached Resolutions (Attachments II and III) authorizing extensions of the employment agreements between the City of Hayward and the City Attorney and City Clerk and authorizing the Mayor to execute those agreements on behalf of the Council.

SUMMARY

The City Council completed its annual performance review for the City Manager, City Attorney, and City Clerk and is recommending that the agreements for the City Attorney and City Clerk be extended through June 30, 2020. The agreement for the City Manager is current and will expire on June 30, 2023. There are no changes to other terms of the employment agreements.

BACKGROUND/DISCUSSION

The current employment agreements with the City Attorney and City Clerk will expire on June 30, 2019. Last November, the Council approved a five-year employment agreement with the City Manager that will expire on June 30, 2023. Each year, the Council reviews the performance of the City Manager, City Attorney, and City Clerk. The Council has completed its review for the period of January 1, 2018 through December 31, 2018. Based on the outcome of the performance evaluations, the Council has expressed a desire to extend the terms of the employment for the City Attorney and City Clerk through June 30, 2020.

No other terms of the employment agreements have been modified. The City Manager, City Attorney, and City Clerk will continue to contribute to the cost of their benefits as follows:

Table 1: Council Appointed Officers Benefit Contribution Levels

Benefit	Contribution Level
CalPERS Retirement	13% (8% employee & 5% of employers share)
Medical	20%
Dental	20%
Vision	50%

Additionally, the following compensation terms were previously approved by the Council in 2018 and will be implemented during fiscal year 2020:

Table 2: Council Appointed Officers Compensation Terms to be Implement in FY 2020

Officer	Term	Effective Date
City Manager	7% Market Equity Adjustment	Effective the pay period including January 1, 2020
City Manager, City Attorney, and City Clerk	2% Cost of Living Adjustment	Effective the pay period including January 1, 2020

FISCAL IMPACT

The approximate cost of the salary adjustments discussed above for Fiscal Year 2020 is \$45,000, which has been included as part of the General Fund Operating Budget.

NEXT STEPS

Human Resources staff will finalize the employment agreements for execution by the Mayor. Human Resources staff will also work with the Finance Department to implement the salary adjustments.

Prepared and Recommended by: Nina S. Collins, Director of Human Resources

Approved by:


Barbara Halliday, Mayor

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

Introduced by Council Member _____

RESOLUTION APPROVING THE EXTENSION AND MODIFICATION OF THE CITY ATTORNEY'S EMPLOYMENT AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNCIL

WHEREAS, the employment agreement between the City of Hayward and the City Attorney, Michael Lawson will expire on June 30, 2019 unless renewed by the parties on or before June 30, 2019; and

WHEREAS, the City Council has reviewed the City Attorney's performance and wishes to extend the employment agreement through June 30, 2020; and

WHEREAS, there are no changes to the terms of the employment agreement and staff will implement a Council approved salary increase in the amount of two percent (2%) effective January 1, 2020.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the Council hereby approves the extension and modification of the City Attorney's employment agreement and authorizes the Mayor to execute the agreement, a copy of which will be on file in the City Clerk's office.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST:

City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

Introduced by Council Member _____

RESOLUTION APPROVING THE EXTENSION AND MODIFICATION OF THE CITY CLERK'S EMPLOYMENT AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNCIL

WHEREAS, the employment agreement between the City of Hayward and the City Clerk, Miriam Lens will expire on June 30, 2019 unless renewed by the parties on or before June 30, 2019; and

WHEREAS, the City Council has reviewed the City Clerk's performance and wishes to extend the employment agreement through June 30, 2020; and

WHEREAS, there are no changes to the terms of the employment agreement and staff will implement a Council approved salary increase in the amount of two percent (2%) effective January 1, 2020.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the Council hereby approves the extension of the City Clerk's employment agreement and authorizes the Mayor to execute the agreement, a copy of which will be on file in the City Clerk's office.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward